

Item No.	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(1)	16/03469/FULD Newbury Town Council.	3 rd February 2017.	Erection of third floor at 3 - 5 Porchester Road, Newbury to provide four 1 bed flats with associated parking and amenity space. Jayborth Properties Limited.

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=16/03469/FULD>

Ward Member(s): Councillors M. Johnston and A. Pick.

Reason for Committee determination: The Council has received in excess of 10 letters of objection.

Committee Site Visit: 16th February 2017.

Recommendation. **The Head of Planning and Countryside be authorised to GRANT conditional planning permission.**

Contact Officer Details	
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1. Site History

Application 113703 - Conversion of bedsits into self contained flats. Approved - 1980.

2. Publicity of Application

Site notice displayed 22nd December 2016. Expiry 12th January 2017.

Amended plans site notice. Erected 13th January 2017. Expiry 27th January 2017.

3. Consultations and Representations

Newbury Town Council

Amended plans. Objection / comment. The application would harm the attractive character of the area. Contrary to the Newbury Town Design Statement. Balance with the building opposite would be lost. Flats would be cramped and inadequate.

Highways

Conditional permission is recommended. The layout indicates 22 spaces which will comply with policy P1 in zone 2 in the HSADPD, i.e. one space per flat plus an additional 8 spaces for visitors. Bin storage is acceptable. Cycle store for 14 cycles is satisfactory. Existing two accesses are acceptable in terms of local forward visibility as is the increased level of traffic generation from 4 flats.

Environmental Health

No comments to make.

MOD

No safeguarding objections.

Waste Management.

No objections. Satisfactory improved bin store arrangements provided on site.

Conservation Officer.

Original plans. No objections having regard to the adjacent conservation area and its setting. Amended plans. The officer preferred the original symmetry of the first scheme, the current scheme still remains acceptable in overall design terms. If approved, a phasing condition should be applied to ensure that all four flats are completed in one phase to avoid an unbalanced view of the building occurring.

Public Representations.

A total of 13 letters of objection received which includes those on the amended plans. Concerns based upon overdevelopment, impact on privacy, increased pressure on local parking on street, poor design - the amended plans will unbalance the current symmetry of the semi detached pair and the visual balance across the road, the buildings should be conserved in their present form, negative impact on local street scene, impact on the area's character, impact on local conservation area, set a precedent, flats proposed too small, plans are confusing, unhappy with the approval process if the matter were to be delegated.

One letter of support. Good location for additional flats and the local population needs more flats anyway. Parking is acceptable.

4. Policy Considerations

National Planning Policy Framework 2012.

National Planning Practice Guidance 2014.

West Berkshire Core Strategy 2006 to 2026.

Policies CS4 [Housing type and mix], CS13 [Transport], CS14 [Design principles], CS19 [Historic Environment].

Newbury Town Design Statement. Public consultation draft - January 2017.

5 Description of development.

- 5.1 The application site comprises a pair of substantial and attractive Victorian villas [semi detached] on the south side of Porchester Road in the south of Newbury. The application site lies immediately to the east of the defined conservation area for the town centre - Inset Map 1 refers in the WBDLP of 1991 to 2006. The 2 dwellings are currently in use as 10 flats over three existing floors. It is now intended to erect an additional floor over the building to accommodate an additional four 1 bed flats. In association with this, the existing party boundary to the rear will be demolished and an open parking area with 22 spaces laid out [with an 'in and out' access point onto Porchester Road] will be set out. To the south will be a grassed amenity area of 356m². In addition smaller paved external amenity areas to the north and south of the building are proposed.
- 5.2 To the east frontage of the site will be a new cycle store for 14 bikes and there is to be a new bin store for the site as a whole. No. 3 Porchester Road [the western section of the pair] is to be increased in height by some 2.3m, whilst No. 5 [the east section] will be increased by 1.3m. This will make the ridge height 11m and 10m respectively. It was originally 8.7m. The original plans proposed a symmetrical arrangement with the building as proposed with a 10m ridge height. These have now been superseded.
- 5.3 Each of the new flats internally will have one bedroom each, an ensuite and a living /kitchen area. Externally there is to be new fenestration with 4 additional dormers on the north elevation, and 6 on the south elevation. To the east and west will be 2 additional dormers – serving the kitchens identified. A pair of Juliette balconies are proposed on the east and west flanks of the rear [south] elevation. These are at 1st and 2nd floor level only.
- 5.4 Since only 4 flats are proposed as a net gain the scheme is below the threshold of 5 units for affordable housing as set out in policy CS6 in the 2012 Core Strategy. No s106 agreement is accordingly required for such housing.

