Peter Sloman
CHIEF EXECUTIVE

Civic Offices, Bridge Street,
Reading RG1 2LU
☎ 0118 937 3787

To: Councillor McKenna (Chair)
Councillors Sokale, Carnell, Duveen, Ennis, Lovelock, Rowland, McEwan, Page, Robinson, DP Singh, Stanford-Beale, J Williams and R Williams

Direct ☎ : 0118 9372303

18 June 2019

Your contact is: Simon Hill (simon.hill@reading.gov.uk)

NOTICE OF MEETING - PLANNING APPLICATIONS COMMITTEE 26 JUNE 2019

A meeting of the Planning Applications Committee will be held on Wednesday, 26 June 2019 at 6.30 pm in the Council Chamber, Civic Offices, Bridge Street, Reading RG1 2LU. The Agenda for the meeting is set out below.

AGENDA		ACTION	WARDS AFFECTED	PAGE NO
1.	MINUTES	Decision		9 - 16
2.	DECLARATIONS OF INTEREST	Decision		
3.	QUESTIONS	Decision		
4.	POTENTIAL SITE VISITS FOR COMMITTEE ITEMS	Decision		17 - 20
5.	PLANNING APPEALS	Information	BOROUGHWIDE	21 - 30
6.	APPLICATIONS FOR PRIOR APPROVAL	Information		31 - 40
7.	UPDATE ON GOVERNMENT RESPONSE TO CONSULTATIONS ON PLANNING REFORMS	Decision	BOROUGHWIDE	41 - 48
8.	UPDATE ON CONSULTATIONS ON CHANGES TO THE COMMUNITY INFRASTRUCTURE LEVY	Decision	BOROUGHWIDE	49 - 52

CIVIC OFFICES EMERGENCY EVACUATION: If an alarm sounds, leave by the nearest fire exit quickly and calmly and assemble on the corner of Bridge Street and Fobney Street. You will be advised when it is safe to re-enter the building.

9.	190099/FUL - UNIT 36 & 37 BROAD STREET MALL, BROAD STREET	Decision	ABBEY	53 - 68

Proposal Amalgamation of Units 36 and 37 (Class A1) and change of use to form a flexible retail/restaurant/bar unit (Class A1/A3/A4), associated replacement shopfront works and associated external alterations on Dusseldorf Way and South Court frontages.

Recommendation Application Permitted

10.	190793/NMA - LAND BETWEEN WELDALE STREET & CHATHAM STREET	Decision	ABBEY	69 - 82

Proposal Non-material amendments to permission 170326 (granted on 15/03/2018) to amend the wording of conditions 15, 34 and 43 to allow details to be submitted on a phase-by-phase basis, and amend the wording of condition 32 to allow archaeological works to take place via an agreed timetable rather than pre-commencement (amended description).

Recommendation Agree the amendments

11.	190357/HOU - 10 PEGS GREEN CLOSE	Decision	NORCOT	83 - 94

Proposal Two storey side/rear extension and single storey front and rear extensions, loft conversion with new dormer window and 2 Velux windows.

Recommendation Application Permitted

12.	182214/FUL - 45 UPPER REDLANDS ROAD	Decision	REDLANDS	95 - 112

Proposal Erection of 4 dwellinghouses and accesses with associated landscaping and parking

Recommendation Permitted subject to Legal Agreement

13.	190374/FUL - LAND TO WEST OF DRAKE WAY, KENNET ISLAND	Decision	WHITLEY	113 - 124

Proposal Creation of new and extended surface level car sales area including landscaping and associated works.

Recommendation Application Permitted

WEBCASTING NOTICE

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Members of the public who participate in the meeting will be able to speak at an on-camera or off-camera microphone, according to their preference.

Please speak to a member of staff if you have any queries or concerns.

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KEY TO CODING OF PLANNING APPLICATIONS

1. Planning application reference numbers are made up of 2 parts.

   1.1 The number begins with the year e.g. **19**

   1.2 This is followed by a consecutive number, showing what number the application is in any year (e.g. **190128**).

2. The following is a key to existing officers with their direct dial telephone numbers.

GF1	-	Giorgio Framalicco	9372604
JW6	-	Julie Williams	9372461
RJE	**-**	Richard Eatough	9373338
JPM	-	Jonathan Markwell	9372458
SDV	-	Steve Vigar	9372980
CJB	**-**	Christopher Beard	9372430
SGH	-	Stephen Hammond	9374424
MDW	-	Mark Worringham	9373337
AJA	**-**	Alison Amoah	9372286
SEH	-	Sarah Hanson	9372440
BXP	**-**	Boja Petkovic	9372352
MJB	**-**	Matthew Burns	9373625
EH1	**-**	Ethne Humphreys	9374085
SKB	**-**	Sarah Burr	9374227
TRH	**-**	Tom Hughes	9374150
SFB	**-**	Susanna Bedford	9372023
NW2	**-**	Nathalie Weekes	9374237
TF1	**-**	Tom French	9374068
CD3	**-**	Connie Davis	9372413
AS9	**-**	Anthony Scholes	9374729
JO1	**-**	James Overall	9374532
BC2	**-**	Brian Conlon	9373859

GUIDE TO USE CLASSES ORDER
and Permitted Changes of Use (England)

Use Classes (Amendment) Order 2005	Use Classes Order 1972	Description	General Permitted Development (Amendment) Order 2005
A1 Shops	Class I	• Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, dry cleaners, internet cafes, etc. • Pet shops, cat-meat shops, tripe shops, sandwich bars • Showrooms, domestic hire shops, funeral directors	No permitted changes
A2 Financial and Professional Services	Class II	• Banks, building societies, estate and employment agencies • Professional and financial services, betting offices	Permitted change to A1 *where a ground floor display window exists*
A3 Restaurants and Cafes		Restaurants, snack bars, cafes	Permitted change to A1 or A2
A4 Drinking Establishments		Pubs and bars	Permitted change to A1. A2 or A3
A5 Hot Food Take-Aways		Take-Aways	Permitted change to A1, A2 or A3
Sui Generis		Shops selling and/or displaying motor vehicles, retail warehouse clubs, laundrettes, taxi or vehicle hire businesses, amusement centres, petrol filling stations	No permitted change
B1 Business	Class II Class III	(a) Offices, not within A2 (b) Research and development, studios, laboratories, high tech (c) Light industry	Permitted change to B8 *where no more than 235m*
B2 General industry	Class IV-IX	General industry	Permitted change to B1 or B8 *B8 limited to no more than 235m*
B8 Storage or Distribution	Class X	Wholesale warehouse, distribution centres, repositories	Permitted change to B1 *where no more than 235m*
Sui Generis		Any work registrable under the Alkali, etc. Works Regulation Act, 1906	No permitted change
C1 Hotels	Class XI	Hotels, boarding and guest houses	No permitted change
C2 Residential Institutions	Class XII Class XIV	• Residential schools and colleges • Hospitals and convalescent/nursing homes	No permitted change
C2A Secure residential institutions		Prisons, young offenders institutions, detention centres, secure training centres, custody centres, short-term holding centres, secure hospitals, secure local authority accommodation or use as military barracks.	No permitted change
C3 Dwelling houses		• Single occupancy or single households (in the family sense); • No more than six residents living as a single household where care is provided; • No more than six residents living as a single household where the building is managed by a local housing authority, a registered social landlord, a police authority, a fire authority, or a health service body.	Permitted to change to C4
C4 Houses in multiple occupation		Use of a dwellinghouse by between three and six residents, who do not form a single household (in the family sense) and share basic facilities (toilet, bathroom or kitchen).	Permitted to change to C3
Sui Generis		• House in multiple occupation with more than six residents • Hostel	No permitted change

D1 Non-Residential Institutions	Class XIII Class XV Class XVI	• Places of worship, church halls • Clinics, health centres, creches, day nurseries, consulting rooms • Museums, public halls, libraries, art galleries, exhibition halls • Non-residential education and training centres	No permitted change
D2 Assembly and Leisure	Class XVII Class XVIII	• Cinemas, music and concert halls • Dance, sports halls, swimming baths, skating rinks, gymnasiums • Other indoor and outdoor sports and leisure uses, bingo halls, casinos	No permitted change
Sui Generis	Class XVII	Theatres, nightclubs	No permitted change

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PLANNING APPLICATIONS COMMITTEE MEETING MINUTES - 29 MAY 2019

Present: Councillor McKenna (Chair);

Councillors Sokale (Vice-Chair), Duveen, Ennis, McEwan, Page, Robinson, DP Singh, Stanford-Beale, J Williams and R Williams

Apologies: Councillors Carnell, Lovelock and Rowland

RESOLVED ITEMS

1. MINUTES

The Minutes of the meeting held on 24 April 2019 were agreed as a correct record and signed by the Chair.

2. DECLARATIONS OF INTEREST

Councillor Stanford-Beale declared an interest in item 6 insofar as it related to Signs 4 & 5 (181957/ADV - outside 24-25 Broad Street (HSBC) and 181958/ADV – outside 26-28 Broad Street (Lloyds Bank)). Nature of interest: Councillor Stanford-Beale was a non-executive Director of ReadiBus and these signs would be on ReadiBus shelters.

Councillor Ennis declared an interest in item 10 (190306/REG3 – Jimmy Green Court, 52 Coronation Square). He made a statement as Ward Councillor and then left the room and took no part in the decision. Nature of interest: Councillor Ennis was the Lead Councillor for Housing for Reading Borough Council, which owned the building and was the applicant.

3. POTENTIAL SITE VISITS FOR COMMITTEE ITEMS

The Executive Director for Economic Growth and Neighbourhood Services submitted, at the meeting, a schedule of applications to be considered at future meetings of the Committee to enable Councillors to decide which sites, if any, they wished to visit prior to determining the relevant applications.

