

DELEGATED APPLICATION REPORT

Application No's: 24/1079

Address: Trinity Hall, South Street, Reading

Proposal: Change of use of existing building and extensions to provide 18 apartments.

Case officer: Ethne Humphreys

Decision date: Originally 16/01/2025; an EOT was requested by not agreed.

Site Description and Surrounding Area:

The application site comprises an existing three-storey brick building containing 24 bedspaces of student accommodation (including a wardens flat and office). It was constructed in the 1980s and is located on the north side of South Street, at the junction with Sidmouth Street (to the east), with frontages onto both roads. Vehicular access is present from South Street, providing off-street parking for 12 vehicles. One of these spaces is within a detached garage, located at the South Street frontage adjacent to the vehicular access to Livery Close (to the west). There is also some existing landscaping surrounding the existing building at the site.

The building has been vacant since 2014.

This application site is located within the Reading Central Area, albeit just within the boundary given the buildings opposite on the east side of Sidmouth Street are outside. The site is also within an air quality management area.

The surrounding area comprises a mix of both commercial and residential uses, while the buildings themselves also encompass a variety of styles and ages. To the north is the off street parking area relating to 54-58 Queens Road that is in residential use (through prior approval applications). To the east is the grade II listed 3&5 Sidmouth Street, a 1880s 2 ½ - 3 storey pair in the Butterfield Vicarage style in use as a Montessori School. Also to the east is the recent 3 storey Sidmouth Court flats. Diagonally to the south-east is the grade II listed 9 Sidmouth Street, a 2 storey end of terrace grey brick building from the 1850s. 50-52 South Street, to the south of the site, is a 3 storey building occupied by the Reading Islamic Centre. To the west of this is the 4 storey Shepton House residential building. To the west of the application site No's 43-49 (odd) South Street are grade II listed. This is a mid-19th century 2 storey and basement residential terrace with Bath ashlar front and flint with brick dressings and quoins behind.

Proposal:

This application seeks planning permission for the retention and conversion of existing building with extensions to comprise 18 flats.

The proposals would comprise 7 x 1-bed, 10 x 2-bed and 1 x 3-bed units.

No car parking is proposed; however, the proposals include 10 cycle storage spaces. Tree planting and soft landscaping is indicated.

Materials would include:

Lead clad dormer windows, buff stone cills, render finish, metal coping, Riven Blue brick, buff brick and vertical slate tiling.

Plans and documents submitted

Drawing No: Proposed Livery Close and North Elevations PL51 Rev A
Drawing No: Proposed Sidmouth Street and South Street Elevations PL50 Rev A
Received 14th February 2025
Heritage Statement Project Number 28058 dated October 2024
Received 23rd October 2024
Drainage Statement Ref: 004_8220157_JD_Drainage_Statement
Received 21st August 2024
Planning and Affordable Housing Statement dated August 2024
Design and Access Statement dated August 2024
Transport Statement Ref: 003_8220157_IK_Transport_Statement
Financial Viability Statement dated August 2024
Draft Legal Agreement
Daylight and Sunlight Report dated August 2024
Location Plan AC01 Rev A
Block Plan – Proposed Scheme PL02 Rev A
Site Survey K3321-T
Existing Plans PL03
Existing Elevations PL04
Landscape Strategy Plan 8493/LCP Rev C
3rd Floor and Roof Terrace Landscape Plan 8493.PP.2.1
Proposed Section A-A PL52
Proposed Ground Floor Plan PL45
Proposed First Floor Plan PL46
Proposed Second Floor Plan PL47
Proposed Third Floor Plan PL48
Proposed Roof Plan PL49
Received 20th August 2024

Planning History

22/0385 Demolition of existing buildings and erection of 22 apartments. Refused and dismissed at appeal.

151356/FUL Erection of part 3, part 4 storey building to provide 25 student units (42 bedspaces) (Sui Generis) and associated works, following demolition of existing 3 storey building (Sui Generis). Permitted, not implemented.

Other sites nearby

49 South Street

220091/FUL and 220092/LBC Change of Use from Office (Class E) to single residential dwelling (C3) with internal alterations to Grade II Listed building. Permitted.

Internal Consultation Responses:

Ecologist: No objection subject to conditions. Discussed below.

Environmental Protection Officer: No objection subject to conditions. Discussed below.

Heritage Officer: Concerns raised relating to differing roof forms, cluttered and disproportionate appearance. Discussed below.

Natural Environment Officer: No objection. Discussed below.

Transport Officer: No objection. Discussed below.

Neighbours

A site notice was displayed at the site. One neighbour letter of representation has been received, supporting the proposals due to poor condition of existing building.

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.

Relevant Planning Policy and Guidance

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.

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. Material considerations include relevant policies in the National Planning Policy Framework (NPPF) - among them the 'presumption in favour of sustainable development', which means 'approving development proposals that accord with an up-to-date development plan without delay' (NPPF paragraph 11).

