

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL

ITEM NO. 9

PLANNING APPLICATIONS COMMITTEE: 7 February 2018

Ward: Abbey

App No.s: 172119/FUL & 172120/LBC

Address: 35B Castle Street

Proposal: Installation of 2 no. Small Cabinets (1 Cabinet to be removed)

Applicant: MBNL & EE Ltd

8 week target decision date: 23 January 2018

Extension of time date: 9 February 2018

RECOMMENDATION

172119/FUL

Grant Full Planning Permission

CONDITIONS TO INCLUDE

1. Full - time limit - three years
2. Standard approved plans condition

INFORMATIVES TO INCLUDE

1. Standard positive and proactive informative
2. Listed Building Consent ref. 172120 relates to this permission

172120/LBC

Grant Listed Building Consent

CONDITIONS TO INCLUDE

1. Full - time limit - three years
2. Standard approved plans condition
3. Fixings to be attached into mortar only and not into the brick faces

INFORMATIVES TO INCLUDE

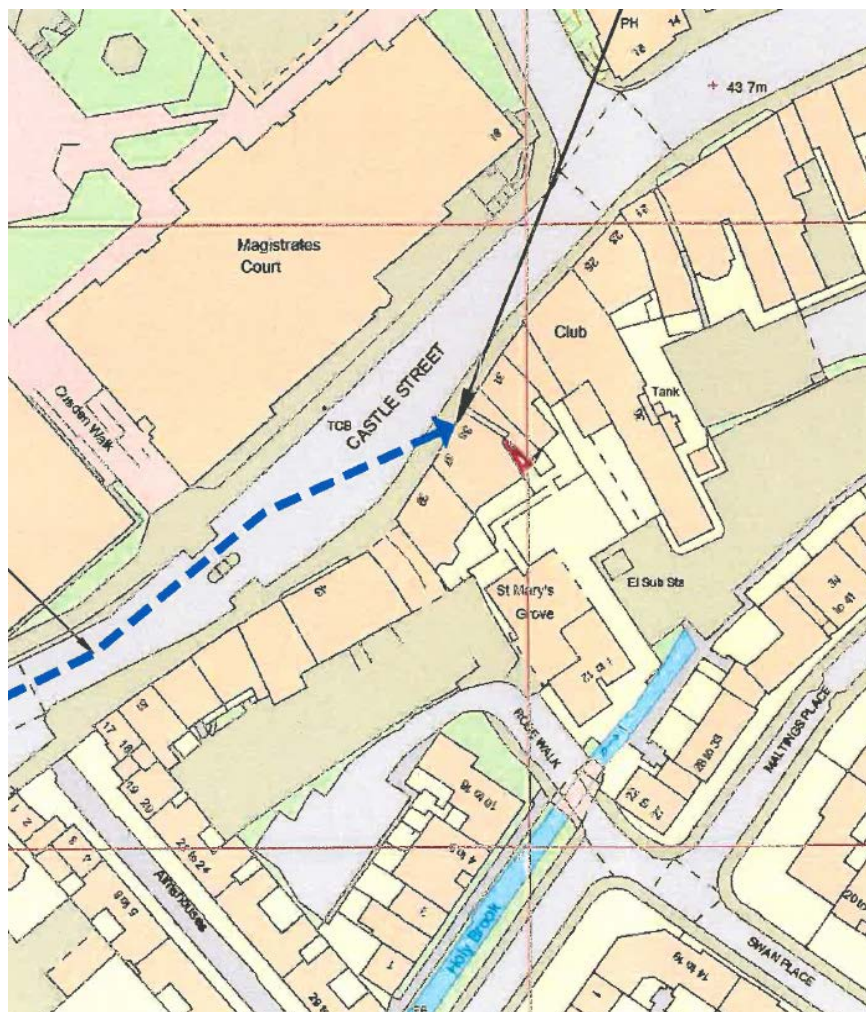
1. Standard positive and proactive informative

1. INTRODUCTION

- 1.1 The application relates to 35B Castle Street. A three storey grade II listed property located on the south side of Castle Street and located within the St Marys Butts Conservation Area. The building is in retail use with a residential flat above. The surrounding area predominantly consists of commercial properties but there are residential properties to the rear of the site at St Marys Grove.

