

DELEGATED FULL PLANNING APPLICATION REPORT

Ward: Abbey

App Ref: PL/25/0176

Address: 35 Jesse Terrace, Reading, RG1 7RS

Proposal: Change of use from 3-bed flat to a 5-bed flat with community use, upgrades to exterior with new UPVC windows and painting of walls. Creation of car parking spaces.

Case Officer: Louise Coveney- Fuller

Expiry Date: 06/05/2025

Application Site

The application site is a two-storey end-terrace property on the east side of Jesse Terrace. The existing use of the property is Class F (Community) within the lower ground floor and ground floor, and Class C3 (residential flat) within the first floor. There is no planning history to confirm whether these uses are lawful. The property used to host Reading Bridge Club which has recently vacated the site, and this is now intended to become a Kurdish Community Centre, under new ownership.

The property is set back from the road and has a residential appearance to it, with a gravel front garden enclosed by tall hedges, and a green rear garden with two off-road parking spaces. The property is a Building of Townscape Merit within the Castle Hill/Russell Street/Oxford Road Conservation Area and is within an Article 4 Direction Area removing some permitted development rights with relation to conversion to small HMO (C4 use class) and external alterations due to protected patterned brickwork.

Proposal

Change of use from 3-bed flat to a 5-bed flat with community use, upgrades to exterior with new UPVC windows and painting of walls. Creation of car parking spaces.

Relevant Planning History

None.

Representations

A site notice was displayed by the Case Officer this has covered the consultation period.

At the time of writing this report, 7 objection letters have been received .

(Officer Note: two comments have been received from one household, and this can only count as one objection).

The objections raise the following ***planning material consideration concerns*** (summarised below) :

- Parking
- Noise
- Impact on character of area
- Use as a HMO
- Impact on conservation area and heritage asset
- Unauthorised building works and works to trees

Consultations

Ecology: see main body of officer report below

Transport: see main body of officer report below

Natural Environment: see main body of officer report below

Heritage: see main body of officer report below

Equality Act 2010:

In determining this application, the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore, in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

LEGAL AND PLANNING POLICY CONTEXT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. The following local and national planning policy and guidance is relevant to this application:

PLANNING POLICY

The following local and national planning policy and guidance is relevant to this application:

National Planning Policy Framework (2024)

National Planning Policy Guidance (2014 onwards)

Reading Borough Local Plan (2019)

CC1: Presumption in Favour of Sustainable Development

CC2: Sustainable Design and Construction

CC3: Adaptation to Climate Change

CC5: Waste Minimisation and Storage

CC6: Accessibility and the Intensity of Development

CC7: Design and the Public Realm

CC8: Safeguarding Amenity

CC9: Securing Infrastructure

EN1: Protection and Enhancement of Historic Environment

EN3: Enhancement of the Conservation Area

EN4: Locally Important Heritage Assets

EN12: Biodiversity and the Green Network

EN14: Trees, Hedges and Woodland

EN15: Air Quality

EN16: Pollution and Water Resources

H1: Provision of Housing

H2: Density and Mix
H3: Affordable Housing
H5: Standards for New Housing
H10: Private and Communal Outdoor Space
H11: Development of Private Residential Gardens
TR1: Achieving the Transport Strategy
TR3: Access, Traffic and Highway-Related Matters
TR5: Car and Cycle Parking and Electric Vehicle Charging

RBC Supplementary Planning Documents

Revised Parking Standards and Design SPD (2011)

Sustainable Design and Construction SPD (2019)

Biodiversity Action Plan (2021)

Other relevant documentation / guidance / legislation

National Design Guide: Planning practice for beautiful, enduring and successful places (2019)

Castle Hill/Russell Street/Oxford Road Conservation Area Appraisal 2020

Local Plan Update

The current version of the Local Plan (adopted in November 2019) turned five years old on Tuesday 5th November 2024. The Local Plan was reviewed in March 2023 and around half of the policies in the plan are considered still up to date. However, the rest need to be considered for updating to reflect changing circumstances and national policy. A consultation version of the draft updated version of the Local Plan was published on 6th November 2024. Although there is a five-year period for carrying out a review of a plan after it is adopted, nothing in the NPPF or elsewhere says that policies automatically become “out of date” when they are five years old. It is a matter of planning judgement rather than legal fact whether a plan or policies within it are out-of-date. This will depend on whether they have been overtaken by things that have happened since the plan was adopted, either on the ground or through changes in national policy, for example.