The development plan is the Reading Borough Local Plan (2019). The relevant national / local policies / guidance are:

National Policy and Guidance

National Planning Policy Framework 2024

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

National Planning Practice Guidance (2014 onwards) (PPG)

Reading Borough Local Plan 2019

CC1: Presumption in Favour of Sustainable Development
CC2: Sustainable Design and Construction
CC3: Adaptation to Climate Change
CC4: Decentralised Energy
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 the Historic Environment
EN6: New Development in a Historic Context
EN12: Biodiversity and the Green Network
EN14: Trees, Hedges and Woodland
EN15: Air Quality
EN16: Pollution and Water Resources
EN18: Flooding and Drainage
EM3: Loss of Employment Land
H1: Provision of Housing
H2: Density and Mix
H3: Affordable Housing
H5: Standards for New Housing
H10: Private and Communal Outdoor Space
H14: Suburban Renewal and Regeneration
OU1: New and Existing Community Facilities
TR1: Achieving the Transport Strategy
TR3: Access, Traffic and Highway-Related Matters
TR4: Cycle Routes and Facilities
TR5: Car and Cycle Parking and Electric Vehicle Charging
CR1: Definition of Central Reading
CR2: Design in Central Reading
CR6: Living in Central Reading

Supplementary Planning Documents & other relevant documents/guidance

Reading Borough Local Plan Pre-Submission Draft Partial Update, November 2024
Affordable Housing (2021)
Employment, Skills and Training (2013)
Revised Parking Standards and Design (2011)
Planning Obligations under Section 106 (2015)
Sustainable Design and Construction (2019)

Other relevant documentation

Reading Tree Strategy (2021)
Reading Biodiversity Action Plan (2021)
The National Design Guide (2019)
The National Model Design Code (July 2021)

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.

It is considered that the Local Plan policies listed above remain in accordance with national policy – and that the objectives of those policies remain very similar in the draft updated Local Plan – other than Policy H1 which is now out of date. In this respect, regard will be had to national policy.

Appraisal

Land Use Considerations

Policy CC1 (Presumption in favour of Sustainable Development) requires a positive approach to development proposals that reflect the presumption in favour of sustainable development, which lies at the heart of the National Planning Policy (NPPF). To achieve sustainable development a proposal needs to meet economic, social and environmental objectives.

Loss of existing use

The existing building was last used for student accommodation (*Sui Generis*) and, has been vacant since 2014. The applicant considers that the current accommodation is substandard when compared to modern student accommodation, particularly as it has been vacant for such a significant period of time. There is no specific policy which would seek to prevent the loss of this student accommodation. Furthermore, and as the subtext to Policy CR6 notes at para 5.3.22 ‘*The centre of Reading is becoming ever more important as a residential location*’. The site is within the Central Area, at its south eastern boundary.

Principle of housing

Further to the above, the proposed replacement with residential development would provide additional dwellings to the Borough’s housing stock on previously developed land – the principle of which aligns with the broad objectives of Policy H1 (Provision of Housing) in assisting meeting annual housing targets. It is noted that the Council is currently meeting its annual housing targets for general housing whilst there is an undersupply in the provision of Affordable Housing.

Density and Housing Mix

The NPPF seeks to ‘*boost significantly the supply of housing*’ and deliver a wide range of homes, of different types and tenures. Achieving an efficient use of the land within the context of any central and sustainability located site is a key priority both at a national and local level. The NPPF states that LPAs should actively “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided*

that it is not of high environmental value". In general terms, officers support those urban design principles which encourage an ambitious approach to density on such sites. Policy H2 (Density and Mix) specifically considers density and mix and requires that an appropriate density of residential development is informed by the character and mix of uses of the area in which it is located and its current and future level of accessibility.

Density

The proposed development is for 18 dwellings. This equates to 209 dwellings per hectare (ha) (18 dwellings on a 860m² site). This is significantly above the indicative density range of 'above 100' in town centre locations, as set out in Figure 4.5 of the Local Plan. Policy H2 recognises the appropriate density of residential development will be informed by a range of factors, including the character and mix of uses of the area, the housing mix, the need to achieve high quality design, site accessibility, and the need to minimise environmental impacts. As such, density should not be considered in isolation - it is a useful indicator in seeking to meeting housing targets, but not necessarily as good an indicator of the likely form, quality, or appropriateness of a scheme. In this instance, there are concerns with the proposals relating to the design and impact on character of the area. As such, the high density could be indicative of overdevelopment of the site, and it follows that a reduced density could still achieve density policy aims with less visual impact on the surrounding area.

Housing Mix

Policy CR6 (Living in Central Reading) requires that residential developments within the town centre area should incorporate as a guide, a maximum of 40% of 1-bedroom units and a minimum of 5% of 3- bedroom units.

The proposed dwelling mix is as follows:

- 1 bedroom units 7 no. = 38.89%
- 2 bedroom units 10 no. = 55.56%
- 3 bedroom units 1 no. = 16.67%

The proposal is considered to be compliant in this respect.

Provision of Affordable Housing

Policy H3 (Affordable Housing) seeks to ensure that development proposals of more than 10 dwellings should provide the equivalent of 30% on-site provision of affordable housing. This is in order to meet identified housing needs and to contribute towards sustainable, inclusive and mixed communities. There is a significant shortfall in provision of Affordable Housing compared with identified need.

Paragraph 4.4.19 of the Reading Borough Local Plan provides some background to the policy and summarises the large amount of evidence that the Council has in respect of the critical need for Affordable Housing that exists within the Borough:

"The Berkshire (with South Bucks) Strategic Housing Market Assessment (SHMA, 2016) has once again emphasised the critical need for affordable housing within Reading as well as the remainder of Berkshire. The SHMA identified a need for 406 new affordable

homes per year in Reading, which represents the majority of the overall housing required. The consequences of not providing much-needed affordable homes would be severe, and would include homelessness, households in temporary or unsuitable accommodation, overcrowding and younger people having to remain living with parents for increasing periods. Insufficient affordable housing will also act as an impediment to economic growth, as firms will face increasing problems with accommodation for their workforce. Meeting even a substantial proportion of the identified housing need presents significant challenges, and it is therefore critical that new residential development of all sizes makes whatever contribution it can."

