

## COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL

ITEM NO. 8

PLANNING APPLICATIONS COMMITTEE: 11<sup>th</sup> November 2015

Ward: Abbey

Application No's: a) 141120/FUL b) 141121/LBC

Address: 55A Baker Street, Reading, RG1 7XX

Proposals: a) Change of use with alterations to convert the existing office into a 1-bed dwelling.

b) Works associated with conversion of the existing office into a 1-bed dwelling.

Applicant: W Litten

Dates Valid: a) 17/09/2015 b) 10/07/2014

Application target decision dates: a) & b) Extension of time agreed with the applicant until 26/11/2015

26 week dates: a) 17/3/2016 b) 08/01/2015

### RECOMMENDATION

a) 141120/FUL: Delegate to Head of Planning, Development and Regulatory Services to (i) GRANT full planning permission subject to completion of a S106 legal agreement or (ii) to REFUSE permission should the legal agreement not be completed by the 26/11/2015 (unless the Head of Planning, Development and Regulatory Services agrees to a later date for completion of the legal agreement). The legal agreement to secure the following:

Affordable Housing - A financial contribution of £10,791 towards the off-site provision of Affordable Housing within the Borough of Reading.

And the following conditions to include:

1. Time Limit - 3 years
2. Approved plans
3. Parking Permits - addresses
4. Parking Permits - information
5. Bicycle storage (details to be submitted)
6. Waste storage (details to be submitted)
7. Vehicle parking in accordance with the approved plans
8. Construction hours
9. Submission of a design stage and final BREEAM Domestic Refurbishment certificate confirming at least 50% of the dwellings will achieve at least an 'Excellent' rating and the remainder will achieve a 'Very good' rating.

Informatives:

1. Positive and Proactive Statement
2. Damage to the highway
3. High density residential development and car parking
4. Works affecting highways
5. No burning of waste on site
6. Section 106 Legal Agreement
7. CIL

b) 141121/LBC - GRANT Listed Building Consent

Subject to conditions to include:

1. Listed Building Time Limit - 3 Year
2. Details and samples of new windows to be submitted prior to commencement of works.

Informatives:

1. Positive and Proactive Statement
2. No works other than those detailed in application without further LBC
3. Approved Plans

## 1. INTRODUCTION

- 1.1 The application site comprises a two storey end of terrace building located on the south side of Baker Street, close to the junction with Russell Street (to the west). It is a brick building (painted white) with what appears to be a ground floor shopfront (a reference back to former uses) with fascia area and a display window. The building is listed by virtue of being within the curtilage of the Grade II listed No. 55 next door (the building to the rear of No. 55 and the former 57 were also considered to be listed on this basis prior to their demolition under 091115 (see relevant history below). The listed No. 55 building is a 3 storey stucco building from circa 1840, now split into flats. A tablet on the wall says that this house was "Fox Talbot's Reading Establishment 1844-45". A pioneer photographer and associate of Fox Talbot's, Nicholas Henneman, also lived there. To the south of the site is the site known as 57 Baker Street, which has an extant permission for 9 dwellings (granted in March 2015) following the demolition of various structures (as granted in 2009 - see relevant history below). It is considered that this proposal could be implemented without impacting on the separate permission at No. 57, and vice versa.
- 1.2 This application site is located within Russell Street / Castle Hill Conservation Area, although the appraisal does not specifically refer to the application site building. The building is also within an air quality management area. The surrounding area is largely residential in nature, with some non-residential uses predominantly located on street junctions in the local area. There are also some further nearby Grade II listed buildings, such as No's 33-39 (odd) Baker Street to the east and No. 41 Russell Street to the north-west.
- 1.3 The applications are being considered at Planning Applications Committee at the request of Councillor Page.
- 1.4 The location site in relation to the wider urban area is shown below at figure 1.1, together with a site photograph and aerial view.