6. Consideration of the application.

The application will be examined under the following headings:-

6.1 - Policy HSG1

- 6.1.1 The application site lies in the centre of Newbury. Clearly it is a brown field site within the defined settlement of the town. Accordingly saved policy HSG1 in the Saved District Local Plan of 1991 to 2006 applies. This allows for additional housing in principle subject to a range of criteria. It is considered that all of these criteria are satisfied although this will be expanded upon in this report. In addition, there is little doubt that the application site lies in a highly sustainable location, being within easy cycling and walking distance of the town centre to the north with all its facilities. Local schools are also very close by.
- 6.1.2 Criterion [1] of the policy examines the existing residential nature of the surrounding area. Whilst Porchester Road does have a considerable range of individual dwellings, many of the properties around the application site are already in flatted conversions, particularly to

the south. Accordingly no harmful precedent will be set if further flats are permitted in the vicinity.

- 6.1.3 Criterion [2] recognises the need to protect any special features of the locality [inter alia] which give character to the site. In this particular case, as the Committee will have noted from the site visit, to the west and north of the site lie some attractive and imposing villas which certainly do add character, and this is recognised in the proximity of the local Conservation Area. Officers consider that whilst the proposal will alter this character, it will not be harmed. In particular the **unbalanced approach** is emulated by No. 1 Porchester Road and No. 96 Newtown Road to the east, also on the south side of the road. This has a “tower” feature which is considered unusual but attractive. In making such a favourable recommendation, the present symmetry of the pair of villas on the application site will be lost and the Committee will need to take this into account. This indeed is the basis of some of the objections. However, two points to note - design is at best [to a degree] a subjective issue and secondly the application site is not in the local Conservation Area, nor are the buildings listed. The policy against which the above should be addressed is CS19 in the Core Strategy, which, in turn, is based upon the NPPF of 2012, regarding “good” design and impact on heritage assets - such as conservation areas. Officers consider that the setting of the Conservation Area will not be harmed by the proposal, and the area’s distinct character will not be diminished. It thus accords with advice in the NPPF and policy CS19. It is important to note in this context that in the updated Newbury Town Design Statement, [2017] the design principles are met i.e. development should balance considerations of density and character, and existing street scenes should be respected, enhancing quality and variety in the street scene: certainly if this scheme is approved and implemented, variety will be improved.
- 6.1.4 Criterion [3] considers the scale of new development and whether it will impact upon general amenity such as local parking pressures. The applicant is proposing to allocate 22 spaces on the site which is an overall ratio of 1.57 spaces per flat on the site. This accords with policy P1 in the HSADPD which is nearing adoption by the Council. It is noted that the standards for flats have not been recommended for any change by the Inspector so they will soon become formal Council policy. Whilst it is recognised that a number of the objections to the proposal identify existing parking issues on street, the Council, via this application, is not in a position to improve the context, so long as the application impact will not materially affect [detrimentally] upon the existing situation. In addition, the highways officer is content with the accesses [existing] on the site which will be utilised. Accordingly, criterion [3] is met.
- 6.1.5 Criterion [4] of the policy considers provision for improving derelict areas. Clearly this is not relevant in this context / site area.
- 6.1.6 Finally, criterion [5] of HSG1 identifies whether the cumulative impact of any new development will materially harm an area and its particular character. Porchester Road, at its western end undeniably has an unusual attractive, and almost unique [to Newbury] charm and quality but only part is identified as a conservation area, and none of the application site comprises listed buildings. Given that a number of dwellings in the locale have already been converted to flats, the addition of four more, cannot be considered as contrary to the intentions of policy HSG1. This point is made in addition to the point that officers believe the design to be on balance, acceptable. The final issue in this context is impact upon local amenity. Firstly, overshadowing. It is recognised that there will be some element of sunlight loss during the winter months to the dwellings on the north side of Nos. 3 - 5 Porchester Road. Officers have undertaken a sunlight/daylight analysis which notes this; but recognising the distance of 22.5m between the north elevation of the application building and Nos. 4 and 6 opposite to the north, it is considered this loss is marginal and not worthy of rejecting the scheme. Secondly the matter of loss of privacy has been raised by some objectors. Whilst additional fenestration is being proposed, the number and location of new windows / dormers, are not considered in this wholly urban context, to merit obscure