- 1.2 The site is in an air quality management area and within the Reading Central Area and Central Core as defined by the Reading Central Area Action Plan (2009).
- 1.3 The site hosts an existing telecommunications base station with an antenna sited on the roof of the building and ancillary equipment cabinets mounted to the rear of the building within the small rear yard area. The base station was given planning permission and listed building consent at Planning Applications Committee in 2010 under applications ref. 10/01335/FUL and 10/01336/LBC.
- 1.4 Full planning permission is required for the development because 'Permitted Development Rights' do not apply to telecommunications development within the curtilage of listed buildings.
- 1.5 The applications are required to be determined by Planning Applications Committee because they relate to telecommunications development to a listed building and which is located within a conservation area.

Site Location Plan



2. PROPOSAL

- 2.1 The applications seek full planning permission and listed building consent for the installation of 2 no. small cabinets (1 existing cabinet to be removed). The cabinets would be sited in the same position as the existing ancillary base station equipment to the rear (north east elevation) wall of the building within the rear yard area.
- 2.2 The proposal seeks to retain and re-use the existing small antenna located to the main roof to the building fronting Castle Street (no physical change proposed, as previously approved in 2010) and seeks to utilise existing cabling to connect the antenna with the ancillary base station equipment to rear.
- 2.3 The two cabinets would measure 0.4m x 0.2m x 0.6m and 0.25m x 0.1m x 0.48m and would be fixed to the wall by cantilever arms as per the existing cabinet to be removed. The proposed cabinets would be finished in plain grey steel.
- 2.4 The works are proposed as part of an upgrade to the existing base station to update the site's capacity and extend coverage.
- 2.5 A declaration has been submitted by the applicant confirming compliance with the International Commission on Non-ionizing Radiation (ICNIRP) guidelines.

3. PLANNING HISTORY

- 3.1 10/01335/FUL & 10/01336/LBC - Installation of antenna to chimney with associated equipment cabinets to rear of property - Granted
- 3.2 10/01081/LBC - Removal of timber 'beams' and application of white masonry paint over existing painted brickwork on front facade, (amended description) - Granted

4. CONSULTATIONS

4.1 Public consultation:

- Two site notices were displayed, one to the rear of the building and one to the front on Castle Street. No.s 1-12 St Marys Grove and no.s 31, 33, 33A, 35, 35A and 37 Castle Street were also notified by letter.
- Six letters of objection have been received raising the following issues:
 - Land ownership being contested
 - Proposals are unclear

5. RELEVANT PLANNING POLICY AND GUIDANCE

5.1 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'.

5.2 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 the listed building or its setting or any features of special interest which it possesses.

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

5.4 National Planning Policy Framework

Part 5 - Supporting high quality communications infrastructure

Part 7 - Requiring good design

5.5 Reading Borough Local Development Framework Core Strategy (2008, 2015)

CS7 (Design and the Public Realm)

CS33 (Protection and Enhancement of the Historic Environment)

5.6 Sites and Detailed Policies Document (2012, 2015)

SD1 (Presumption in Favour of Sustainable Development)

DM21 (Telecommunications Development)

5.7 Reading Central Area Action Plan (2009)

RC5 (Design in the Centre)

6. APPRAISAL

6.1 Policy DM21 states that proposals for telecommunications development will be permitted provided that:

- They do not have an adverse impact on the visual amenity of the surrounding area;
- The apparatus will be sited and designed so as to minimise its visual impact by the use of innovative design solutions such as lamp column 'swap-outs' or concealment/camouflage options; and

- Alternative sites and site-sharing options have been fully investigated and it has been demonstrated that no preferable alternative sites are potentially available which would result in a development that would be less visually intrusive.



View of rear of building

Impact on Visual Amenity, Historic Character of the Listed Building and setting of the Conservation Area

- 6.2 The two proposed equipment cabinets combined would be smaller in size than the single cabinet to be replaced. The units would be sited in the same location as the existing cabinet, positioned between two other cabinets which are to be retained. The small scale of the units is such that they would be visually discreet and would be finished in the same steel grey as the existing cabinets. Located to the rear of the building to an existing base station location it is not considered that the replacement cabinets would result in any material change in terms of visual impact above the existing situation. The units would not be readily visible to the surrounding area set behind an existing fence to the rear of the yard area and are considered to preserve the setting of the St Marys Butts/Castle Street Conservation Area.
- 6.3 The proposals are considered minor and less visually intrusive than the existing cabinet to be replaced and in this respect are considered to assist in preserving the historic character and setting of the listed building. A condition is recommended to ensure brackets where the units are attached to the building are inserted into the mortar rather than the brickwork itself to ensure any additional impact on the fabric of the building would be minimal and reversible.

- 6.4 The proposal is considered to accord with Policies DM21, CS7, CS33 and RC5.