Figure 1.1 - Site Location Plan (not to scale)



Site photograph showing the front elevation of the application site building



Aerial view looking south (taken prior to the demolition of structures to the rear at 57 Baker Street - see relevant history for details)

## 2. PROPOSALS

- 2.1 Full planning permission is sought for the change of use of the existing office (most recent Class B1(a) use) to a 1-bed residential flat (Class C3). One off-street parking space is provided immediately to the west of the dwelling, at which point cycle and refuse storage facilities are also proposed.
- 2.2 Listed building consent is sought for works associated with the change of use detailed above. More specifically, internally the layout of the unit will be altered. Most significantly, the existing staircase at the rear of the building is to be removed and relocated to the front east side. Existing internal partition walls at ground floor level will be removed to facilitate the ground floor living/dining/kitchen room and toilet, while at first floor level the internal layout is reconfigured to provide a bedroom and en-suite. Externally the only alteration is the replacement of a secondary door on the side elevation with a window to match the appearance of an existing window on this elevation.
- 2.3 It is noted that the planning application was not registered until September 2015, despite having been received in July 2014. This was due to the planning application being invalid by virtue of a lack of affordable housing / viability information. Given the Council's judicial review into the ministerial statement regarding affordable housing thresholds, the application was held in abeyance until the judgment on the judicial review was issued at the end of July 2015. Since this point in time, viability information was submitted to enable the application to be registered. During the course of the application, following initial comments from the Council's Valuer, the applicant decided to make a policy compliant financial contribution towards affordable housing, rather than seeking to submit further viability information to suitably justify a lower contribution towards affordable housing (as had originally

been sought). In the meantime, the listed building application was valid from August 2014, but was not determined pending the registration of the associated planning application. The applicant has agreed to a formal extension of time in the determination of the listed building consent application, so both can be determined in parallel.

### **3. PLANNING HISTORY**

Application site

3.1 None of relevance.

57 Baker Street (Site to the rear - also under the ownership of the applicant)

3.2 09/01560/LBC (091115) - Demolition of number 57 Baker Street and workshops/garages to the rear of numbers 41-55 Baker Street, including alterations to boundary walls. Granted 17/12/2009.

3.3 10/00531/APPCON (100734) - Discharge of conditions for planning permission 09/01560/LBC. Conditions discharged 25/8/2010.

3.4 141116/FUL - Residential development of 7no 3-bed and 2no 2-bed dwellings with associated external works. Granted following completion of s106 Legal Agreement 30/03/2015.

### **4. CONSULTATIONS**

#### **i) RBC Transport**

4.1 Transport Development Control section advises that the application site is within close proximity to the town centre area, and is therefore accessible to good public transport links, town centre services and employment areas.

4.2 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 Area and extends to walking distances of 2 kilometres from the centre of Reading. Typically 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 Council's adopted parking standards, a 1-bedroom house would require 1no. parking space.

4.3 It is proposed to provide 1no off street parking space adjacent to No.55a, accessed via a private access road off Baker Street. The proposed arrangement is acceptable and is recommended to be secured via condition. However, it is also noted the red line area does not extend to the public highway. As the granting of planning consent does not confer any rights of access, the applicant will need to establish such rights to ensure the proposed parking area can be accessed.

4.4 Given that the proposal will not increase the demand for on-site parking over and above the existing permitted use, there are no transport objections on parking grounds for the proposed change of use. However, the site is located within an area designated as a Residents Parking Permit Area Zone 08R. Therefore, there should be an assumption that any future occupants of the dwelling would not be issued with resident parking permits, including visitor parking permits. This is recommended to be secured via conditions and an informative.

4.5 The bin store is conveniently located at the front of the site which will provide easy access for refuse collection. However, no actual details have been provided, so

these are recommended to be secured via condition. The proposals also feature a secure cycle store area adjacent to the parking space to encourage cycle use. The proposed cycle storage arrangements should be secured by condition to ensure suitable provisions are provided before occupation of the dwelling.

- 4.6 The nature of the proposals means that a construction method statement is not considered to be necessary in this instance.

**ii) Public consultation**

- 4.7 Notification letters were sent to 10 nearby occupiers on Baker Street and Russell Street on 29/09/2015, expiring on 19/10/2015. A site notice was erected on 05/10/2015, expiring on 26/10/2015. A press notice was published on 08/10/2015, expiring on 29/10/2015. No responses have been received.

**5. LEGAL AND PLANNING POLICY CONTEXT**

- 5.1 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.

- 5.2 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.

- 5.3 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'.