Resolved -

(1) That a list of the site visits undertaken in the previous year be included in the report on site visits to the next meeting;

(2) That the under-mentioned applications, together with any additional applications which the Assistant Director of Planning, Transport and Regulatory Services might consider appropriate, be the subject of unaccompanied site visits:

190749 – UNIVERSITY OF READING, WHITEKNIGHTS CAMPUS ELMHURST ROAD

A new build synthetic turf 3G pitch accommodating full-size rugby, football and lacrosse use. Pitch construction consisting of geo-grid, sub-base, asphalt base layer, performance shockpad and synthetic turf. The works inclusive of parallel pitch drainage system and SUDS soakaway, 8 column floodlighting system and all ducting, perimeter weld mesh panel fencing of 3m high, rising to 6m height behind each goal, 1.2m high spectator fencing, 3m wide spectator hardstanding, spectator stand accommodating 75 persons, 3m wide footpath connecting main access gate to existing footpath network, external synthetic cricket square with 3no. bays incorporating steel cage and netting.

182054 – 20 HOSIER STREET

Demolition of all existing structures, erection of a part 7, part 8 storey building for use as 101 bed Hotel (Class C1 Use) at Ground - 8th Floor and Restaurant/Bar (Class A3/A4 Use) at ground floor, with means of access, servicing and associated works.

(3) That the under-mentioned application, together with any additional applications which the Assistant Director of Planning, Transport and Regulatory Services might consider appropriate, be the subject of accompanied site visits:

190434 –LAND TO THE REAR OF 27-43 BLENHEIM ROAD, CAVERSHAM

Erection of 3 dwellings with parking, landscaping and access from Blenheim Road.

4. PLANNING APPEALS

(i) New Appeals

The Executive Director for Economic Growth and Neighbourhood Services submitted a schedule giving details of notification received from the Planning Inspectorate regarding eight planning appeals, the method of determination for which she had already expressed a preference in accordance with delegated powers, which was attached as Appendix 1 to the report.

(ii) Appeals Recently Determined

The Executive Director for Economic Growth and Neighbourhood Services submitted details of three decisions that had been made by the Secretary of State, or by an Inspector appointed for the purpose, which were attached as Appendix 2 to the report.

(iii) Reports on Appeal Decisions

The Executive Director for Economic Growth and Neighbourhood Services submitted reports on the following appeal decisions in Appendix 3:

171740/FUL – 62-79 ARMADALE COURT

Extension of existing flat block with two additional storeys to accommodate 12 new apartments and provision of lift.

Written representations.

Appeal dismissed.

172045/FUL – ST PATRICK'S HALL, 20 NORTHCOURT AVENUE

Construction of 836 new student bedrooms, a cafeteria/bar, bin and bike stores, sub-station and energy centre, together with a new access link and landscaping. Demolition of the existing student accommodation block at New Court, the SETS building, the warden's house, no. 4 Sherfield Drive, the reception and common room, (resubmission of application ref. 161182) (amended description).

Public Inquiry.

Appeal dismissed.

Resolved -

(1) That the new appeals, as set out in Appendix 1, be noted;

(2) That the outcome of the recently determined appeals, as set out in Appendix 2, be noted;

(3) That the reports on the appeal decisions set out in Appendix 3 be noted.

5. APPLICATIONS FOR PRIOR APPROVAL

The Executive Director for Economic Growth and Neighbourhood Services submitted a report giving details in Table 1 of five pending prior approval applications, and in Table 2 of eight applications for prior approval decided between 10 April and 15 May 2019.

Resolved - That the report be noted.

6. 181954/ADV, 181955/ADV, 181956/ADV, 181957/ADV, 181958/ADV, 191959/ADV, 181961/ADV, 181962/ADV, 181963/ADV, 181964/ADV, 181965/ADV, 181966/ADV, 181967/ADV, 181968/ADV AND 190361/ADV - VARIOUS TOWN CENTRE LOCATIONS

For each site: Advertisement Consent for a double-sided freestanding Forum Structure, featuring 2 x Digital 86" screen positioned back to back. The Digital screen is capable of displaying illuminated, sequential content, supplied via secure remote connection.

(Signs 1-5: Bus shelter signs. Signs 6-15: Free standing signs)
Sign 1 181954 – outside 37-45 Station Road(Thames Tower)

Sign 2	181955 – outside 17-27 Station Road (Brunel House)
Sign 3	181956 – outside 3-5 Station Road (Coral)
Sign 4	181957 – outside 24-25 Broad Street (HSBC)
Sign 5	181958 – outside 26-28 Broad Street (Lloyds Bank)
Sign 6	181959 – outside 123 Broad Street (Fat Face/ Broad Street Oracle entrance)
Sign 7	181961 – outside 23 Broad Street (Trailfinders)
Sign 8	181962 – outside 108-113 Broad Street (John Lewis)
Sign 9	181963 – outside 39 Broad Street (WHSmith)
Sign 10	181964 – outside 52 Broad Street (JD Sports)
Sign 11	181965 – outside 61-64 Broad Street (Clas Ohlson)
Sign 12	181966 – outside 31 Queen Victoria Street (Itsu)
Sign 13	181967 – outside 2 Queen Victoria Street (Salvo and Alex for Men)
Sign 14	181968 – outside 116-117 Broad Street (Primark)
Sign 15	190361 – outside 11 Broad Street (Monsoon/ Tiger)

The Executive Director for Economic Growth and Neighbourhood Services submitted a report on the above applications. An update report was tabled at the meeting which gave details of a further consultation response received from Reading Civic Society and clarification from the applicant that the proposed advertising scheme might still be viable without all the screens being approved. A verbal update was also given at the meeting giving details of a late consultation response received from Reading Conservation Area Advisory Committee.

Comments and objections were received and considered.

Resolved –

(1) That advertisement consent for Signs 1-5, 8, 9, 10, 11, 14 & 15 (181954/ADV, 181955/ADV, 181956/ADV, 181957/ADV, 181958/ADV, 181962/ADV, 181963/ADV, 181964/ADV, 181965/ADV, 181968/ADV & 190361/ADV) be granted, subject to the relevant conditions and informatives as recommended in the original report, with an additional condition for Signs 4 & 5 (181957/ADV & 181958/ADV) to require synchronisation of the timing of the changing of the digital adverts in these two screens, with the wording of the condition to be agreed in consultation with Ward Councillors;

(2) That advertisement consent for Signs 6, 7, 12 & 13 (191959/ADV, 181961/ADV, 181966/ADV & 181967/ADV) be refused for the relevant reasons set out in the original report, with the informatives as recommended in the original report.

7. 190327/ADV AND 190567/LBC - TOWN HALL, BLAGRAVE STREET

Installation of 1 x non-illuminated hanging sign, 1 x non-illuminated wall mounted sign, 1 x non-illuminated overhead doorway sign and 8 x vinyls.

The Executive Director for Economic Growth and Neighbourhood Services submitted a report on the above application. An update report was tabled at the meeting which gave details of information received from Historic England. The recommendation had been amended accordingly.

Comments were received and considered.

Resolved –

(1) That advertisement consent for application 190327/ADV be granted subject to the conditions and informatives as recommended in the original report;

(2) That listed building consent for application 190567/LBC be granted subject to the conditions and informatives as recommended in the original report.

8. 180876/FUL - BATTLE INN PH, 2 BEDFORD ROAD

Demolition of a public house (A4 Use Class) and erection of a part five/part four/part two-storey building containing a single A1/A2/A3 use class unit at ground floor and 6 self-contained flats (C3 use class) above (4 X 1-bed & 2 X 2-bed units).

The Executive Director for Economic Growth and Neighbourhood Services submitted a report on the above application, for which an appeal had been lodged with the Planning Inspectorate against non-determination of the application by the Local Planning Authority, which would be heard on 25 June 2019. An update report was tabled at the meeting which contained information on affordable housing and recommended an amendment to reason for refusal 2.

Comments were received and considered.

Resolved –

That, had the Planning Applications Committee had the opportunity to determine the planning application, the application would have been refused for Reason 1 set out in the original report and Reason 2 set out in the update report, with the informative as recommended in the original report.

9. 190170/REG3 - ST MICHAELS PRIMARY SCHOOL, DEE ROAD, TILEHURST

External and internal refurbishment works to the original 1950s school building, including new windows, roofs and over-cladding of the 2-storey block, temporary modular unit to the front of the site to facilitate the works, and associated external works affected by the refurbishment.

The Executive Director for Economic Growth and Neighbourhood Services submitted a report on the above application. A verbal update was given at the meeting recommending an amendment to Condition 10 and explaining that the reference to tree removal on the site in paragraph 4.2.2 of the report was from an arboricultural assessment from 2014 and that those trees had already been removed, so this reference was no longer relevant.

Comments were received and considered.

Resolved - That, pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, the carrying out of the development 100170/REG3 be authorised, subject to the conditions and informatives as recommended in the report, with Condition 10 amended to read:

10. Temporary use of the mobile unit only – to be removed from site by 30 September 2020.

10. 190306/REG3 - JIMMY GREEN COURT, 52 CORONATION SQUARE

Conversion of advice centre to a two bedroom apartment.

The Executive Director for Economic Growth and Neighbourhood Services submitted a report on the above application.

Comments were received and considered.

Ward Councillor John Ennis addressed the Committee on this application.

Resolved - That, pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, the carrying out of the development 190306/REG3 be authorised, subject to the conditions and informatives as recommended in the report.

(Councillor Ennis declared an interest in item 10 (190306/REG3 – Jimmy Green Court, 52 Coronation Square). He made a statement as Ward Councillor and then left the room and took no part in the decision. Nature of interest: Councillor Ennis was the Lead Councillor for Housing for Reading Borough Council, which owned the building and was the applicant).

11. EXCLUSION OF THE PRESS AND PUBLIC

Resolved -

That, pursuant to Section 100A of the Local Government Act 1972 (as amended), members of the press and public be excluded during consideration of item 12 as it was likely that there would be a disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12A (as amended) of the Act.

12. PLANNING ENFORCEMENT QUARTERLY UPDATE

The Executive Director for Economic Growth and Neighbourhood Services submitted a report on the current status of all outstanding enforcement notices/prosecutions, including cases where formal enforcement action and/or prosecutions had been undertaken but where the action taken had not yet resolved the breach of planning control. An overview of all outstanding cases involving formal action was attached at Appendix 1.

Resolved – That the report be noted.

(Exempt information as defined in paragraphs 6 & 7).