Officer advice in respect of the Local Plan policies pertinent to this application listed above is that they remain in accordance with national policy and that the objectives of those policies remains very similar in the draft updated Local Plan. Therefore, they can continue to be afforded weight in the advice given below and are not considered to be ‘out of date’.

Planning Considerations

Principle of Development

The proposed works would result in the loss of the existing three bedroom flat on the first floor. The proposal for the first floor to become merged with the community centre has to be weighed up in relation to Policies H7 (Protecting the Existing Housing Stock) and OU1 (New and Existing Community Facilities).

Land Registry show the first floor was used as a three-bedroom residential unit, rented out by the Bridge Club. There is a significant need in the Borough for family-sized accommodation (3+ bedrooms).

The proposed development would have a cramped and inappropriate internal layout and lack of residential facilities, including living spaces. In this case the effect of this substandard accommodation would extend beyond the effect on the amenity of future occupiers – it would have the effect of removing the existing family-sized dwelling without appropriate replacement and therefore its loss in housing-need terms. The development is therefore contrary to Policies H1, H7 and H8 of the Reading Borough Local Plan 2019 and the advice and guidance contained within paras, 96, 135, 139, 203, 205 of the NPPF 2024.

Design, Character and Impact on the Conservation Area

Policy CC7 (Design and the Public Realm) seeks to ensure that new development enhances and preserves the local character. Policy H10 (Private and Communal Outdoor Space) states that the design of outdoor areas will respect the size and character of other similar spaces in the vicinity.

Policies EN1 and EN3 refer to the protection of conservation areas, including their setting. Policy EN4 states that “Development proposals that affect locally important heritage assets will demonstrate that development conserves architectural, archaeological or historical significance which may include the appearance, character and setting of the asset.

The existing building No.35 Jesse Terrace is identified in the Russell Street/Castle Hill/Oxford Road Conservation Area Appraisal (2020) as a building of townscape merit within the conservation area. The overall proposal would result in an overdeveloped, insensitive and visually harmful form of development which has little respect for the existing context of the conservation area. The proposal for replacement windows with uPVC sashes would also be considered harmful to the appearance of the non-designated heritage asset, which is identified as having a positive contribution to the conservation area.

The considerable reduction in the outdoor amenity space in the rear is considered unacceptable as it would introduce large areas of hard standing which would be visually detrimental to the setting of the property and the wider character of the conservation area

The proposed development would result in harm to the historic layout and attractive vegetated character of the rear garden and surrounding area due to the introduction of visually stark, obtrusive and unsympathetic vehicle parking areas, removal of boundary treatments, loss of trees and lack of appropriate soft landscaping within the rear garden area. The development would therefore result in harm to the character and appearance of the area including that of the Russell Street/Castle Hill/Oxford Road Conservation Area and result in adverse harm to the historic character of the existing building. The development is therefore contrary to Policy CC7, Policy EN3, Policy EN4 and Policy H11 of the Reading Borough Local Plan 2019 and the advice contained within the paras, 96, 135, 139, 203, 205 of the NPPF 2024.

Impact on Residential Amenity

The proposed first floor residential accommodation fails to provide an acceptable arrangement of habitable living rooms to serve future occupiers of the development resulting in an overly intensive use of the space and with consequent harm to their amenity. The proposal is therefore contrary to Policy CC8, Policy H5 and Policy H8 of the Reading Borough Local Plan 2019 and the advice and guidance contained within the paras, 96, 135, 139, 203, 205 of the NPPF 2024.

Policy H10 (Private and Communal Outdoor Space) seeks that residential developments are provided with adequate private or communal outdoor amenity space. The proposal fails to make adequate provision for outdoor space including those elements listed in the policy as it is unclear how private space would be provided, separate from the parking areas and outdoor spaces associated with the ground/basement floor uses. The proposals would result in a degradation of the existing outdoor space, including the loss of the mature tree, loss of boundary treatment and the encroachment of vehicles due to the extended parking area, further harming the suitability of the space for residential occupiers.