RBLP para 4.4.23 states *"The target set in the policy has been determined as the result of an assessment of the viability of development of sites of various sizes in the Borough in accordance with the requirements of the NPPF. This will be the expected level of affordable housing provision."*

An up-to-date assessment of the need for Affordable Housing that exists in the Borough is within the supporting text for Policy H3 (para 4.4.21) of the Reading Borough Local Plan Submission Draft Partial Update May 2025 which states the following:

"The Reading Housing Needs Assessment (HNA, 2024) has once again emphasised the critical need for affordable housing within Reading as well as the remainder of Berkshire. The HNA identified a need for 406 additional affordable homes per year in Reading, which represents the majority of the overall housing required. The consequences of not providing much-needed affordable homes would be severe, and would include homelessness, households in temporary or unsuitable accommodation, overcrowding and younger people having to remain living with parents for increasing periods. Insufficient affordable housing will also act as an impediment to economic growth, as firms will face increasing problems with accommodation for their workforce. Meeting even a substantial proportion of the identified housing need presents significant challenges, and it is therefore critical that new residential development of all sizes makes whatever contribution it can".

Current Policy H3 includes provision for viability considerations at para 4.4.24 which states that *"...the Council will be sensitive to exceptional costs of bringing a site to market such as for reasons of expensive reclamation, or infrastructure costs, or high existing use values. Where applicants can demonstrate, to the satisfaction of the Council, exceptional difficulties in bringing a site to market, the Council will be prepared to consider detailed information on the viability of a particular scheme and, where justified through an open book approach, to reduce the affordable housing requirement..."*

The NPPF and the Council's policies allow for viability considerations to reduce the provision but only in specific circumstances. Paragraph 59 of the NPPF 2024 states that *"The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force."*

Policy H3 places the onus on the developer/landowner to justify any lower affordable housing contribution. The supporting text to Policy H3 refines this, explaining that costs need to be *"exceptional costs of bringing a site to market"*. It is considered that the types

of costs referred to in the Local Plan relate to problems with a site itself; expensive reclamation, infrastructure costs, or high existing use values etc. The cost of a particular design, or design choices, is not considered to fall within this type of exceptional cost; unless the design options are so limited as to prejudice the site coming forward for development in general. It is also not necessarily the role of the LPA to insulate a developer against financial risk associated with downturns in the market or rising development costs.

In support of the application a financial viability assessment has been submitted, seeking to justify a nil contribution towards affordable housing. This viability appraisal has been reviewed by the Council's Valuer.

The viability considerations that have been presented indicate an increase in build costs which has resulted in the profitability issue. However, there do not appear to be any 'exceptional costs' inherent in the site which would indicate a reduction under the terms and guidance associated with Policy H3. Equally, the increase in build costs is a challenge to the wider construction market and not specific to this site.

The need for general housing (i.e. not Affordable Housing) is a consideration; however, it is not considered sufficient to outweigh the harm that would result in terms of failure to meet the critical need for Affordable Housing within Reading Borough and the associated need to provide for sustainable and inclusive mixed and balanced communities.

Officers have raised these matters with the applicant and have made it clear that the zero percent offer (the basis on which the application has been submitted) would result in such significant harm to meeting housing need and achieving mixed and balanced communities when weighed against the critical need for Affordable housing that the application would not be recommended for the approval on that basis.

In light of the above, and in order to get a quicker resolution, the applicant proposed 4 offers:

(a) a late-stage review clause(s) in a S.106 planning obligation which enables the development to be deliverable and no financial contribution and that this is taken to the Planning Applications Committee as soon as possible with a recommendation to approve; or

(b) an ex gratia financial contribution of £100,000 subject to no review clause(s) in a S.106 planning obligation and that this is taken to the Planning Applications Committee as soon as possible with a recommendation to approve; or

(c) a lesser ex gratia financial contribution of £75,000 subject to a late-stage review clause(s) in a S.106 planning obligation which enables the development to be deliverable and which fall(s) away if the development is commenced within 24 months of the date of the S.106, with this contribution and the applicant's costs of undertaking the review taken off of any further contribution deriving from the review, and that this is taken to the Planning Applications Committee as soon as possible with a recommendation to approve; or

(d) a lesser ex gratia financial contribution of £50,000 subject to a late-stage

review clause(s) in a S.106 planning obligation that enables the development to be deliverable, with this contribution and the applicant's costs of undertaking the review taken off of any further contribution deriving from the review, and that this is taken to the Planning Applications Committee as soon as possible with a recommendation to approve.

These offers have been reviewed, and it is apparent that they fall well below the policy requirement for 30% provision on site, or an appropriate contribution for off-site provision and equate to less than 2% of the GDV. The DPM cannot be given much weight in terms of housing need as it is not possible to know what it would deliver at this stage.

The applicant has suggested that the RB Local Plan is out of date. This is not accepted. With regard to Affordable Housing, recent appeal decisions have found Policy H3 not out of date – based on the evidence available. In addition, it is considered that the existing Local Plan (2019), the emerging Local Plan (Submission Draft 2025) and the NPPF are all aligned in their overall objective of creating mixed and balanced communities including the delivery of an appropriate mix of housing types for the local community - which includes affordable housing (NPPF Para 63). When considering the relative weight to be given to the various benefits and harms identified, it should be in the context of this need for housing which meets identified needs. It would be acting against these objectives to seek to justify a reduced amount of affordable housing due to a policy deemed “out of date” because of increased housing requirements. If there is a need to increase housing supply, it follows that this should also require an increase in affordable housing supply which is an intrinsic part of meeting the identified need.