(The meeting started at 6.30 pm and closed at 7.30 pm)

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READING BOROUGH COUNCIL

REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

TO:	**PLANNING APPLICATIONS COMMITTEE**		
DATE:	**26 JUNE 2019**		
TITLE:	**POTENTIAL SITE VISITS FOR COMMITTEE ITEMS**		
SERVICE:	**PLANNING**	**WARDS:**	**BOROUGH WIDE**
AUTHOR:	**JULIE WILLIAMS**	**TEL:**	**0118 9372461**
JOB TITLE:	**PLANNING MANAGER**	**E-MAIL:**	Julie.williams@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

1.1 To identify those sites where, due to the sensitive or important nature of the proposals, Councillors are advised that a Site Visit might be appropriate before the meeting of the next Committee (or at a future date) and to confirm how the visit will be arranged.

2. RECOMMENDED ACTION

2.1 That you resolve to visit the sites which will be identified by officers in a paper in the update Agenda on the day of the forthcoming Planning Applications Committee and confirm if there are any other sites Councillors consider necessary to visit before reaching a decision on an application.

2.2 That you confirm how the site will be visited, unaccompanied or accompanied, and if accompanied agree the site visit date and time.

3. THE PROPOSAL

3.1 The potential list of agenda items submitted since the last meeting of the Planning Applications Committee will be provided with the update Agenda on the day of forthcoming Planning Applications Committee. Where appropriate, I will identify those applications that I feel warrant a site visit by the Committee prior to formal consideration of the proposals.

3.2 Councillors may also request a site visit to other sites on that list if they consider it relevant to their ability to reach a decision on the application.

3.3 Officers may also recommend a site visit if they intend to report a normally delegated application to the Committee for a decision.

3.4 A site visit may also be proposed in connection with a planning enforcement issue which is before the Committee for consideration.

3.5 Site visits in the above circumstances should all take place in advance of a Committee decision and should only be used where the expected benefit is substantial.

3.6 A site visit is only likely to be necessary if the impact of the proposed development is difficult to visualise from the plans and any supporting material including photographs taken by officers (although, if this is the case, additional illustrative material should have been requested); or, there is a good reason why the comments of the applicant and objectors cannot be expressed adequately in writing; or, the proposal is particularly contentious.

3.7 Accompanied site visits consist of an arranged inspection by a viewing Committee, with officers in attendance and by arrangement with the applicant or their agent. Applicants and objectors however will have no right to speak but may observe the process and answer questions when asked. The visit is an information gathering opportunity and not a decision making forum.

3.8 Recently Councillors have expressed a preference to carry out unaccompanied site visits, where the site is easily viewable from public areas, to enable them to visit the site when convenient to them. In these instances the case officer will provide a briefing note on the application and the main issues to be considered by Councillors when visiting the site.

3.9 There may also be occasions where officers or Councillors request a post completion site visit in order to review the quality or impact of a particular development.

4. CONTRIBUTION TO STRATEGIC AIMS

4.1 Planning services contribute to producing a sustainable environment and economy within the Borough and to meeting the 2015 -18 Corporate Plan objective for "Keeping the town clean, safe, green and active." Under the heading, Neighbourhoods, the Corporate Plan aims to improve the physical environment – the cleanliness of our streets, places for children to play, green spaces, how we feel about our neighbourhood and whether we feel safe, have a sense of community and get on with our neighbours.

5. COMMUNITY ENGAGEMENT AND INFORMATION

5.1 Statutory neighbour consultation takes place on planning applications.

6. EQUALITY IMPACT ASSESSMENT

6.1 Officers when assessing an application and when making a recommendation to the Committee, will have regard to its duties Under the Equality Act 2010, Section 149, to have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7. LEGAL IMPLICATIONS

7.1 None arising from this report.

8. FINANCIAL IMPLICATIONS

8.1 The cost of site visits is met through the normal planning service budget.

9. BACKGROUND PAPERS

Reading Borough Council Planning Code of Conduct.

Local Safety Practice 2013 Planning Applications Committee site visits.

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READING BOROUGH COUNCIL

REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

TO:	**PLANNING APPLICATIONS COMMITTEE**		
DATE:	**26 JUNE 2019**		
TITLE:	**PLANNING APPEALS**		
AUTHOR:	**JULIE WILLIAMS**	**TEL:**	**0118 9372461**
JOB TITLE:	**PLANNING MANAGER**	**E-MAIL:**	Julie.Williams@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

1.1 To report notifications received from the Planning Inspectorate on the status of various planning appeals.

2. RECOMMENDED ACTION

2.1 That you note the appeals received and the method of determination as listed in Appendix 1 of this report.

2.2 That you note the appeals decided as listed in Appendix 2 of this report.

2.3 That you note the Planning Officers reports on appeal decisions provided in Appendix 3 of this report.

3. INFORMATION PROVIDED

3.1 Please see Appendix 1 of this report for new appeals lodged since the last committee.

3.2 Please see Appendix 2 of this report for new appeals decided since the last committee.

3.3 Please see Appendix 3 of this report for new Planning Officers reports on appeal decisions since the last committee.

4. CONTRIBUTION TO STRATEGIC AIMS

4.1 Defending planning appeals made against planning decisions contributes to producing a sustainable environment and economy within the Borough

and to meeting the 2015 -18 Corporate Plan objective for "Keeping the town clean, safe, green and active."

5. COMMUNITY ENGAGEMENT AND INFORMATION

5.1 Planning decisions are made in accordance with adopted local development plan policies, which have been adopted by the Council following public consultation. Statutory consultation also takes place on planning applications and appeals and this can have bearing on the decision reached by the Secretary of State and his Inspectors. Copies of appeal decisions are held on the public Planning Register.

6. EQUALITY IMPACT ASSESSMENT

6.1 Where appropriate the Council will refer in its appeal case to matters connected to its duties Under the Equality Act 2010, Section 149, to have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7. LEGAL IMPLICATIONS

7.1 Public Inquiries are normally the only types of appeal that involve the use of legal representation. Only applicants have the right to appeal against refusal or non-determination and there is no right for a third party to appeal a planning decision.

8. FINANCIAL IMPLICATIONS

8.1 Public Inquiries and Informal Hearings are more expensive in terms of officer and appellant time than the Written Representations method. Either party can be liable to awards of costs. Guidance is provided in Circular 03/2009 "Cost Awards in Appeals and other Planning Proceedings".

9. BACKGROUND PAPERS

9.1 Planning Appeal Forms and letters from the Planning Inspectorate.

APPENDIX 1

Appeals Lodged:

WARD: PEPPARD
APPEAL NO: APP/E0345/W/19/3226790
CASE NO: 181869
ADDRESS: 149 Chiltern Road
PROPOSAL: Erection of a new 3 bedroom two storey detached house with garage and extensions and alterations to the existing bungalow to form an enlarged two storey dwelling
CASE OFFICER: Matthew Burns
METHOD: Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 21.05.2019

WARD: CHURCH
APPEAL NO: APP/E0345/W/19/3228388
CASE NO: 181571
ADDRESS: 60 Christchurch Rd
PROPOSAL: Change of use of ground floor to Class A3 café/restaurant, part single, part two-storey rear extension, changes to shopfront and kitchen extract equipment on rear flat roof
CASE OFFICER: Alison Amoah
METHOD: Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 21.05.2019

WARD: NORCOT
APPEAL NO: APP/E0345/W/19/ 3222030
CASE NO: 181953
ADDRESS: 180 Wantage Road
PROPOSAL: External alterations to existing outbuilding
CASE OFFICER: Anthony Scholes
METHOD: Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 22.05.2019

WARD: ABBEY
APPEAL NO: APP/E0345/W/19/ 3228362
CASE NO: 190062
ADDRESS: 30 Addison Road
PROPOSAL: Retrospective application for a single storey rear extension to create a new bathroom and WC at the rear of existing building.
CASE OFFICER: Nathalie Weekes
METHOD: Householder Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 24.05.2019

APPENDIX 2

Appeals Decided:

WARD: WHITLEY
APPEAL NO: APP/E0345/Z/19/3223689
CASE NO: 181529
ADDRESS: "Wrens Kitchens Unit 1" Imperial Way
PROPOSAL: Retrospective application for 1 no fascia sign, internally illuminated via LEDs and 3 no. sets of vinyls applied externally to the windows.
CASE OFFICER: Alison Amoah
METHOD: Written Representation
DECISION: ALLOWED
DATE DETERMINED: 29.05.2019

WARD: MINSTER
APPEAL NO: APP/E0345/ W/19/3220301
CASE NO: 181728
ADDRESS: 14 Boston Ave
PROPOSAL: Retrospective change of use from C3 residential dwellinghouse to an 8 bedroom sui generis House in Multiple Occupation
CASE OFFICER: Ethne Humphreys
METHOD: Written Representation
DECISION: ALLOWED
DATE DETERMINED: 30.05.2019

WARD: THAMES
APPEAL NO: APP/E0345/D/19/3225582
CASE NO: 190007
ADDRESS: 3 Cawsam Gardens
PROPOSAL: Two storey side extension. Resubmission of 180396
CASE OFFICER: Connie Davis
METHOD: Householder Written Representation
DECISION: ALLOWED
DATE DETERMINED: 06.06.2019

WARD: CAVERSHAM
APPEAL NO: APP/E0345/D/19/3226412
CASE NO: 190113
ADDRESS: 28 Clonmel Close
PROPOSAL: First floor side extension and single storey rear extension (amended description)
CASE OFFICER: Connie Davis
METHOD: Householder Written Representation
DECISION: DISMISSED
DATE DETERMINED: 11.06.2019

APPENDIX 3

Address Index of Planning Officers reports on appeal decisions.

14 Boston Avenue

Planning Officers reports on appeal decisions attached.