- 5.4 The application has been assessed against the following policies:

**5.5 National**

National Planning Policy Framework  
National Planning Policy Guidance

**5.6 Reading Borough Local Development Framework - Adopted Core Strategy (2008) (Altered 2015)**

CS1 Sustainable Construction and Design  
CS2 Waste Minimisation  
CS4 Accessibility and the Intensity of Development  
CS5 Inclusive Access  
CS7 Design and the Public Realm  
CS9 Infrastructure, Services, Resources and Amenities  
CS11 Use of Employment Land for Alternative Uses  
CS14 Provision of housing  
CS15 Location, Accessibility, Density and Housing Mix  
CS20 Implementation of the Reading Transport Strategy  
CS24 Car / Cycle Parking  
CS33 Protection and Enhancement of the Historic Environment  
CS34 Pollution and Water Resources

## 5.7 Sites and Detailed Policies Document (2012) (Altered 2015)

- SD1 Presumption in Favour of Sustainable Development
- DM1 Adaptation to Climate Change
- DM3 Infrastructure Planning
- DM4 Safeguarding Amenity
- DM5 Housing Mix
- DM6 Affordable housing
- DM10 Private and Communal Outdoor Space
- DM12 Access, Traffic and Highway Related Matters
- DM19 Air Quality

## 5.9 Reading Borough Council Supplementary Planning Documents

- Affordable Housing SPD (2013)
- Revised Parking Standards and Design SPD (2011)
- Revised SPD on Planning Obligations under Section 106 (2015)
- Sustainable Design and Construction SPD (2011)

## 5.10 Other relevant documentation

- Russell Street / Castle Hill Conservation Area Appraisal 2004

## 6. APPRAISAL

### 6.1 The main issues are considered to be:

- i) Principle of development - land use considerations
- ii) Design and effect on heritage assets
- iii) Quality of accommodation for future occupiers
- iv) Amenity
- v) Transport
- vi) Sustainability
- vii) Affordable housing
- viii) Other matters - CIL & Equality

#### i) Principle of development - land use considerations

6.2 The starting point in the assessment of this application is to ascertain whether the loss of the existing lawful use is able to be justified. The existing use was seen during the officer site visit to be Class B1a, although the applicant has stated that this has been vacant for "the last couple of years" (writing at July 2014). With this in mind, together with the policy criteria of CS11 and more recent NPPF guidance (paragraph 51), it is considered that the principle of the loss of the office use can be established. Given this, it is considered that the principle of providing residential use at the site is acceptable. This aligns with the broad objectives of policy CS14, in assisting in meeting the annual housing targets.

#### ii) Design and effect on heritage assets

6.3 The proposals are predominantly for the change of use of the building, with the only external alterations comprising the provision of cycle parking / waste storage externally (no details submitted and will instead be secured via condition) and the alteration of a side elevation door to a window (materials to match, but exact details to be secured via the listed building condition). Internally, as per the officer site visit, it was evident that there are no features of special architectural merit, meaning the internal reconfiguration of the space would not harm any historic fabric worthy of retention. The change of use, together with the external

alterations proposed, are not considered to cause harm to the character and appearance of the a Russell Street / Castle Hill Conservation Area, nor the setting of the nearby listed buildings detailed in section 1 above, subject to conditions.

**iii) Quality of accommodation for future occupiers**

- 6.4 The internal layout of the proposed unit has been arranged in a suitable manner for future occupiers. At ground floor level a combined living/dining/kitchen is proposed, together with a ground floor toilet (to comply with lifetime homes standards). At first floor level a bedroom with en-suite is proposed, providing sufficient outlook and natural ventilation. The rooms are regular in size and shape, thereby creating in overall terms a suitable standard of living accommodation for future occupiers. As with the majority of town centre dwellings created by a change of use, meaningful amenity space is not capable of being provided on site.

**iv) Amenity**

- 6.5 Based on an officer site visit it is evident that the change of use of the building will not result in any significant adverse amenity impacts for neighbouring and nearby occupiers. This is in terms of overlooking, outlook, sense of enclosure, daylight/sunlight and overshadowing matters. In terms of noise/dust/disturbance, a condition will specify the construction hours and, given there is no external amenity space, no harmful noise/dust/disturbance over and above that possible from the lawful office use, is anticipated at the site. As such, the proposals are considered to comply with policy DM4.