Alternative Sites

- 6.5 The re-use of existing sites, such as that currently proposed, is in accordance with paragraph 43 of the NPPF and is within the spirit of Sites and Detailed Policies Document Policy DM21 which encourages the replacement of one structure with another to minimise the visual impact. On this basis, and taking into account the lack of visual harm identified above, it is considered that an alternative site is not required for the proposed development.
- 6.6 The proposal is considered to accord with Policy DM21.

Issues Raised in Representations

- 6.7 A number of residents of St Marys Grove, which is adjacent to the rear of the site, have raised objection based on land ownership concerns. A number of the objections state that the residents of St Marys Grove are currently disputing ownership of land to the rear of no. 35 Castle Street. Land ownership is not a material planning consideration and whilst planning permission and listed building consent for the proposed works could be granted this would not imply ownership of the land and whether or not any permission/consent could be lawfully implemented would be a legal matter to be resolved between neighbouring occupiers.
- 6.8 Officers are satisfied that the proposed plans satisfactorily detail the proposed works.

Equalities impact assessment

7. In determining this application the Committee is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender, sexual orientation. There is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application. In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

8. CONCLUSION

- 8.1 The proposal is considered to comply with Policies CS7 and CS33 of the Core Strategy (2008, 2015), Policy DM21 of the Sites and Detailed Policies Document (2012, 2015), Policy RC5 of the Reading Central Area Action Plan

(2009) and the National Planning Policy Framework as assessed above. It is therefore recommended that planning permission and listed building consent be granted, subject to conditions.

Drawing no.s:

RDG087 01 Rev A1 - Location Plan

RDG087 02 Rev A1 - Site Plan

RDG087 03 Rev A1 - North West Elevation

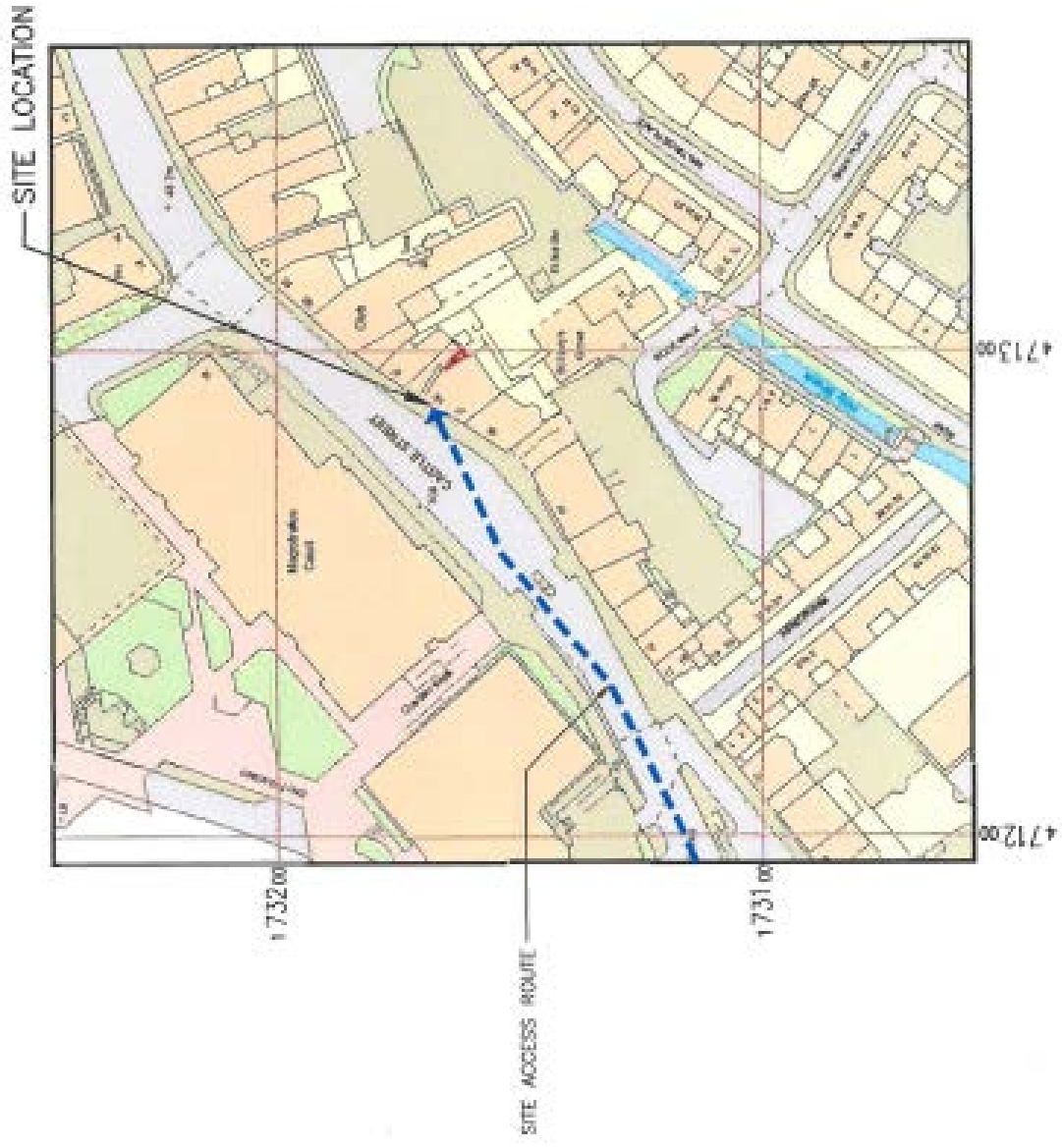
RDG087 04 Rev A1 - Equipment Layout and Elevation