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Appeal No: APP/E0345/W/19/3220301
Planning Ref: 181728
Site: 14 Boston Avenue, Reading,
Proposal: Retrospective change of use from C3 residential dwellinghouse to an 8 bedroom sui generis House in Multiple Occupation
Decision level: Delegated decision on 14/12/18
Method: Written representations
Decision: Appeal Allowed
Date Determined: 30 May 2019
Inspector: Martin Andrews MA (Planning) BSc (Econ) DipTP & DipTP (Dist) MRTPI

1. BACKGROUND

1.1 The appeal site comprises a two storey semi-detached property which has a two storey side extension (permitted under a householder planning application in 2016), single storey extensions and a conservatory to the rear. Boston Avenue itself is characterised by semi-detached houses.

1.2 The 2018 application for retrospective change of use to a sui generis HMO received a total of 22 objections received as part of the original consultation. In December 2018 the application was refused for the following reasons:

The original property is not of a size that is suitable for conversion to a sui generis HMO and the property falls significantly below the standards provided with policy DM8 of the Sites and Detailed Policies Document for conversion. This is reflected in the poor standard of accommodation provided and the retrospective change of use is therefore harmful to the existing and future occupants of the property and the character of the surrounding area and contrary to Policy DM8 (Residential Conversions) of the Sites and Detailed Policies Document, Policy CS18 (Residential Conversions) of the Core Strategy and the Residential Conversions Supplementary Planning Document.

The retrospective change of use to a sui generis HMO has resulted in the loss of a property that could be occupied as a single family dwelling. As such the application does not comply with Policy DM8 (Residential Conversions) of the Reading Borough SDPD, Policy CS18 of the Reading Borough LDF Core Strategy and the Residential Conversions Supplementary Document.

The application fails to demonstrate adequate bin and cycle storage and is contrary to policies CS18 (Residential Conversions) and CS24 (Car/Cycle Parking) of the Core Strategy and DM8 (Residential Conversions) and DM12 (Access, Traffic and Highway-Related Matters) of the Sites and Detailed Policies Document and the Council's Supplementary Planning Document - Residential Conversions SPD (2013).

The existing external laundry room is considered harmful to the living environment of neighbouring properties in terms of noise and disturbance and is an indication of over intensification in the use of the property and is therefore contrary to policy CS18 (Residential Conversions) of the Core Strategy and DM4 (Safeguarding Amenity) and DM8 (Residential Conversions) of the Sites and Detailed Policies Document and the Council's Supplementary Planning Document - Residential Conversions SPD (2013).

The retrospective change of use to a sui generis HMO fails to provide adequate communal space for existing and future occupants and is therefore contrary to policy CS18 (Residential Conversions) of the Core Strategy, DM8 (Residential Conversions) of the Sites and Detailed Policies Document and the Council's Supplementary Planning Document - Residential Conversions SPD (2013).

1.3 The applicant appealed against this decision to the Planning Inspectorate and the application was allowed at appeal.

2 SUMMARY OF DECISION

2.1 The Inspector considered that the two main issues of the appeal were: the suitability of the property for use as a sui generis HMO and; and the adequacy of both the facilities provided and the living conditions for existing and future occupiers.

2.2 In terms of the principle of the change of use of the property, the Inspector appeared to agree with the conclusions of the Council in that it did not meet the size requirements for conversion to large HMO. However, the Inspector's consideration of its suitability went beyond this policy requirement; considering that its suitability was 'less a matter of exact floor area and more one of its suitability as an HMO and the actual impact on the character of the area'. The Inspector considered that there were few indicators from the road of an intensity of use and that, furthermore, the appearance of the property had improved over recent years to its benefit. The Inspector considered that this - alongside that Class C3 to Class C4 HMO of up to 6 occupiers is 'permitted development' - meant that the determining factor of the appeal was whether the increased intensity of use arising from a sui generis HMO would be harmful in the longer term.

2.3 In terms of the adequacy of facilities and living conditions for existing and future occupiers, the Inspector noted that the communal areas were not spacious. However, he considered them to be of a good standard and well-managed. Furthermore, the refuse, recycling, garden space, cycle storage and laundry facilities were considered acceptable, to the benefit of the scheme. Notwithstanding this, the Inspector considered that the 8 bedrooms in the property, to be occupied by 8 or 9 persons, would result in too much pressure on these facilities and considered dismissing the appeal on this basis. To the Council's mind, this concern is linked to the overall size of the property being inadequate and contrary to Policy DM8. However, the Inspector decided that should the occupancy be limited to 7 persons in 7 bedrooms (by way of an amended plan) and thereby reducing the pressure on these facilities, then this change would render the scheme acceptable.

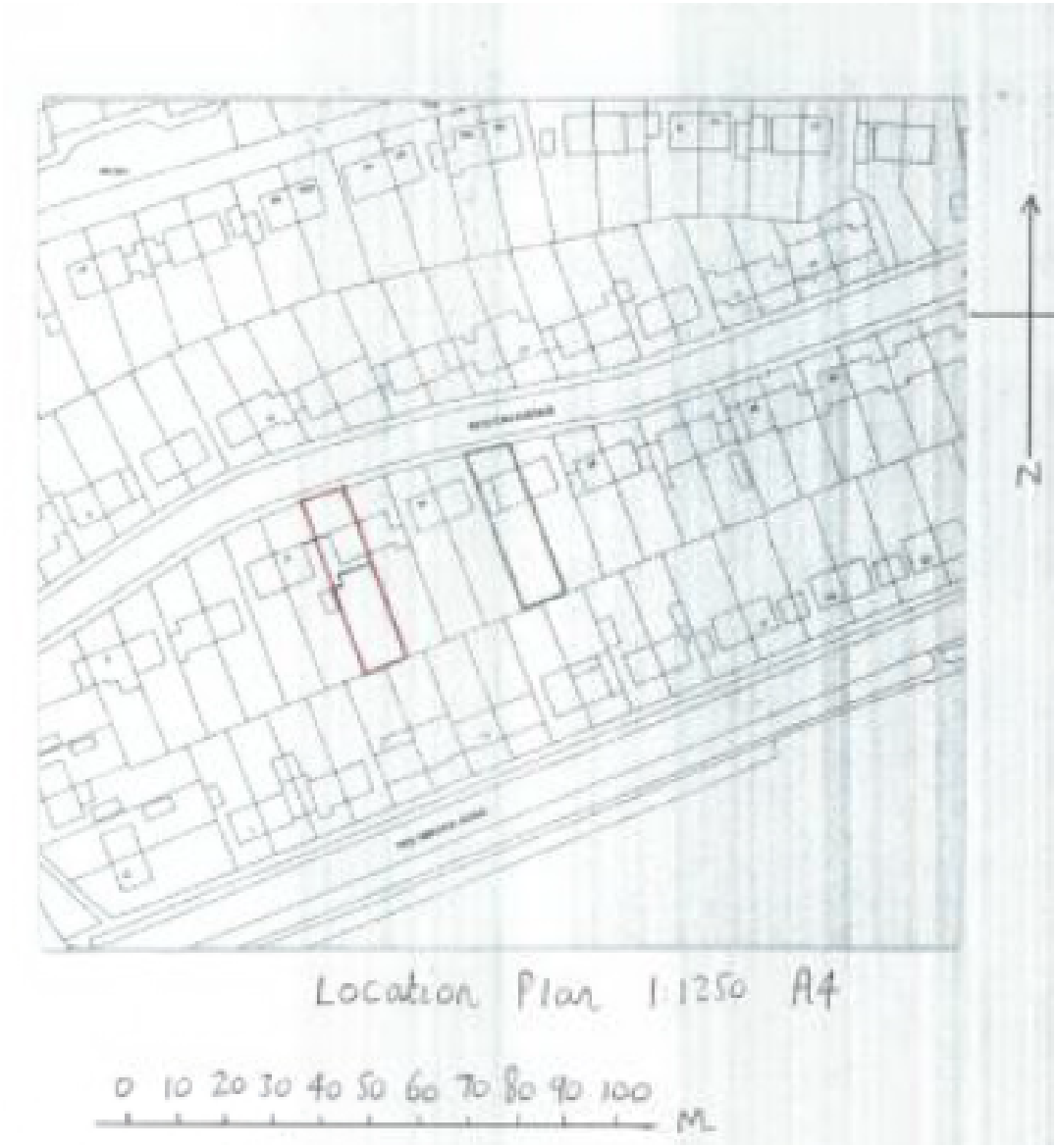
2.4 Conclusion and conditions

On balance, the Inspector therefore concluded that the appeal should succeed, subject to a number of conditions. The majority of conditions imposed align with those recommended by officers during the course of the appeal.

Head of Planning, Development & Regulatory Services Comment:

2.4 A disappointing outcome to a proposal which officers considered was justifiably refused at application stage. In terms of the requirements of Policy DM8 and the Conversions Guidance, the Council will perhaps need to be mindful for future applications that the size requirement - which the site clearly fell short of – may not always be a deciding factor if there are other benefits to the scheme which would appear to outweigh the size requirement. Until now, the minimum floor area has been regarded as providing a 'first principle' from which to then assess the suitability of such proposals.

Aerial view



Location Plan

Case officer: Ethne Humphreys

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READING BOROUGH COUNCIL

REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

TO:	**PLANNING APPLICATIONS COMMITTEE**		
DATE:	**26 JUNE 2019**		
TITLE:	**APPLICATIONS FOR PRIOR APPROVAL**		
AUTHOR:	**JULIE WILLIAMS & RICHARD EATOUGH**		
JOB TITLE:	**PLANNING MANAGER (ACTING) & TEAM LEADER**	**E-MAIL:**	Julie.williams@reading.gov.uk Richard.eatough@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

1.1 To advise Committee of new applications and decisions relating to applications for prior-approval under the amended Town and Country Planning (General Permitted Development) Order (GPDO 2015).

2. RECOMMENDED ACTION

2.1 That you note the report.

3. BACKGROUND

3.1 At your meeting on 29 May 2013 a report was presented which introduced new permitted development rights and additional requirements for prior approval from the local planning authority for certain categories of permitted development. It was agreed then that a report be bought to future meetings for information and to include details of applications received for prior approval, those pending a decision and those applications which have been decided since the last Committee date.