There is therefore a demonstrated critical need for Affordable Housing in Reading. It is considered that the Council is justified in seeking to secure the provision of Affordable Housing for this development, subject to all relevant material considerations. Furthermore, a significant proportion of housing is provided relatively small sites within Reading due to its largely previously developed, urban, nature. There is therefore a need for each site to deliver a proportion of on site Affordable Housing to avoid a shortfall against housing targets.

Failure to provide adequate affordable housing would fail to make the most appropriate use of the land resource. This situation both in isolation, and if replicated within other developments, would reduce the accessibility to appropriate housing within Reading. It is not considered reasonable to expect other developments to compensate for the shortfall in provision.

Significant harm has been identified in terms of the failure to meet policy requirements for this site in terms of a critical need for Affordable Housing and the associated aims of achieving mixed and balanced communities is contrary to Policy H3. This harm will need to be weighed against other material considerations, including the wider benefits of the scheme if the proposals are to be considered acceptable. This is addressed within the overall planning balance at the end of this report.

Design Considerations and Impact on Character of Surrounding Area and Heritage Assets

Policy CC7 (Design and the Public Realm) seeks to ensure that new development enhances and preserves the local character. The policy places importance on the layout of the urban structure and urban grain, stipulating that development should respond positively

to the local context and create safe and accessible environments. The policy requires a *“high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located”*. Policy EN1 (Protection and Enhancement of the Historic Environment) requires that historic features and their settings will be protected and enhanced will not have an adverse impact on those elements which contribute to their special architectural or historic interest including, where appropriate, their settings.

Paragraph 129 of the NPPF 2024 states that decisions should support development that takes into account the importance of securing well-designed, attractive and healthy places.

Paragraph 135 of the NPPF 2024 details that decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character including the surrounding built environment.

Paragraph 131 of the NPPF 2024 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Paragraph 135 of the NPPF 2024 requires that decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character including the surrounding built environment.

Paragraph 139 of the NPPF 2024 states that development that is not well designed should be refused.

Paragraph 212 of the NPPF 2024 details that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The National Design Guidance identifies 10 key components for good design and of particular note is the characteristic of 'Context' and it states that “well designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It should enhance positive qualities and improve negative ones.” Additionally, there is specific reference to ‘views inwards and outwards’.

There are several listed buildings near the site. The Planning Inspector for application 220385 noted the following:

“The significance of No 43-49 is, in part, in its consistency of detailing along the front of the terrace and flint with brick dressings and quoins behind. Its setting includes considerably larger buildings opposite, with those nearby on the same side having more gradual increases in height and bulk. The space around No 43-49, including that from the taller elements of the appeal building being set in from the boundary, allows an appreciation of its detailing and materials. 9. The significance of No 9 is, in part, its unusual end of terrace form and traditional detailing. The significance of No 3 and 5 is, in

part, derived from its detailing and appearance as a pair of asymmetrical Butterfield Vicarage style properties. The setting of No 9 as well as No 3 and 5 already includes buildings of a substantial size, including those of a comparable or greater height and footprint on both sides of South Street.”

Application 22/0385 was for the demolition of the existing building and replacement with new building. The current proposals are for conversion of the existing building, with extensions. This in itself is acceptable. Since application 22/0385 was refused, the footprint has been reduced which does allow for greater amounts of soft landscaping.

There has also been a reduction of built form from 4 storey to 3 storey adjacent to Livery Close and the listed 49 South Street to the west of the site. This is an improvement compared with the appeal scheme and does improve the transition between these buildings to a degree.

However, during the course of the application, the planning officer raised concerns that the many roof forms (hipped, half hipped, flat roof, gable) would appear cluttered and disproportionate. It was also considered that the many materials proposed – combined with the differing roof forms – would not assist in the proposals appearing as a coherent whole. Concern was raised that some of the flank walls would appear stark (north elevation stairwell and adjacent Livery Close). The Conservation officer also raised concerns about the many forms, materials and elements that would not be perceived as a whole or attractive. Concerns were also raised about the architectural detailing – specifically the render and channelling, multiple windows with wrong proportions and upvc doors.

In response and with regard to the differing roof elements, the agent stated that these concerns had not been raised as part of pre-application queries. However, revised plans were received removing the channelling and replacing with plain render and this extended around the whole building; proposed windows have been replaced with plain aluminium windows, proposed doors replaced with aluminium and some brick detailing to break up the area of brick work and to add visual interest.

The agent was subsequently advised that alongside the degree in harm to meeting housing need and achieving mixed and balanced community (discussed above) there is a degree of harm to heritage assets and street scene. Whilst some matters had been addressed (material, windows brick detail) concerns remained with regard to the varying roof forms. Whilst it is considered that the impact of the proposals on the setting of the listed buildings would be low-to moderate (less than substantial) harm still exists. This agent was advised that this would form part of the planning balance which will be discussed at the end of this report.