**v) Transport**

- 6.6 As detailed in section 4i above, there are no transport based objections to the proposals, subject to a number of recommended conditions. Furthermore, it is considered that these proposals will not compromise or impact on the implementation of the extant permission at 57 Baker Street, from a transport perspective and in all other regards.

**vi) Sustainability**

- 6.7 Given the scale and nature of the proposals a sustainability statement, incorporating a BREEAM domestic refurbishment pre-assessment, should have been submitted with the application, to demonstrate how the proposals would seek to comply with policy CS1 and SPD requirements. No such statement has been submitted and, as such, a condition is recommended to be added to any permission in this regard. More specifically, this will seek a design stage assessment and final BREEAM domestic refurbishment certificate of compliance.

**vii) Affordable Housing**

- 6.8 Following negotiations during the course of the application, the applicant has chosen to agree to make a policy compliant financial contribution towards affordable housing elsewhere in the borough. Based on an average of three valuations for the future value of the building for residential use, the financial contribution (in line with the SPD formula) equates to £10,791. This will be secured via s106 Legal Agreement and is welcomed in principle.
- 6.9 It is considered that this obligation would comply with the National Planning Policy Framework and Community Infrastructure Levy (CIL) in that it would be: i)

necessary to make the development acceptable in planning terms, ii) directly related to the development and iii) fairly and reasonably related in scale and kind to the development. This Head of Term has been agreed by the applicant and a S106 Legal Agreement is recommended to secure this contribution.

viii) **Other matters**

Community Infrastructure Levy (CIL)

- 6.10 The applicant duly completed a CIL liability form as part of the submission of this application. Based on the information provided, together with separate information detailing that the building has not been in use for a number of years, it is considered likely that the proposal will be CIL liable. There is a discrepancy over the floorspace involved between the application form (54sqm) and the CIL form (93sqm area). On the basis of the officer site visit and the plans submitted, it is considered likely that the CIL form is incorrect. On the basis of the application form measurement (54sqm) the CIL liability will amount to £6480. The standard informatives will be added to any permission granted.

Equality

- 6.11 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. It is considered that there is no indication or evidence that the protected groups have or will have different needs, experiences, issues and priorities in relation to this particular application.

**7. CONCLUSION**

- 7.1 The proposals are considered to be acceptable within the context of national and local planning policies, as detailed in the appraisal above. As such, full planning permission is recommended for approval, subject to the recommended conditions and completion of the S106 Legal Agreement. Listed Building consent is recommended for approval subject to conditions.

**Drawings and documents:**

6342:13:1 Rev A - Plans and Elevations, as received 10/07/2014

Design and Access Statement by BDS Surveyors Limited, as received 10/07/2014

**Information submitted on a private and confidential basis:**

Affordable Housing Statement by BDS Surveyors Limited, as received 17/09/2015

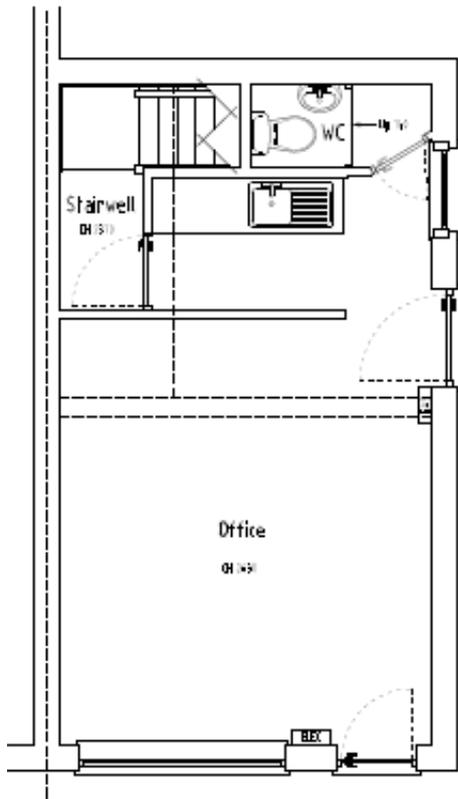
Valuation email from Parkers Estate Agents, dated and received 19/10/2015