4 TYPES OF PRIOR APPROVAL APPLICATIONS

4.1 The categories of development requiring prior approval under the Town and Country Planning (General Permitted Development)(England) Order 2015, or amended by the Town and Country Planning (General Permitted Development)(England)(Amendment) Order 2016 that are of most relevance to Reading Borough are summarised as follows:

- **Householder development – single storey rear extensions**. GPDO Part 1, Class A1(g-k).
- **Change of use from A1 shops or A2 financial & professional, betting office, pay day loan shop or casino to A3 restaurants and cafes.** GPDO Part 3 Class C.
- **Change of use from A1 shops or A2 financial & professional, betting office or pay day loan shop to Class D2 assembly & leisure.** GPDO Part 3 Class J.
- **Change of use from A1 shops or A2 financial and professional or a mixed use of A1 or A2 with dwellinghouse to Class C3 dwellinghouse.** GPDO Part 3 Class M*
- **Change of use from an amusement arcade or a casino to C3 dwellinghouse & necessary works.** GPDO Part 3 Class N
- **Change of use from B1 office to C3 dwellinghouse** GPDO Part 3, Class O*.

- **Change of use from B8 storage or distribution to C3 dwellinghouse** GPDO Part 3, Class P
- **Change of use from B1(c) light industrial use to C3 dwellinghouse** GPDO Part 3, Class PA*
- **Change of use from agricultural buildings and land to Class C3 dwellinghouses and building operations reasonably necessary to convert the building to the C3 use**. GPDO Part 3 Class Q.
- **Change of use of 150 sq m or more of an agricultural building (and any land within its curtilage) to flexible use within classes A1, A2, A3, B1, B8, C1 and D2**. GPDO Part 3 Class R.
- **Change of use from Agricultural buildings and land to state funded school or registered nursery D1**. GPDO Part 3 Class S.
- **Change of use from B1 (business), C1 (hotels), C2 (residential institutions), C2A (secure residential institutions and D2 (assembly and leisure) to state funded school D1**. GPDO Part 3 Class T.
- **Temporary use of buildings for film making for up to 9 months in any 27 month period**. GPDO Part 4 Class E
- **Development under local or private Acts and Orders** (e.g. Railways Clauses Consolidation Act 1845). GPDO Part 18.
- **Development by telecommunications code system operators**. GPDO Part 16.
- **Demolition of buildings**. GPDO Part 11.

4.2 Those applications for Prior Approval received and yet to be decided are set out in the appended Table 1 and those applications which have been decided are set out in the appended Table 2. The applications are grouped by type of prior approval application. Information on what the estimated equivalent planning application fees would be is provided.

4.3 It should be borne in mind that the planning considerations to be taken into account in deciding each of these types of application are specified in more detail in the GDPO. In some cases the LPA will first need to confirm whether or not prior approval is required before going on to decide the application on its planning merits where prior approval is required.

4.4 Details of any appeals on prior-approval decision will be included elsewhere in the agenda.

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 Changes of use brought about through the prior approval process are beyond the control or influence of the Council's adopted policies and Supplementary Planning Documents. Therefore it is not possible to confirm how or if these schemes will contribute to the strategic aims of the Council.

6. COMMUNITY ENGAGEMENT AND INFORMATION

6.1 Statutory consultation takes place in connection with applications for prior-approval as specified in the Order discussed above.

7 EQUALITY IMPACT ASSESSMENT

7.1 Where appropriate the Council must have regard to its duties under the Equality Act 2010, Section 149, to have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 There are no direct implications arising from the proposals.

8. LEGAL IMPLICATIONS

8.1 None arising from this Report.

9. FINANCIAL IMPLICATIONS

9.1 Since the additional prior notifications were introduced in May 2013 in place of applications for full planning permission, the loss in fee income is estimated to be £1,175,086.

(Office Prior Approvals - £1,081,781: Householder Prior Approvals - £71,146:
Retail Prior Approvals - £9040: Demolition Prior Approval - £2135: Storage Prior Approvals - £5716: Shop to Restaurant Prior Approval - £2650: Shop to Leisure Prior Approval - £305: Light Industrial to Residential - £2214)

Figures since last report
Office Prior Approvals - £366: Householder Prior Approvals - £1236

9.2 However it should be borne in mind that the prior notification application assessment process is simpler than would have been the case for full planning permission and the cost to the Council of determining applications for prior approval is therefore proportionately lower. It should also be noted that the fee for full planning applications varies by type and scale of development and does not necessarily equate to the cost of determining them.

10. BACKGROUND PAPERS

The Town and Country Planning (General Permitted Development) (England) Order 2015

Town and Country Planning (General Permitted Development)(England)(Amendment) Order 2016.

Table 1 – Prior-approval applications pending @ 13th June 2019

Application type CLASS A - Householder

Application type	Application reference number	Address	Ward	Proposal	Date Received	Target Determination Date	Comments	Equivalent planning application fee
Householder Prior Approval - Class A, Part 1 GPDO 2015	190907	162 Belmont Road, Reading, RG30 2UX	Battle	Rear extension measuring 5.05m in depth, with a maximum height of 2.02m, and 2.8m in height to eaves level.	06/06/2019	17/07/2019		**£206**
Householder Prior Approval - Class A, Part 1 GPDO 2015	190861	79 Norcot Road, Tilehurst, Reading, RG30 6BP	Kentwood	Rear extension measuring 6m in depth, with a maximum height of 3.6m, and 2.4m in height to eaves level.	29/05/2019	09/07/2019		**£206**
Householder Prior Approval - Class A, Part 1 GPDO 2015	190794	114 Severn Way, Tilehurst, Reading, RG30 4HJ	Norcot	Rear extension measuring 4.0m in depth, with a maximum height of 3.0m, and 2.7m in height to eaves level.	15/05/2019	25/06/2019		**£206**
Householder Prior Approval - Class A, Part 1 GPDO 2015	190873	25 Bulmershe Road, Reading, RG1 5RH	Park	Rear extension measuring 2m and 5.9m in depth, with a maximum height of 3.4m and 3m in height to eaves level.	30/05/2019	11/07/2019		**£206**

Application type	Application reference number	Address	Ward	Proposal	Date Received	Target Determination Date	Comments	Equivalent planning application fee
Householder Prior Approval - Class A, Part 1 GPDO 2015	181389	9 Micklands Road, Caversham, Reading, RG4 6LU	Peppard	Rear extension measuring 8m in depth, with a maximum height of 3m, and 2.5m in height to eaves level.	07/08/2018	19/09/2018		**£206**
Householder Prior Approval - Class A, Part 1 GPDO 2015	190766	16 Bramble Crescent, Tilehurst, Reading, RG30 4TX	Tilehurst	Rear extension measuring 4m in depth, with a maximum height of 4m, and 2.5m in height to eaves level.	08/05/2019	23/06/2019		**£206**

Office to Residential Prior Approval applications pending

Application type	Application reference number	Address	Ward	Proposal	Date Received	Target Determination Date	Comments	Equivalent planning application fee
Office use to dwelling house - Class O, Part 1 GPDO 2015	190838	2a Armour Road, Tilehurst, Reading, RG31 6HT	Kentwood	Change of use from Class B1(a) (offices) to C3 (dwelling houses) to comprise 1 dwelling.	22/05/2019	17/07/2019		**£366**

Retail Prior Approvals applications pending

Application type	Application reference number	Address	Ward	Proposal	Date Received	Target Determination Date	Comments	Equivalent planning application fee
Retail Prior Approval	190871	133 Caversham Road, Reading, RG1 8AS	Abbey	Change of from retail (A1) to 2 x 1 bed dwelling (C3).	29/05/2019	26/07/2019		**£828**

Light Industrial to Residential pending

Application type	Application reference number	Address	Ward	Proposal	Date Received	Target Determination Date	Comments	Equivalent planning application fee
Prior Notification	190782	8 Prospect Street, Reading, RG1 7YG	Battle	Notification of Prior Approval for a Change Of Use from Premises in Light Industrial Use (Class B1(c) and any land within its curtilage to Dwelling houses (Class C3). The proposed development comprises the change of use from Light Industrial (B1(c) to Residential (C3), converting 160sqm of building into 5 dwellings.	14/05/2019	09/07/2019		£2214

Telecommunications Prior Approval applications pending

Application type	Application reference number	Address	Ward	Proposal	Date Received	Target Determination Date	Comments
Telecommunications Notification - Prior Approval	190789	Land At Mereoak Busway, Basingstoke Road, Shinfield, Reading, RG7 1NR	Whitley	Application for Prior Notification of proposed development by telecommunications code system operators – Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 for installation of a 20m Monopole, supporting 6 no. antennas, 3 no. equipment cabinets and a meter cabinet and development ancillary thereto.	14/05/2019	09/07/2019	

Storage to Residential Prior Approval applications pending – None

Shop to Assembly & Leisure Prior Approval applications pending – None

Shop to Restaurant Prior Approval applications pending – None

Demolition Prior Approval applications pending – None

Prior Notification applications pending – None

Table 2 – Prior-approval applications decided 15 May 2019 to 13 June 2019

Application type CLASS A – Householder

Application type	Application reference number	Address	Ward	Proposal	Date Received	Decision Date	Decision
Householder Prior Approval - Class A, Part 1 GPDO 2015	190632	40 Norris Road, Reading, RG6 1NJ	Park	Rear extension measuring 5.4m in depth, with a maximum height of 3.4m, and 3m in height to eaves level.	16/04/2019	23/05/2019	Prior Approval NOT REQUIRED
Householder Prior Approval - Class A, Part 1 GPDO 2015	190633	38 Norris Road, Reading, RG6 1NJ	Park	Rear extension measuring 5.4m in depth, with a maximum height of 3.4m, and 3m in height to eaves level.	16/04/2019	23/05/2019	Prior Approval NOT REQUIRED

Office to Residential Prior Approval applications decided

Application type	Application reference number	Address	Ward	Proposal	Date Received	Decision Date	Decision
Office use to dwelling house - Class O, Part 1 GPDO 2015	190602	Dukesbridge House, 23 Duke Street, Reading, RG1 4SA	Abbey	Change of use of part lower ground floor, part ground floor, first, second, third and loft floors from Class B1(a) (offices) to Class C3 (dwelling houses) to comprise 77 dwellings (26 x studio, 49 x 1 bed, 2 x 2 bed).	11/04/2019	06/06/2019	Prior Approval Notification - Approval