It is worth noting that the Planning Inspector for application 220385 considered that *“The roof shape and largely continuous parapet also unfavourably contrasts with the way in which the often-sloping roofs or staggered increases in height nearby reduce the bulkiness of the larger blocks in the street scenes.”*

It is considered that the building as proposed remains excessively bulky overall with the substantial roof form and parapet resulting in an imposing building. The cluttered and disproportionate appearance, and lack of visual coherence, referenced above adds to

this harmful effect as does the stark appearance of the flank walls. The proposal contrasts sharply with the simple, recessive nature of the existing building which has been identified as having a neutral effect on its context.

As such it is considered that the proposal would be of an excessive scale with harmfully bulky roof forms and discordant detailing would result in an imposing and visually dominant development which fails to respond positively to its local context, including the setting of surrounding heritage assets. As such the proposal would result in harm to the character and appearance of the area, contrary to Policies CC7, EN1 and H2 of the Reading Borough Local Plan 2019 and paragraphs 131, 135 and 139 of the NPPF 2024.

Residential Amenity – Existing and Proposed

Policy CC8 (Safeguarding Amenity) of the Reading Borough Local Plan states that development will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties

Impact on neighbouring amenity

No.49 South Street, the Grade II listed building to the west of the site received planning permission (and listed building consent) for conversion of office to residential dwelling (see history section above). The approved plans included amenity space at the rear for the new dwelling. Since application 22/0385 was refused, the reduction in scale of built form has been reduced at this point and is no longer considered to result in significant overbearing effects such to warrant a refusal on this basis.

In relation to No.54-58 Queens Road to the rear (north) of the site, these former offices are in residential use, with extensions recently constructed to facilitate. The proposed extensions would be no closer to the common boundary than the existing building and no overbearing effects are considered to arise. The windows would face the hardstanding of No.54-58 Queens Road and are not considered to result in any significant material loss of privacy.

Similarly, given the intervening roads of South Street and Sidmouth Street to other nearby properties, no other overbearing effects or loss of privacy is considered to occur.

In terms of other amenity-based matters (noise and disturbance, dust and fumes and crime and safety), the proposals are considered appropriate in these regards. Had the proposals been supported a series of conditions would have secured various matters (e.g. construction method statement / waste collection details).

Amenity of future occupiers

In addition to Policy CC8 above, Policies H5 (Standards for New Housing) and H10 (Private and Communal Outdoor Space) also apply. Policy H5 states that new build housing will need to comply with the nationally prescribed space standards. Policy EN15 (Air Quality) requires developments to have regard to the need to improve air quality and reduce the effects of poor air quality. Policy EN16 (Pollution and Water Resources) states that proposals for development that are sensitive to the effects of noise or light pollution will only be permitted in areas where they will not be subject to high levels of such pollution, unless adequate mitigation measures are provided to

minimise the impact of such pollution. Policy H10 sets out that *“Dwellings will be provided with functional private or communal open space wherever possible, that allows for suitable sitting-out areas, children’s play areas, home food production, green waste composting, refuse storage, general outdoor storage and drying space. Houses will be provided with private outdoor space whereas flats may be provided with communal outdoor space, balconies and/or roof gardens.”*

All units would meet the nationally described space standards (as outlined in Policy H5) at the minimum with adequate size bedrooms and living accommodation. All units would have reasonable levels of outlook, daylighting and privacy. Whilst there may be some disturbance of comings and goings to ground floor flats, combined with soft landscaping, no material loss of privacy is considered to arise.

The proposals include communal outdoor space and a roof garden, as well as two of the flats having private terraces – including the 3 bed flat with two terrace areas. There are some open spaces within walking distance of the site and on balance, this is considered acceptable.

With regard to noise & disturbance and air quality matters, Environmental Protection officers have confirmed that the proposals would be satisfactory subject to conditions. Thus, had the proposals been supported by officers, these elements would have been secured via condition.

Transport and highways

Policies TR3 (Access, Traffic and Highway related matters), TR1 (Achieving the Transport Strategy) and TR5 (Car and Cycle Parking and Electric Vehicle Charging) seek to address access, traffic, highway and parking relates matters relating to development. The Parking Standards and Design SPD sets out guidance in respect of parking provision.

Parking

The site is located in Zone 2, Primary Core Area, of the Revised Parking Standards and Design SPD. This zone directly surrounds the Central Core and extends to walking distances of 2 kilometres from the centre of Reading. This zone is well served by public transport, with buses continuing either into or out of the Central Core Area via this zone.

In accordance with the adopted Parking SPD, the development would be required to provide 1no. on-site parking spaces per 1-2 bedroom dwelling and 2 (rounded up from 1.5) for a 3 bedroom flat. However, this application proposes a car free development. A transport statement has been submitted to support the proposals. Transport officers have raised no objection to a car free development given the extensive parking restrictions in place preventing unauthorised on street parking. The transport statement provides acceptable justification for the scheme and the site is within a sustainable location. Had the application been otherwise supportable, conditions would have been attached in respect of not being entitled to apply for resident or visitor parking permits for the surrounding residential streets where parking is under considerable pressure. This would ensure that the development would not harm the existing amenities of the neighbouring residential properties by adding to the already high level of on street car parking in the area.

Access

The existing access is served via an existing vehicular access from South Street to hard standing parking area and a detached garage. This access would be reinstated and realigned with the footway. Whilst this would require a licence from the Highways department, Transport officers raise no objection.