The proposal is therefore contrary to Policy CC8, Policy H5 and Policy H8 of the Reading Borough Local Plan 2019 and the advice and guidance contained within the paras, 96, 135, 139, 203, 205 of the NPPF 2024.

Impact on Natural Environment - Trees/Landscaping

Policy EN14 (Trees, Hedges and Woodland) seeks to extend the Borough's vegetation cover and that development should make provision for tree planting whilst Policy CC7 (Design and the Public Realm) seeks proposals should include appropriate landscaping. Given that the site is also located in part within an Air Quality Management Area, tree retention and planting is a high priority and proposals should demonstrate an appropriate level of greening and/or net gain in the tree number.

The proposed development is predicated on the loss of an existing mature tree (already felled) and fails make acceptable provision for tree planting and other soft landscaping with consequent harm to the visual amenity, biodiversity, heritage value and environmental quality of the area.

The proposal is therefore contrary to Policies CC7, EN1, EN3, EN4, and EN14 of the Reading Borough Local Plan 2019 as well as the Reading Borough Council Tree Strategy 2021 and the advice and guidance contained within the para 136 of the NPPF 2024.

Transport Considerations

Policies TR1 (Achieving the Transport Strategy), TR3 (Access, Traffic and Highway-Related Matters) and TR5 (Car and Cycle Parking and Electric Vehicle Charging) seek to address access, traffic, highway and parking relates matters relating to development.

There are no Transport objections to this application, additional on-site parking is being provided.

CIL

The proposal would be a Community Infrastructure Levy (CIL) liable development if approved. If the scheme had been acceptable an informative would have been attached to the decision notice to advise the applicant of their responsibilities in this respect.

Conclusion

For the reasons set out above, the overall effect of the proposal would be an overdeveloped, insensitive and visually harmful form of development which would harm the setting of nearby heritage assets and the character and appearance of the area within which it is proposed to be located. The proposal would harm the amenity of future occupiers. The impact on biodiversity and insufficient soft landscaping are further shortcomings, particularly pertinent given the felling of trees on site.

As such, the recommendation is to refuse planning permission for the reasons set out below:

1. The proposed development would result in harm to the historic layout and attractive vegetated character of the rear garden and surrounding area due to the introduction of visually stark, obtrusive and unsympathetic vehicle parking areas, removal of boundary treatments, loss of trees and lack of appropriate soft landscaping within the rear garden area. The development would therefore result in harm to the character and appearance of the area including that of the Russell Street/Castle Hill/Oxford Road Conservation Area and result in adverse harm to the historic character of the existing building. The development is therefore contrary to Policy CC7, Policy EN3, Policy EN4 and Policy H11 of the Reading Borough Local Plan 2019 and the advice contained within the paras, 96, 135, 139, 203, 205 of the NPPF 2024.
2. The proposed development by reason of its inappropriate internal layout and lack of residential facilities, including living spaces, would result in the loss of an existing single-family dwelling and its replacement with an inappropriate sub-standard form of residential accommodation, with consequent harm to the housing needs of the area. The development

is therefore contrary to Policies H1, H7 and H8 of the Reading Borough Local Plan 2019 and the advice and guidance contained within paras, 96, 135, 139, 203, 205 of the NPPF 2024.

3. The development fails to provide a sufficient amount or quality of private amenity space to serve future occupiers of the residential accommodation, harmful to their amenity and is therefore contrary to Policies CC8, H8 and H10 of the Reading Borough Local Plan 2019 and the advice and guidance contained paras, 96, 135, 139, 203, 205 of the NPPF 2024.
4. The proposed first floor residential accommodation fails to provide an acceptable arrangement of habitable living rooms to serve future occupiers of the development resulting in an overly intensive use of the space and with consequent harm to their amenity. The proposal is therefore contrary to Policy CC8, Policy H5 and Policy H8 of the Reading Borough Local Plan 2019 and the advice and guidance contained within the paras, 96, 135, 139, 203, 205 of the NPPF 2024.
5. The proposed development fails make acceptable provision for tree planting and other soft landscaping with consequent harm to the visual amenity, biodiversity, heritage value and environmental quality of the area. The proposal is therefore contrary to Policies CC7, EN1, EN3, EN4, and EN14 of the Reading Borough Local Plan 2019 as well as the Reading Borough Council Tree Strategy 2021 and the advice and guidance contained within the para 136 of the NPPF 2024.