RDG087 05 Rev A1 - Antenna Layout and Elevation

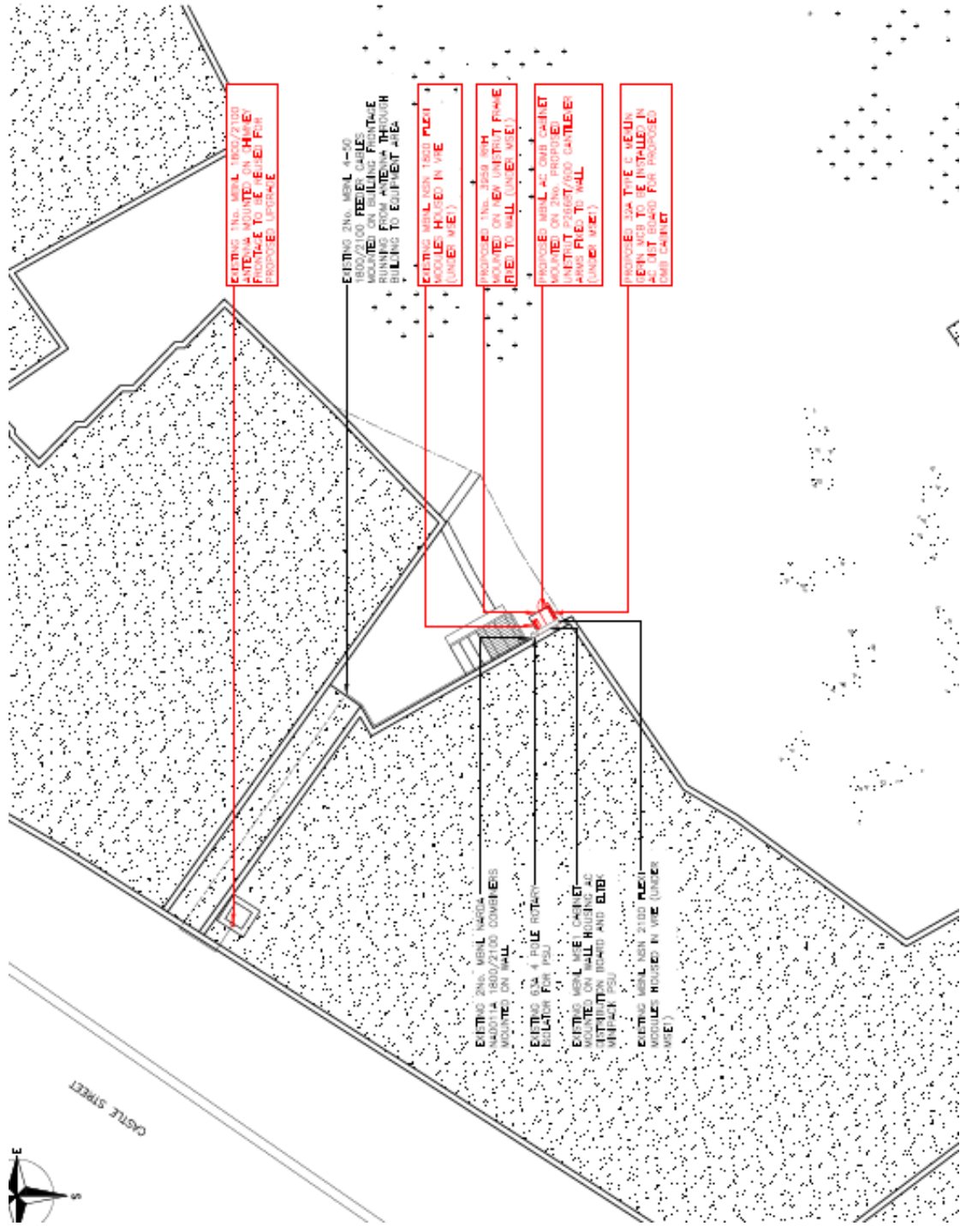
RDG087 06 Rev A1 - ICNIRP Exclusion Zones