Servicing/Refuse

The applicant has stated that deliveries and servicing would be undertaken from the kerbside of South Street on the site frontage. There are double yellow lines preventing parking on one side of the carriageway, but no loading restrictions are currently in place. On street servicing would be reflective of the current practice for other residential and commercial units in the area and therefore would be acceptable in this instance. However, it is noted that the refuse store is located further than 10m from the kerb edge. Bin storage should comply with Reading Borough Council's Waste management guidelines for property developers. Ramps should be avoided wherever possible along the pathway. A 1:15 ramp has been proposed; however, the application should confirm that both of these ramps are in accordance with "Design of an accessible and inclusive built environment BS8300-2:2018" document to ensure suitable access can be provided. Whilst clarification would be required, it is considered that this could be dealt with via revised plans and does not form a reason for refusal in this respect.

Cycles

In accordance with the Borough's Parking Standards and Design SPD, a minimum provision 0.5 cycle storage spaces should be provided per 1 and 2 bedroom flat and 1 space for the 3 bedroom flat. A cycle store providing 10 Sheffield stands is proposed, which is considered acceptable.

There are no Transport based concerns with the proposals. Should the application have otherwise been considered acceptable, a number of transport-based conditions would have been secured in the event of planning permission being able to be granted. These would have included matters relating to: submission and approval of construction method statement; waste storage/collection/management details; on-street parking restrictions.

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 proposal should include appropriate landscaping. Proposals should demonstrate an appropriate level of greening and/or net gain in the tree number.

Paragraph 136 of the NPPF 2024 details that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.

The retention of the existing building retains the landscape buffer and addresses previous landscape concerns over reduced landscaping. The reduction in built form up to the north boundary also removes previous tree concerns. A landscape strategy has been submitted which is acceptable in principle. The landscape strategy includes rain gardens, which are also included in the drainage strategy which is appropriate. Should the application have otherwise been acceptable then further landscaping details would have been secured by way of condition.

Ecology

Policy EN12 (Biodiversity and the Green Network) seeks that development should not result in a net loss of biodiversity and should provide for a net gain of biodiversity wherever possible by protecting, enhancing and incorporating features of biodiversity on and adjacent to development sites and by providing new tree planting and wildlife friendly landscaping and ecological enhancements wherever practicable.

An updated Ecology Report has been submitted with the application. The Council's Ecologist considers this has been undertaken to an appropriate standard and agrees with the recommendation relate to checking nesting birds, removal of semi-invasive non-native plant species and further survey work. Should the application have otherwise been considered acceptable, a condition would have been included to secure a Construction Environment Management Plan for biodiversity.

Biodiversity Net Gain

The application is subject to mandatory net gain requirements as outlined in Schedule 7A of the Town and Country Planning Act 1990 as well as Policy EN12 requirements which states "*On all sites, development should not result in a net loss of biodiversity*".

A Biodiversity Net Gain assessment was conducted using the Statutory Biodiversity Metric, based on the proposed habitat maps and proposed landscaping plan. The assessment indicates a net gain of +0.15 area habitat units, equivalent to 300% net gain in biodiversity. Additionally, there would also be a small net gain in hedgerow units. Enhancements include 12 new trees, grassland, shared landscape gardens and hedgerow planting.

Give the above, and should the application have otherwise been considered acceptable, net gain would be contingent on meeting the pre-commencement general Biodiversity Net Gain conditions. This would secure the submission and approval of a Biodiversity Net Gain plan demonstrating how a 10% increase in biodiversity value would be achieved.

Given the nature of the scheme, and should the application have otherwise been considered acceptable, ecological enhancements would also need to be provided, namely integrated bird (with a focus on swifts) and bat boxes and wildlife friendly landscaping. This could be secured by way of condition.

Sustainability and Energy

Policy CC2 (Sustainable Design and Construction) and Policy CC3 (Adaption to Climate Change) seeks that development proposals incorporate measures which take account of climate change.

Policy H5 (Standards for New Housing) and the Council's Sustainable Design and Construction SPD (2019) identify that, as a minimum, new dwellings should achieve 35% improvement in regulated emissions over the Target Emissions Rate (TER) in the 2013 Building Regulations, with financial contribution required to off-set any remaining carbon emissions to zero.

The proposed development would retain the existing main building on the site and its embodied carbon. The application confirms agreement to obligations relating to carbon off-setting, to offset any additional carbon emissions where zero carbon is not met.

Should the application have otherwise been considered acceptable, then a s106 obligation would have been required to secure a financial contribution to off-set carbon emissions to zero. However, given the recommendation is to refuse planning permission for other reasons, completion of a s106 legal agreement is not being pursued and lack of such an agreement to off-set carbon emissions to zero would represent a further reason for refusal of the application.

SuDs

Policy EN18 (Flooding and Sustainable Drainage Systems) requires all major developments to incorporate Sustainable Urban Drainage Systems (SUDS) with runoff rates aiming to reflect greenfield conditions and, in any case, must be no greater than the existing conditions of the site.

It is also clear from Policy EN18 that a landscape-led SuDs scheme should be incorporated within the proposals, supported by guidance in the Sustainable Design and Construction SPD. This is to maximise ecological benefits, link into the existing Green Network and provide the benefits of connecting tree planting with proposed SuDS drainage so that the trees and smaller plants can filter surface water within the site.

An updated drainage report has been submitted. This indicates that the surface water drainage would result in a betterment over the existing situation through an overall reduction in impermeable area by 44%.

The Inspector for the previous appeal concluded that there was no compelling evidence to indicate that the site would be unable to accommodate SuDs to at least some degree and acknowledged that areas of planting provide some scope to contribute to any system. It is noted that the landscape strategy includes rain gardens which are included in the drainage strategy which is appropriate. Should the application have otherwise been considered acceptable, a condition would have been attached requiring further details in this respect.