Retail to Residential applications decided

Application type	Application reference number	Address	Ward	Proposal	Date Received	Decision Date	Decision
Retail Prior Approval	190691	51 Vastern Road, Reading, RG1 8DJ	Abbey	Change of use of ground floor from Class A1 (shops) to C3 (dwellinghouses) to comprise 2 x studio flats.	29/04/2019	11/06/2019	Application Withdrawn

Telecommunications Prior Approval applications decided - None

Shop to Assembly & Leisure Prior Approval applications decided – None

Storage to Residential Prior Approval applications decided – None

Demolition Prior Approval applications decided – None

Shop to Restaurant Prior Approval applications decided – None

Prior Notification applications decided – None

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READING BOROUGH COUNCIL

REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH & NEIGHBOURHOOD SERVICES

TO:	**PLANNING APPLICATIONS COMMITTEE**		
DATE:	**26 JUNE 2019**		
TITLE:	**UPDATE ON GOVERNMENT RESPONSE TO CONSULTATIONS ON PLANNING REFORMS**		
LEAD COUNCILLORS:	**COUNCILLOR PAGE**	**PORTFOLIO:**	**STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT**
	COUNCILLOR McKENNA		**CHAIR, PLANNING APPLICATIONS COMMITTEE**
SERVICE:	**PLANNING**	**WARD:**	**BOROUGHWIDE**
LEAD OFFICER:	**JULIE WILLIAMS**	**TEL:**	**0118 937 2461**
JOB TITLE:	**ACTING PLANNING MANAGER**	**E-MAIL:**	Julie.williams@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

1.1 This report summarises in Section 4 the outcome of consultations recently undertaken by the Ministry of Housing, Communities and Local Government (MHCLG). Officers provided a report to Committee in January setting out officer views on the then proposed changes to permitted development rights and use classes. As agreed by the Chair of Planning Applications Committee and the Lead Councillor for Strategic Environment Planning and Transport officer comments were then forwarded to MHCLG.

2.0 RECOMMENDED ACTION

2.1 That the Committee notes the contents of this report.

3. BACKGROUND AND ISSUES

3.1 The consultation document was in 4 parts:

- **Part 1:** Permitted development rights and use classes;
- **Part 2:** Disposal of local authority land;
- **Part 3:** Canal & River Trust: Draft listed building consent order;
- **Part 4**: New town development corporations: Draft compulsory purchase guidance

Officers concentrated our comments on Part 1 proposals as being the area of most relevance to the responsibilities of this committee.

3.2 Officers found the most contentious proposals related to the upward extension of existing buildings using the airspace above existing buildings for additional new homes and extensions and the suggested creation of a PD right to allow the demolition of existing commercial buildings and the redevelopment of the sites for housing. The consultation also sought views on:

- new permitted development rights to allow greater flexibility for change of use;
- removal of the right to install new public call boxes and the associated advertising consent;

- increasing the height threshold for the installation of off-street electric vehicle charging points.
- making other existing time-limited rights permanent, and
- making an update to the Use Classes Order to reflect changes in high streets.

4. THE GOVERNMENT RESPONSE

4.1 Statutory Instrument 2019/907 – The Town and Country (Permitted Development, Advertisement and Compensation Amendments)(England) Regulations 2019 was made on 1st May and came into force on 25th May. It brings in some of the proposed changes covered by the consultation. At the beginning of May the government also published "Government response to consultation on planning reform: supporting the high street and increasing the delivery of new homes" to record comments received and to explain their proposed intentions. The following is a summary of this report.

- **Part 1:** Permitted development rights and use classes;

a) Permitted development to extending buildings upwards to create additional new homes

4.2 The consultation asked if it should be made permitted development to build up to use the airspace above premises to extend a property. The government was also considering a similar permitted development right to apply to purpose built, free-standing blocks of flats (within Use Class C3) over 5 storeys in height to provide additional new homes through top hatting or upwards extensions. The government had proposed that upward extensions should be permitted on premises in a range of uses that are compatible with C3 residential use; such as retail uses or leisure uses. The process proposed was by Prior Approval. An application fee per extra dwelling created would be required.

4.3 **Officers objected** on the basis that it the list of considerations for prior approval to be given is little different to the considerations that would be made in a planning application. The planning fee would be reduced but it looks as though prior approval could be refused on design or amenity grounds which would be the more significant concerns in such developments. The main benefit for the development industry would be that a local planning authority could not seek affordable housing and such pd would avoid any other Section 106 requirements (under current regulations it will usually be liable to pay CIL). This therefore becomes another form of development unnecessarily excluded from contributing to affordable housing.

4.4 More than half responding did not agree that upwards extensions should be delivered through a permitted development right. Concerns were raised that communities and local planning authorities would have no say over how and where a permitted development right might be applied; the quality of homes delivered by building up; how access and safety would be addressed; and the impact on the existing occupiers and neighbours of the premises being extended.

4.5 **The government hopes** to have a permitted development right to extend upwards certain existing buildings in commercial and residential use to deliver additional homes. However, given the concerns raised on the need to respect the design of the existing streetscape while ensuring the amenity of existing neighbours is considered and in recognition of the complexity of designing a permitted development right to build upwards the government has postponed bringing this forward.

b) Demolition of commercial buildings and replacement with housing

4.6 In the Autumn Budget of 2017 the government committed to consulting on introducing a permitted development right that would allow the demolition of commercial buildings and their replacement with residential development. The proposal was to make this permitted development on smaller sites.

4.7 **Officers objected** because we felt the consultation proposal ignored the vital issue of loss of employment land. Many authorities, including Reading, protect such buildings through policy in the strongest possible terms. A situation that enabled such units to be lost to housing without consideration of the impacts on the wider economy would run directly counter to the national emphasis on economic growth, and particularly enabling small business growth. We also thought the proposal unrealistic in operational terms since a host of exceptions would be needed to mitigate the risk of homes being provided in unsuitable locations through noise, fumes, traffic, etc., and employment uses being constrained in their operations through having to have regard to the amenity of nearby residential uses. Also another form of development unnecessarily excluded from contributing to providing affordable housing.

4.8 Less than a third responding to MHCLG considered a permitted development right for the demolition and replacement build of commercial sites possible. Generally, it was considered that such a right would go beyond what is appropriate to be delivered through a national permitted development right and that it would require extensive prior approval considerations. The extent of matters that would be required for prior approval is seen as an indication that the redevelopment of such sites should be considered through an application for planning permission considered against local and national policy

4.9 **The government intends** to continue looking at how a permitted development right to allow commercial buildings to be demolished and replaced with homes could be designed in the light of the views received to the consultation.

c) Allow greater change of use to support high streets to adapt and diversify with changes of use from retail to office use and hot food take-aways to residential use.

4.10 There was a balanced response to the first proposal with some welcoming the potential for greater flexibility and recognised that more office use on the high street could stimulate economic activity and promote a more mixed economy. Others had concerns that the ad hoc introduction of offices may undermine the ability of local authorities and communities to plan their high streets and protect the vitality of shopping areas. Support was given for the change from A5 to residential proposal as a means of combating obesity by reducing the number of fast food facilities but caveated by concern that ad hoc conversions could result in residential properties been located within concentrations of A5 uses with harm to amenities being an issue.

4.11 **The government has amended Part 3, Class J** of the GPDO to include new Class JA to allow changes from retail to office use under 500 sq.m. It has also amended Part 3, Class M to include takeaways (A5 Use) as being able to change to residential use.

d) Change of use from storage or distribution (B8) to residential

4.12 Class P in Part 3 introduced a permitted development right for change of use from storage or distribution (within certain limits) to residential use in 2015 for a period of three years. The right was extended in April 2018 for a further 14 months. At present Class P allows applicants to secure prior approval on or before 10 June 2019, and gives those with prior approval three years from the prior approval date in which to complete the change of use. The government sought views on making this right permanent.

4.13 **Officers commented** that these measures appear to have been little used in Reading but it is concerning that the government is proposing to make temporary measures permanent

with no reference to any case studies or any justification for making these changes permanent.

4.14 More than half of the responses did not support making permanent the permitted development right for change of use from storage or distribution to residential as it was considered there was an economic need to protect the provision of storage and distribution premises. Concerns also raised over the quality of homes delivered under the right.

4.15 **The government does not intend** to extend the time-limited beyond 10 June. Applicants who have secured prior approval on or before 10 June 2019 will have three years to implement the change from the date of prior approval.

e) Temporary changes of use

4.16 Views were sought on allowing temporary changes of use to be given longer time and to extend it to include specified community uses.

4.17 Officers had no comment on this proposal. In theory it would enable businesses to test the market and avoid premises being left empty. There was considerable support from respondents.

4.18 **The government has amended Part 5 Class D** to allow permitted development for temporary change of use to specified community uses within Use Class D1 for a period of 3 years.

f) Larger extensions to dwellinghouses

4.19 The permitted development right for larger extensions to dwellinghouses, introduced in 2013 to Part 1, Class A of the GPDO was originally intended to be temporary, but in 2014 this permitted development right was extended for three years, to May 2019. The government sought views on making the right permanent. The existing conditions would remain unchanged, but where prior approval of larger extensions is required under these rules, the government proposes to introduce an application fee of £96.

4.20 There was considerable support for making the permitted development right permanent particularly given the proposal to apply a fee.

4.21 **The government has amended Part 1, Class A** to make permanent the previously time-limited permitted development right for larger single storey rear extensions to dwellinghouses.

g) Public call boxes and advertisements

4.22 The consultation sought views on proposals to remove the permitted development right to install, alter or replace public call boxes (telephone kiosks) and the deemed consent for advertisements displayed on telephone kiosks. This is a subject that has proved to be controversial. There is also a closely connected issue regarding advertising displayed on these boxes, and so an amendment of the Control of Advertisement Regulations was also proposed.

4.23 Officers welcomed this proposal and there was overwhelming support (90%) to remove the permitted development right and to change the advertisement regulations. Reasons referred to the comprehensive network of public call boxes and that use is falling as a result of the widespread use of mobile telephones. They also had concerns that additional public call boxes were adding to street clutter.