glazing to reduce such overlooking where indeed it occurs. As a consequence officers are content that all of the criteria in policy HSG1 are met.

7.0 Conclusion

- 7.1. All planning applications are required to be determined in accordance with the three golden threads of sustainability within the NPPF of 2012. In environmental terms, this has been duly examined above. Whilst there will be a degree of impact this is not so severe, as to merit rejection. In economic terms there will be a degree of advantage arising, given the short term construction benefits, but also the marginal increase in local community expenditure from the occupants of the 4 flats - maximum 8 residents. Finally, in social terms the application is neutral, although the benefit of four additional residential units in such a highly sustainable location should be taken fully into account.
- 7.2. Taking all of the above into account, officers are recommending a conditional approval to the application.

8.0 Recommendation

The Head of Planning and Countryside be authorised to GRANT conditional planning permission to application 16/03469/FULD.

CONDITIONS

Time limit

1. The development shall be started within three years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against the advice in the DMPO of 2015, should it not be started within a reasonable time.

Amended plans.

2. The development must be carried out in strict accord with the following plans as received on 10 January 2017 - plan number 2760-02b rev B, [proposed plans and proposed elevations] plus site plan and survey plan number 2760-01. Location plan received on 8 December 2016

Reason: To clarify the permission in accord with the advice in the DMPO of 2015.

Phasing.

3. The development shall be completed as one whole phase.

Reason: To ensure there is no unacceptable visual imbalance in the north elevation of the proposed development which would otherwise be harmful to the street scene and setting of the adjacent conservation area, so being contrary to policy CS19 in the West Berkshire Core Strategy of 2006 to 2026.

Vehicle Parking.

4. No new dwelling shall be occupied until the vehicle parking and/or turning space have been provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Cycle Parking.

5.No new dwelling shall be occupied until the cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of cycles at all times.

Reason: To ensure the development reduces reliance on private motor vehicles and assists with the parking, storage and security of cycles. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Temporary parking.

6. No development shall take place until details of a contractors temporary parking and turning area to be provided and maintained concurrently with the development of the site have been submitted to and approved in writing by the Local Planning Authority. The approved parking and turning area shall be provided at the commencement of development and thereafter maintained in accordance with the approved details until the development has been completed. During this time, the approved parking and turning area shall be kept available for parking and used by employees, contractors, operatives and other visitors during all periods that they are working at or visiting the site.

Reason: To ensure that the development is provided with adequate parking and turning facilities during the construction period. This condition is imposed in order to minimise the incidences of off-site parking in the locality which could cause danger to other road users, and long terms inconvenience to local residents. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

Materials.

7. The materials to be used in the development shall match those on the existing development to the satisfaction of the Local Planning Authority. This shall relate to the slate roof and the existing facing render.

Reason: In the interests of amenity in accordance with Policy CS19 of the West Berkshire Core Strategy of 2006 to 2026.

Hours of working.

8 The hours of work for all contractors (and sub-contractors) for the duration of the site development shall, unless otherwise agreed in writing by the Local Planning Authority, be limited to; 7.30 am to 6.00 pm on Mondays to Fridays, 8.00 am to 1.00 pm on Saturdays, and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In order to protect the amenities of surrounding residents in accordance with the advice in the NPPF of 2012.

INFORMATIVES:

1. This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.
2. The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil

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