Employment Skill and Training

In accordance with the Employment Skills and Training SPD and Policy CC9 (Securing Infrastructure) a development of this nature and scale is required to demonstrate how it would utilise local labour and contribute to skills and training for local labour in the form of a construction phase employment and skills plan associated with the development. Provision of such plan, or equivalent financial contribution, would be secured by way of S106 legal agreement should the application be recommended for approval. However, given the recommendation is to refuse planning permission for other reasons, completion of a S106 legal agreement is not being pursued and lack of such agreement securing construction phase employment and skills plan would represent a further reason for refusal of this application.

CIL

The applicant duly completed a CIL liability form as part of the submission of this application. Had the application been able to be supported, then the scheme would have

been CIL liable, with the standard informative included on any planning permission. In the circumstances, an informative will be added to the decision notice specifying that the scheme would have been liable to a CIL contribution.

Matters Raised in Representations

All material considerations have been addressed in the above assessment.

Overall Planning Balance and Conclusion

This application has been carefully considered in the context of the Reading Borough Local Plan 2019, the NPPF 2024 and the previously refused application 22/0385 and associated appeal decision.

With regard the status of the Local Plan:

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. The submission draft of the Local Plan Partial Update was submitted on 9th May 2025. 6.5 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 considered in respect of the Local Plan policies pertinent to this application 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 determination of this planning application and are not considered to be ‘out of date’

It is important to consider that the emerging Local Plan, and the NPPF, both require an increased provision of housing, rather than any reduction. Noting that the existing Local Plan, the emerging Local Plan and the NPPF are all aligned in their overall objective of creating mixed and balanced communities, and the delivery of an appropriate mix of housing types for the local community which includes affordable housing (NPPF Para 63). When considering the relative weight to be given to the various benefits and harms identified, it should be in the context of this need for housing which meets identified needs. It would be acting against these objectives to use a policy deemed “out of date” because of increased housing requirements to justify a reduced amount of affordable housing which is an intrinsic part of meeting the identified need for increased housing supply.

It is also considered that any harm in respect of meeting identified housing need, once identified, is far from being an abstract concept and will have direct impacts on the housing of local residents. This is not to deny or lessen any benefits which might outweigh this harm and could, if sufficient, still outweigh the harm, but must be clearly demonstrated.

Notwithstanding the above and for completeness, in terms of the status of the Local Plan, para 11 of the NPPF sets out a framework for decision making where policies are considered out of date.

For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination⁹.

Footnote 7 confirms that *“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.”*

Assets of particular importance in respect of the current proposal are the listed buildings surrounding the site, as confirmed by the recent appeal decision. 3&5 Sidmouth Street (No 3 and 5), 9 Sidmouth Street (No 9) and 43-49 (odd) South Street (No 43-49). Consistent with the appeal decision, it is considered that the bulkiness of the proposal and its inappropriate form and appearance in close proximity to 43-49 South Street would dominate and distract from the listed terrace, harmful to its setting and heritage significance.

In terms of the strength of the reason for refusal (NPPF para 11), paragraph 212 of the NPPF requires that “great weight” should be given to the asset’s conservation, irrespective of the whether any potential, para 215 says that less than substantial harm should be weighed against the public benefits of the proposal. This is examined further elsewhere in the report, where it is considered that the public benefits do not outweigh the harm in this instance.

Footnote 9 confirms that the relevant key policies are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12.

Paragraph 66 – Affordable Housing - this major development conflicts with paragraph 66 in that whilst housing is proposed, the mix of affordable housing does not meet identified local needs, in fact there is very little scope for it to do so given the minimal amount of affordable housing offered by the applicant, and the absence of a S106 legal agreement to secure any affordable housing.

Paragraph 110 and 115 – Sustainable transport – the proposal is within a sustainable location near to services and facilities. However, this would be true of any housing in this location and does not in itself justify the particular form of development proposed and is largely neutral in terms of weight.

Paragraph 115 requires sustainable transport modes to be prioritised. As with 110 above, the development makes no particular active or special provision in this regard, although it is in a sustainable location.

Paragraph 129 – Density - In terms of whether the development would make efficient use of land, it is noted that the density is high, it is also noted that the submitted viability assessment suggests that local market conditions and viability are a barrier to delivery. On the other hand it is apparent that the proposal would not provide for the identified need for different types of housing due to the significant shortfall in affordable housing proposed. It has also been identified elsewhere in this report that the proposed building would be harmful to the area's prevailing character which includes the setting of heritage assets, which also militates against the importance of securing well-designed and attractive places.

Paragraphs 135 and 139 – Achieving well-designed places –

“Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁵¹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

For the reasons set out in this report, it is considered that the proposal would not add to the overall quality of the area. The building would no longer have the 'neutral' effect of the existing building identified by the appeal inspector – its plain appearance and undeveloped areas making it inconspicuous. The proposal would appear overly bulky and the lack the necessary attractive architectural qualities. The increased prominence of an inappropriately designed building would not be sympathetic to local character and history. It would represent inappropriate change rather than a high quality redevelopment. It is considered that high quality, attractive, design could successfully increase density and provide significant housing on the site. The current scheme does not achieve this.