4.24 **The government has amended Part 11** to remove the permitted development rights to install, alter or replace additional public call boxes (telephone kiosks) and the associated deemed consent for advertisements. Existing public call boxes will retain the permitted development right for alteration or replacement and where a surface of a public call box has previously been used to display an advertisement it can continue to be used for that purpose.

h) **Increased size limits for off-street electric vehicle charging points**

4.25 The Government proposes to increase the existing size limits for electric vehicle charging points located in off-street parking areas to facilitate rapid charging. Officers welcomed this proposal and there was considerable support.

4.26 **The government has amended Part2, Class E** to change the permitted development right for the installation of an electrical vehicle charging point upstand in an off-street parking space to increase the height limit to 2.3 metres to accommodate rapid charging points. Within the curtilage of a dwellinghouse or block of flats the existing height limit of 1.6 metres will remain. No changes will be made to the existing deemed consent to display a modest unilluminated advertisement with the name of the charge point installer or electricity supplier.

i) **Changes to the A (Retail) Use Classes**

4.27 The consultation paper indicates that the Use Classes Order might be amended in relation to the various Class A uses. This might involve the amalgamation or adjustment of some of the existing town centre uses (A1, A2, A3, A4 and A5).

4.28 **Officers commented** that any changes may result in local authorities losing control over drinking establishments takeaways and other town centre uses and make established town centre policies relating to town centre uses redundant. The proposed change would have very significant negative implications, in terms of increasing tensions between potentially incompatible uses, in terms of not adequately addressing significant impacts such as on traffic, and in terms of unacceptable loss of employment land, which could affect economic growth. The Council's strong view has always been that the change as proposed should not proceed.

4.29 There was considerable support for simplifying the A1 Use Class but with concerns over loss of control over concentration of uses.

4.30 **The government intends** to amend the retail use class to allow diversity and ancillary uses without undermining the amenity of an area.

Part 2: Disposal of local authority land;

4.31 Where local authorities wish to dispose of surplus land at less than best consideration ('undervalue') the Secretary of State's approval is required. There are well established consent procedures in place where local authorities seek to dispose of surplus land at less than best consideration. The government proposes to extend local authorities' freedoms to do so without seeking consent from the Secretary of State, thereby providing greater flexibility to dispose of surplus land in support of local development objectives.

4.32 There was considerable support for the introduction of a new consent for this type of land citing that there was no justification for a different approach to that for land held for purposes other than planning or housing and that it would reduce delays and uncertainty which can deter investors and disincentivise local authorities. Among those who supported a new consent, a clear majority favoured the consent applying to all disposals of land held for planning purposes regardless of the undervalue. There was overwhelming support for

applying the economic, social or environmental well-being criteria to any new general consent as these were considered to be important safeguards to ensure that local authority land was disposed of appropriately.

4.33 **The government intends** to consider the responses to this part of the consultation and will announce the way forward in due course.

Part 3: Canal & River Trust: Draft listed building consent order;

4.34 The government proposed to make the first listed building consent order which will allow minor, routine works to the Canal & River Trust's listed waterway structures without the need for individual listed building consent applications. This will remove unnecessary applications from the system while ensuring that appropriate protection for listed buildings and their settings is maintained.

4.35 There was strong support for these proposals. **The government intends** to take forward the Canal & River Trust listed building consent order as soon as Parliamentary time allows.

Part 4: New town development corporations: Draft compulsory purchase guidance

4.36 The government sought views on draft guidance on the compulsory purchase powers of new town development corporations. The guidance sets out, amongst other things, the factors which Ministers will take into account when deciding whether or not to confirm new town compulsory purchase orders. This is intended to provide additional clarity to those with an interest in proposed new settlements, including promoters, investors, infrastructure providers, landowners and local communities.

4.37 There was support for the draft guidance. **The government intends** to publish a final version of the guidance in due course.

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 The Planning Service contributes to the Council's strategic aims in terms of:

- Seeking to meet the 2018 Corporate Plan objectives for "Keeping the town clean, safe, green and active."
- Seeking to meet the 2018 Corporate Plan objectives for "Providing homes for those in most need."
- Seeking to meet the 2018 Corporate Plan objectives for "Providing infrastructure to support the economy."

6. COMMUNITY ENGAGEMENT AND INFORMATION

6.1 There is no reference to these matters in the changes proposed.

7. EQUALITY IMPACT ASSESSMENT

7.1 Where appropriate the Council must have regard to its duties under the Equality Act 2010, Section 149, to have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 There are no direct implications arising from the proposals.

8. LEGAL IMPLICATIONS

8.1 None arising from the Report.

9. FINANCIAL IMPLICATIONS

9.1 There are potential fee increases arising from the additional prior approvals intended by government.

Background Paper:
Item 07- PAC Agenda 9th January 2019.

Statutory Instrument 2019/907 – The Town and Country (Permitted Development, Advertisement and Compensation Amendments)(England) Regulations 2019.

Government response to consultation on planning reform: supporting the high street and increasing the delivery of new homes

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READING BOROUGH COUNCIL

REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH & NEIGHBOURHOOD SERVICES

TO:	**PLANNING APPLICATIONS COMMITTEE**		
DATE:	**26 JUNE 2019**		
TITLE:	**UPDATE ON CONSULTATIONS ON CHANGES TO THE COMMUNITY INFRASTRUCTURE LEVY**		
LEAD COUNCILLOR:	**COUNCILLOR PAGE** **COUNCILLOR McKENNA**	**PORTFOLIO:**	**STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT** **CHAIR, PLANNING APPLICATIONS COMMITTEE**
SERVICE:	**PLANNING**	**WARD:**	**BOROUGHWIDE**
LEAD OFFICER:	**JULIE WILLIAMS**	**TEL:**	**0118 937 2461**
JOB TITLE:	**ACTING PLANNING MANAGER**	**E-MAIL:**	Julie.williams@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

1.1 This report summarises the outcome of consultations undertaken by the Ministry of Housing, Communities and Local Government (MHCLG) on proposed CIL legislation changes in 2018. The changes are due to come into force on 1st September 2019.

2.0 RECOMMENDED ACTION

2.1 That the Committee notes the contents of this report.

3. BACKGROUND AND ISSUES

3.1 The Community Infrastructure Levy (CIL) is a charge which local authorities in England and Wales are empowered, but not required, to levy on most types of new developments in their areas. The proceeds of the CIL levy is intended to provide infrastructure to support the development of an area in line with local authorities' development plans. CIL is a means to collect pooled payments towards larger or more strategic infrastructure. The Council introduced CIL in Reading on 1st April 2015.

3.2 The government consulted on reforming CIL last year with an intention of addressing a of the following points:

- Reducing complexity and increasing certainty;
- Increasing market responsiveness;
- Improving transparency and increasing accountability;
- Delivering starter homes; and
- Technical clarifications.

3.3 The consultation response has resulted in a number of changes to the CIL regulations which have been laid before parliament this month with an expected implementation date of 1st September 2019. Not all of the items that were part of the consultation have come forward so the following highlights those items brought forward;

- Infrastructure funding statements to be introduced, replacing the current 'Regulation 123 list' (which lists the items on which CIL is to be spent). This statement will include details of money received through developer contributions

from each development and how it has been spent, and will be published every December, from 2020.

- S106 pooling restrictions removed. Currently local authorities are allowed to pool no more than five developer contributions from Section 106 agreements to fund a single infrastructure project. The regulations remove any upper limit on the number of developer contributions that can be pooled.
- Monitoring fees for S106 agreements allowed under the new regulations, as long as they are "fair" and "reasonable". Details to follow in the guidance.
- Indexation changes to use a new RICS publicly available figure.
- Changes to Commencement Notice penalties where some types of relief have been granted. Penalties will not now remove the relief element.
- Changes to CIL rates for amended planning applications, so that only new additional floor area will be charged at the latest CIL rate. The remainder of the floorspace will be charged at the rate that was in place when that element of the development was first permitted.
- Changes to the consultation process for adoption of CIL and changes to charging schedules. This includes a requirement to consult if an authority decides to cease charging CIL.

3.3 Officers advise that these changes appear to give the local authority more flexibility with developer contributions and delay the introduction of the new Infrastructure Funding Statements to give more time for local authorities to prepare. It is expected that the accompanying guidance to the legislation changes will allow a better understand of the impacts these changes will have on our current approach to developer contributions.

4. CONTRIBUTION TO STRATEGIC AIMS

4.1 The Planning Service contributes to the Council's strategic aims in terms of:

- Seeking to meet the Corporate Plan objectives for "Keeping the town clean, safe, green and active."
- Seeking to meet the Corporate Plan objectives for "Providing homes for those in most need."
- Seeking to meet the Corporate Plan objectives for "Providing infrastructure to support the economy."

5. COMMUNITY ENGAGEMENT AND INFORMATION

5.1 This report is about a response to public consultations carried out by the government.

6. EQUALITY IMPACT ASSESSMENT

6.1 Where appropriate the Council must have regard to its duties under the Equality Act 2010, Section 149, to have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

6.2 There are no direct implications arising from the proposals.

7. LEGAL IMPLICATIONS

7.1 The changes referred to in this report are to the Community Infrastructure Levy Regulations 2010 (as amended).

9. FINANCIAL IMPLICATIONS

9.1 The financial implications are that there will be more flexibility with how developer contributions can be used to provide for identified infrastructure improvements. This should enable more effective use of developer contributions to fund infrastructure.