RDG087 07 Rev A1 - Construction Notes

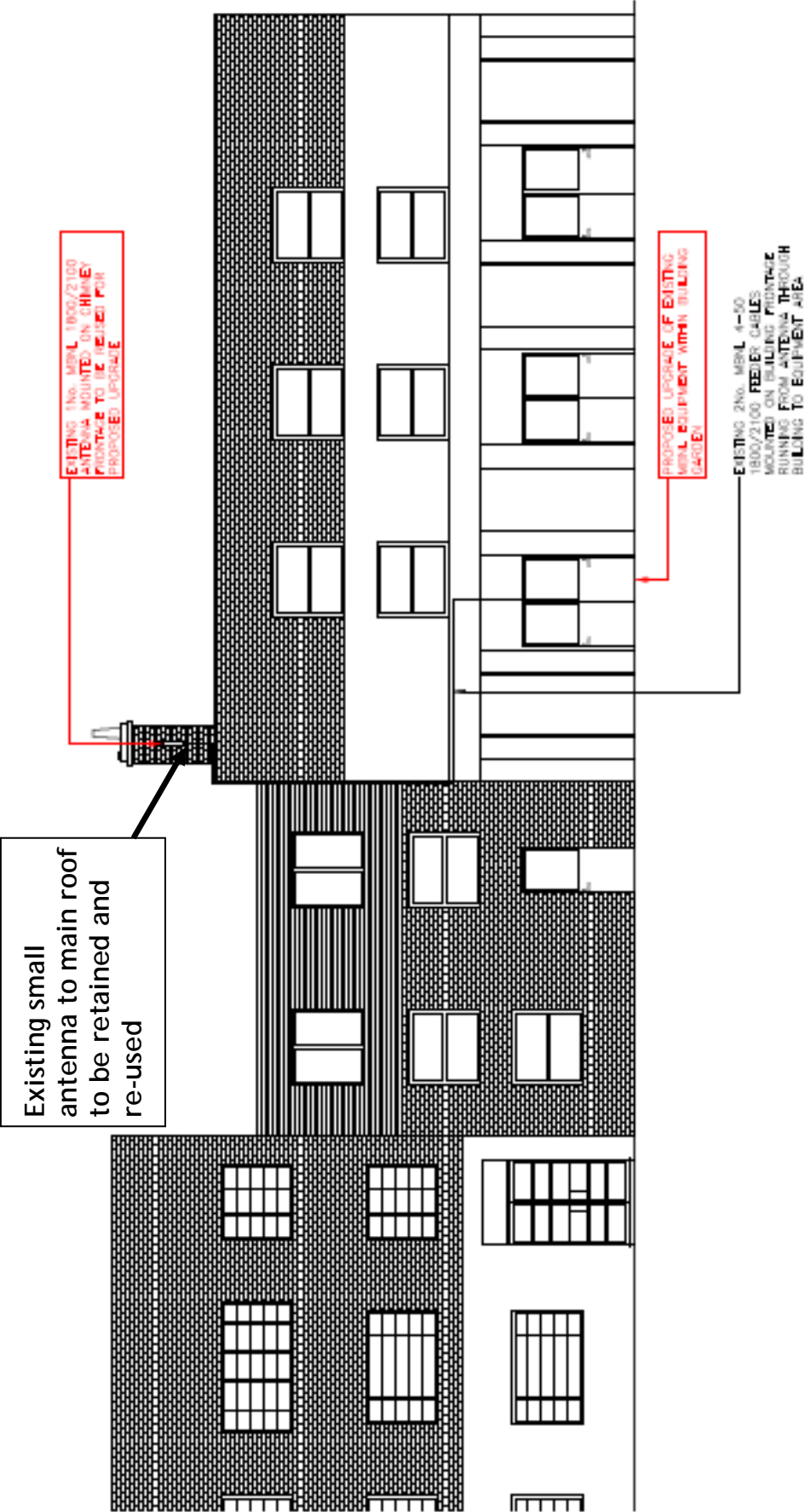
Case Officer: Matt Burns



Site Location



Proposed Site Plan



Front Elevation (retained as existing - no alterations proposed)

Equipment Layout and Elevation