Paragraph 139 states that *“Development that is not well-designed should be refused, especially where it fails to reflect local design policies and government guidance on design...”*

Therefore, the failure to meet identified housing need in terms of the amount, mix and tenure of affordable housing amounts to substantial harm. The absence of affordable

housing will have practical, tangible and absolute impacts on the ability of the Borough to house its residents and would be in direct conflict with the aims and objectives of existing and emerging development plan policy and the NPPF in respect of achieving sustainable, mixed and balanced communities.

The Council's view that the relevant policies of the Local Plan are not out of date, nevertheless for completeness the 'tilted balance' engaged by paragraph 11 of the NPPF is addressed above.

Firstly, there remains a reason for refusing permission due to the harmful effect on the setting of adjacent listed buildings. Secondly, the proposal would be in a sustainable location and would increase densities, however, these are not unique to the specific proposal and could be achieved through more sensitive design. The shortfall in terms of meeting housing need due to the failure to secure affordable housing, and the concerns in respect of the design and its impact on local character weigh against the proposal.

Taking account of the Framework as a whole, it is considered that the benefits of the proposal are significantly and demonstrably outweighed by the harm in respect of housing need and affordable housing in particular, together with the harm to the character of the area as described above, both matters specifically referenced under Footnote 9 and as such it is considered that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

On this basis, even if relevant policies were considered out of date (they are not) the provisions of NPPF paragraph 11 still do not support the grant of permission in this particular instance.

It is acknowledged that there would be some planning benefits associated with the proposed development, including provision of housing in general, landscaping and biodiversity net gain would also be a benefit. However, the benefits of the scheme are largely general in nature and would be capable of being provided within a better-designed scheme. It is therefore not essential that this proposal is approved in order to realise these benefits.

Even when taking the benefits at face value, it is apparent that the substantial degree of harm would significantly and demonstrably outweigh the benefits when considered against the Reading Borough Council Local Plan 2019 and the NPPF 2024 - having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

The proposals are therefore recommended for refusal on this basis for the following reasons:

1. The proposed development by reason of its excessive scale, bulky roof forms, and discordant detailing would result in an imposing and visually dominant development which

fails to respond positively to its local context, including the setting of surrounding heritage assets. As such the proposal would result in harm to the character and appearance of the area, contrary to Policies CC7, EN1 and H2 of the Reading Borough Local Plan 2019 and paragraphs 131, 135 and 139 of the NPPF 2024.

2. In the absence of a completed legal agreement to secure the provision of an acceptable amount, mix and tenure of Affordable Housing, the proposal fails to make an appropriate contribution to the housing needs of Reading Borough, contrary to Policies H3 and CC9 of the Reading Borough Local Plan (2019), Affordable Housing Supplementary Planning Document (2021), Planning Obligations under Section 106 SPD (2015) and paragraphs 11, 63, 64, 66 of the NPPF 2024.
3. In the absence of a completed legal agreement to secure an appropriate financial contribution towards carbon off-setting in Reading Borough, the proposal would not acceptably adapt to climate change, achieve zero carbon homes standards and not provide appropriately towards energy infrastructure, contrary to Policies CC3 (Adaptation to Climate Change), CC9 (Securing Infrastructure) and H5 (Standards for New Housing) of the Reading Borough Local Plan (2019) and the Sustainable Design and Construction SPD (2019) and Planning Obligations under S106 SPD (2015).
4. In the absence of a completed legal agreement to secure an acceptable Employment and Skills Plan (construction phase only; employment and skills plan, or financial contribution), the proposal fails to contribute adequately to the employment, skills or training needs of local people with associated socio-economic harm, contrary to Policy CC9 (Securing Infrastructure) of the Reading Borough Local Plan (2019) and the Employment Skills and Training SPD (2013) and Planning Obligations under Section 106 (2015).

Informatives

1. This decision relates to the following plans and documents:

Drawing No: Proposed Livery Close and North Elevations PL51 Rev A

Drawing No: Proposed Sidmouth Street and South Street Elevations PL50 Rev A

Received 14th February 2025

Heritage Statement Project Number 28058 dated October 2024

Received 23rd October 2024

Drainage Statement Ref: 004_8220157_JD_Drainage_Statement

Received 21st August 2024

Planning and Affordable Housing Statement dated August 2024

Design and Access Statement dated August 2024

Transport Statement Ref: 003_8220157_IK_Transport_Statement

Financial Viability Statement dated August 2024

Draft Legal Agreement

Daylight and Sunlight Report dated August 2024

Location Plan AC01 Rev A
Block Plan – Proposed Scheme PL02 Rev A
Site Survey K3321-T
Existing Plans PL03
Existing Elevations PL04
Landscape Strategy Plan 8493/LCP Rev C
3rd Floor and Roof Terrace Landscape Plan 8493.PP.2.1
Proposed Section A-A PL52
Proposed Ground Floor Plan PL45
Proposed First Floor Plan PL46
Proposed Second Floor Plan PL47
Proposed Third Floor Plan PL48
Proposed Roof Plan PL49
Received 20th August 2024

2. The local planning authority has worked with the applicant in a positive and proactive manner by advising of the concerns with proposal, seeking to overcome concerns and negotiate an appropriate amount of Affordable Housing. This has not been possible in this instance and the decision has been made to refuse planning permission.
3. Without prejudice to any future application or appeal, the applicant is advised that reasons for refusal 2, 3 and 4 could be overcome with the completion of a satisfactory s106 legal agreement for a scheme that was in all other respects acceptable.
4. The applicant is advised that the refused scheme, had it been able to be approved, would have been a CIL (Community Infrastructure Levy) liable development.