Valuation email from Prospect Estate Agents, dated and received 19/10/2015

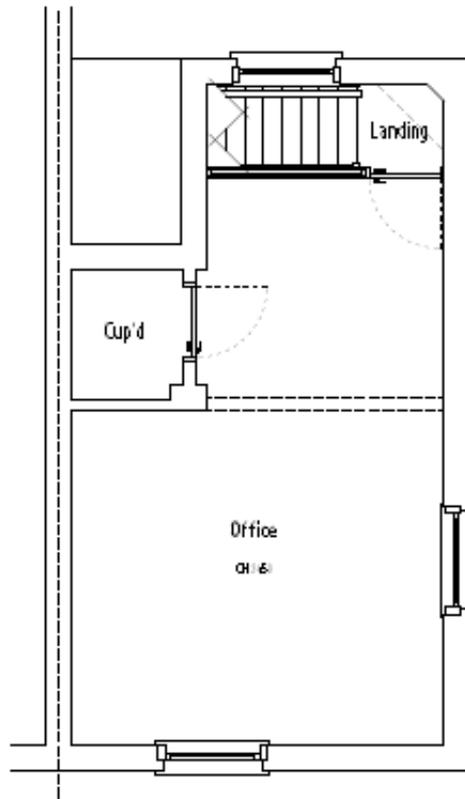
Valuation email from Patrick Williams Estate Agents, dated and received 19/10/2015

Case Officer: Jonathan Markwell

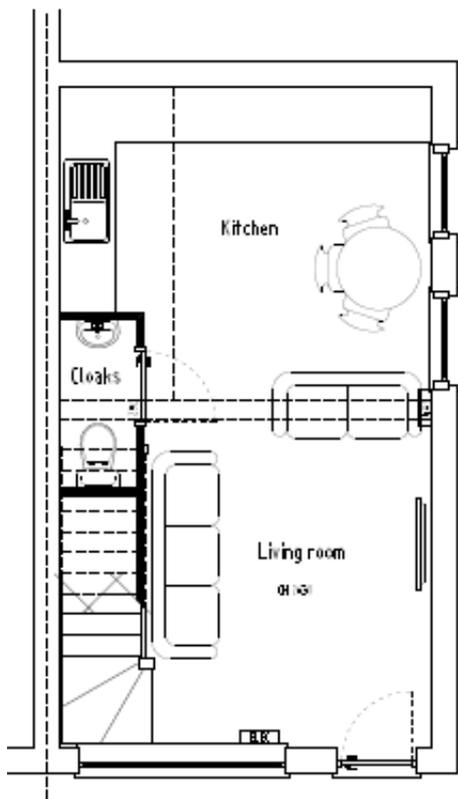
# Existing and Proposed floor plans



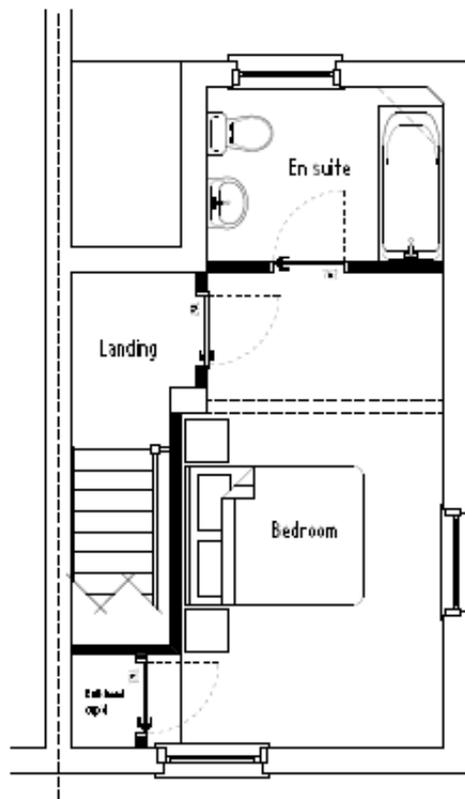
EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN

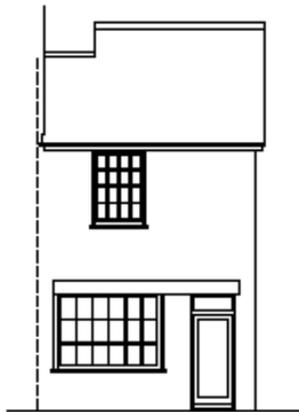


PROPOSED GROUND FLOOR PLAN

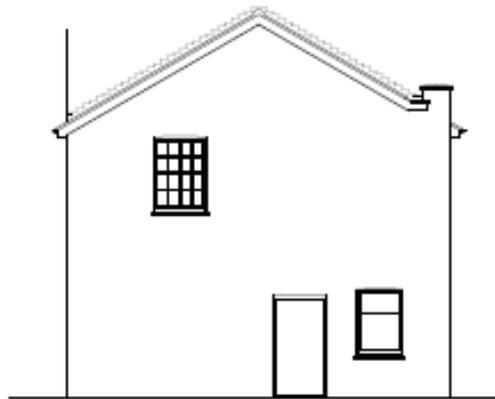


PROPOSED FIRST FLOOR PLAN

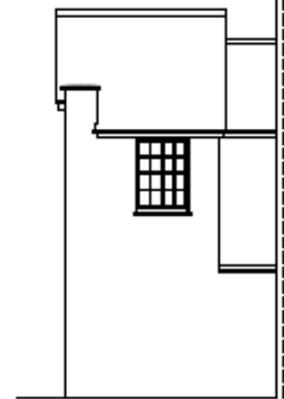
Existing and Proposed elevations / Proposed site plan / Photo of side door/window



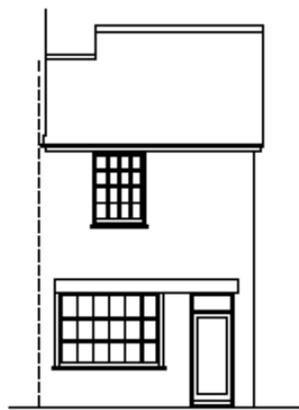
EXISTING FRONT ELEVATION



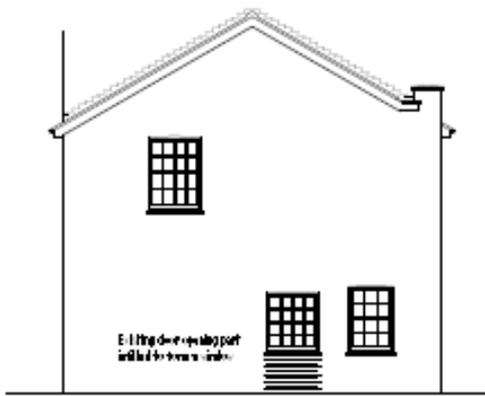
EXISTING SIDE ELEVATION



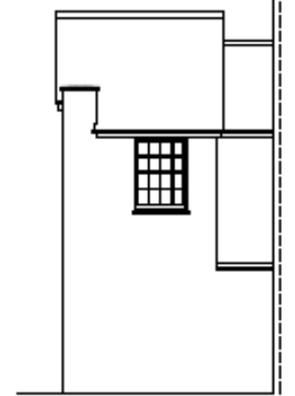
EXISTING REAR ELEVATION



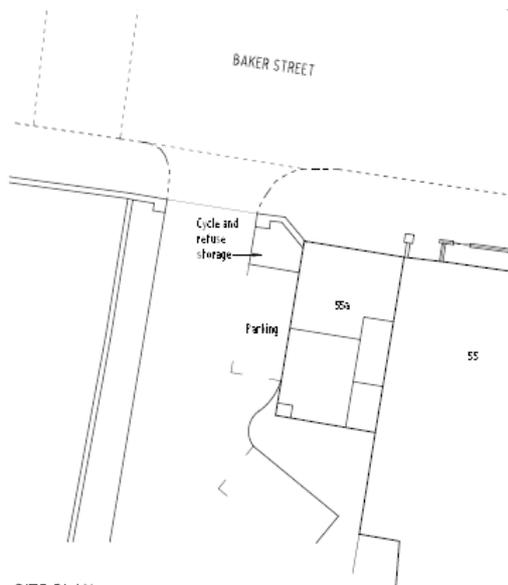
PROPOSED FRONT ELEVATION  
Facing south (Fig)



PROPOSED SIDE ELEVATION



EXISTING REAR ELEVATION  
Facing north (Fig)



SITE PLAN  
Scale 1:200



Further internal / external site photographs