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COMMITTEE REPORT

BY THE DIRECTOR FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 26th June 2019

Ward: Abbey
App No: 190099/FUL
Address: Unit 36 & 37, Broad Street Mall, Broad Street, Reading
Proposal: Amalgamation of Units 36 and 37 (Class A1) and change of use to form a flexible retail/restaurant/bar unit (Class A1/A3/A4), associated replacement shopfront works and associated external alterations on Dusseldorf Way and South Court frontages.
Applicant: Inception (Reading Sarl)
Date validated: 8/2/2019
Major Application: 13 week target decision date**:** 10/ 5/2019
Extension of time: 31/7/2019

RECOMMENDATION
Grant Full Planning Permission subject to the following conditions:

Conditions

1. Standard 3 Year Time Limit
2. Approved Plans
3. Development to be implemented and retained in accordance with 'Proposed South Court Corner Basement and ground floor plan' ref 15116 0403 P-11 dated 8.04.2019 (to secure appropriate proportion of A3/A4 floor space and servicing via the basement)
4. Hours of Operation (Sunday to Thursday: 9:00- 23:00, Last food order: 21:30 Friday to Saturday: 9:00-23:30 Last food order: 23:00)
5. Implementation prior to first operation and retention of the Operational Management Plan submitted 10.6.2019 (including the specified security measures including CCTV)
6. Prior to occupation Security arrangements to be submitted, stating measures to secure the A1 units when closed and street furniture to be brought into building.
7. Prior to occupation submission and approval of an external lighting strategy
8. No mechanical plant shall be installed until a noise assessment of the proposed mechanical plant has been submitted to and approved by the Council.
9. No extraction system shall be installed until details of an odour assessment and a detailed odour management plan to include scale plans, odour control specifications and a maintenance plan have been submitted and approved by the Council.
10. Details of street furniture to include bins to be submitted and approved prior to occupation.
11. Delivery and Servicing Plan for basement level access only to be submitted and approved prior to occupation.
12. No breaking of concrete slab or works within unmade ground

Informatives

1. Building Regulations
2. Positive and Proactive
3. Highways Act
4. Pre-commencement conditions
5. Nuisance Law
6. Licenses Required
7. Requirement for applications for Advertisement Consent
8. Terms and Conditions
9. CIL

1. INTRODUCTION

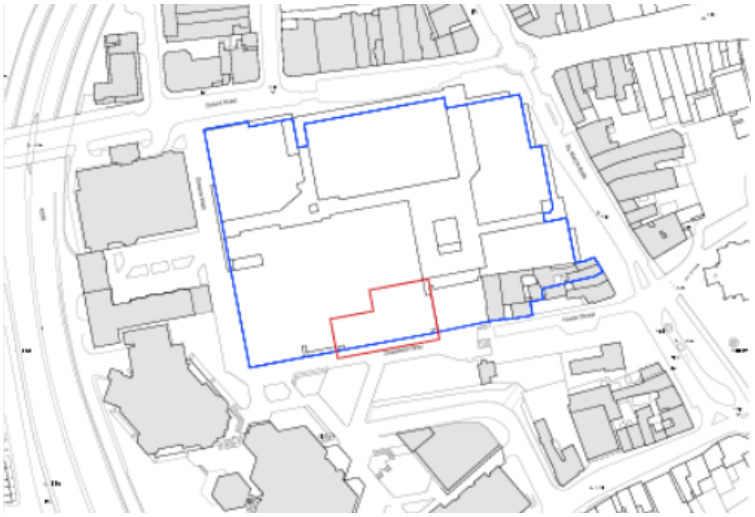
1.1 The application relates to two now vacant shop units within the Broad Street Mall; the former Poundland Store Unit 36 and former 'Stacks' furniture shop Unit 37 (both falling within A1 retail use). The former Poundland unit has external elevations that face both the Dusseldorf Way and the 'South Court' entrances to the Mall and contains basement and ground floor areas. Unit 37 is also arranged over basement and ground floor but has a single frontage to South Court.

1.2 The site forms part of the West Side Major Opportunity Area, as identified in the Reading Central Area Action Plan (the RCAAP). As set out in the planning history section below the wider site encompassing the application site is also sought to be redeveloped at this time. The applicant for this proposal and the wider overall Broad Street Mall redevelopment is Inception (Reading Sarl). The supporting statement for this application sets out that this scheme is compatible with the Mall Masterplan proposals and will form part of the immediate short term works to maintain the vitality of the Broad Street Mall and would remain in-situ until the Mall masterplan comes forward. Therefore the proposed floor layout for this unit differs within this application and the Masterplan application.

1.3 The site is located within the Reading Central Area, the Primary Shopping Area and Office core. The Site is not within a Conservation Area, but sits adjacent to the St Marys Butts /Castle Street Conservation Area. There are also listed buildings in the vicinity including: Church of St. Mary (Grade I listed); 55 and 55A St Mary's Butts (Grade II listed). Additionally it is relevant that the site falls with the Cumulative Impact Area designated by Reading Borough Council as Licensing Authority. This seeks to monitor the significant number of licensed premises concentrated in one area to avoid an increase in anti-social behaviour.

1.4 This application is reported to Planning Applications Committee as it relates to change of use of over 1000m2 of floor space and is therefore constitutes a 'Major' application.

LOCATION PLAN



2. PROPOSAL and Supporting Information

2.1 The application seeks full planning permission for amalgamation of Units 36 and 37 (Class A1) to a single unit (total 1491 sq m over all floors) and change of use to form a flexible retail/restaurant/bar unit (Class A1/A3/A4), associated replacement shopfront works and associated external alterations on Dusseldorf Way and South Court frontages.

2.2 The proposed flexible mixed use of the ground floor is sought to create an informal 'market' space containing market stalls, restaurant and bar units selling edible and non-edible goods and alcohol; and seating. An operator for this site has not been formally identified however examples of other town centre sites utilising this concept have been submitted by the applicant. There has been much discussion with officers in order to secure a mix of uses that retain flexibility but do not contravene the objectives of Cumulative Impact Area in relation to the proposed A4 (bar)element. The applicant has therefore submitted floor plans and a Draft Operational Management Strategy Document to show that no more than 20% of the total

floor area will be solely A4 use with A3 use to remain in operation into the evening; and proposes to operate the following opening hours:

Sunday to Thursday: 9:00- 23:00
Last food order: 21:30
Friday to Saturday: 9:00-23:30
Last food order: 23:00

2.3 In relation to external appearance the existing solid red brick walls of the Dussledorf Way frontage will be replaced with single storey glazing, in the form of black aluminium bi-folding doors set between brick pillars to be clad in black ceramic tiles. This will allow pedestrian access onto Dusseldorf Way and the proposed external seating. The South Court shop front will be entirely glazed. New metal fascia's will also be incorporated above the shop fronts to allow for fascia signage and awnings for prospective tenants. Detailed signage and the erection of awnings would be subject to separate advertisement consent applications.

2.4 The applicant has specified that servicing of the unit will be as the current situation with all servicing via the basement. Therefore vehicular servicing movements remain via the basement access and the centralised basement refuse management area will be utilised.

Submitted Plans and Documentation:

151116 0400 P-03 Existing South Court Corner Location Plan dated 5.04.2019

151116 0401 P-03 Existing South Court Corner Site plan dated 5.04.2019

151116 0402 P-04 Existing South Court Corner basement and Ground floor plan dated 8.04.2018

15116 0403 P-11 Proposed south court corner basement and ground floor plan (shows service lift to basement and 20% floor area) dated 8.04.2019

151116 0404 P-06 Existing and Proposed South Court Corner elevation 01 dated 5.04.19

151116 0405 P-09 Existing and Proposed South Court Corner elevation 02 – to show details of the external seating dated 16.5.19

Draft Operational Management Plan dated June 2019 received 10.6.2019

Moorgarth Foodhall Concept Document received 15.5.2019

3. RELEVANT PLANNING HISTORY

3.1 Formerly known as The Butts Centre, the Mall opened in 1971 and has had numerous permissions granted over the years. Recent applications for

major redevelopment of the Broad Street Mall have been determined and are under consideration at this time – these are set out below:

3.2 Applications Under consideration at this time:

182137 Construction of three residential buildings (Use Class C3) ranging in height from 5 to 22 storeys (Site E to provide 52 units , Site B to provide 139 Units and Site A to provide 172 units) above Broad Street Mall and provision of a podium level amenity area; Construction of an 18 storey building on South Court comprising ground and first floor retail (Use Class A1/A2/A3) and residential over upper floors (Use Class C3, Site C to provide 99 units); Change of use and extension of Quadrant House to form a 3 storey residential building (Use Class C3, Site D to provide 31 units); Creation of three ground floor retail units (Use Class A1/A2/A3) fronting Dusseldorf Way and Queens Walk; all necessary enabling and alteration works required within the existing Broad Street Mall basement, ground and upper floors. Pending consideration.

182054 Demolition of all existing structures, erection of a part 7, part 8 storey building for use as 101 bed Hotel (Class C1 Use) at Ground - 8th Floor and Restaurant/Bar (Class A3/A4 Use) at ground floor, with means of access, servicing and associated works. Pending consideration.

3.3 Recently Determined Applications

'Shipping Containers'

171230 Erection of a temporary two and part three-storey building (constructed using shipping containers) to create a mixed-use urban market comprising Retail (Use Class A1) and Restaurants/Cafés (Use Class A3), including use of external spaces at roof level; Refuse store, cycle parking and associated works (amended description). Permitted 17.1.2018 not implemented.

180594 Non-material change application to planning permission 171230 (construction of a temporary urban market): revised layout through adjustment to, and reorientation of containers. Associated relocation of lift, stair, toilet, decking/seating, cycle parking and servicing /waste locations. Withdrawn.

47 Oxford Road 'Argos corner'

180823 Subdivision of three-storey retail unit (Class A1) and change of use to form: 1x retail unit (Class A1) at part basement / part ground floor; 2x flexible retail or restaurant units (Class A1/A3) at ground floor level; and 2x assembly & leisure units (Class D2) - 1 at part basement / part ground floor & 1 at part ground, part first floor level, together with shared access and means of escape; associated replacement shopfront works and associated external alterations on Oxford Road and Queens Walk frontages. Permitted 13/9/2018 and implemented.

181613 External alterations comprising the installation of replacement shopfront and entrance at ground floor, and installation of two fixed windows and two bi-folding windows at first floor' are proposed. Permitted 2/11/2018 and implemented.

4. CONSULTATIONS

4.1 RBC Environmental Protection - Highlight issues in relation to :
Noise arising from development and Odour and noise re kitchen extraction. These matters can be addressed by condition requiring details to be submitted and approved prior to development commencing or prior to any additional mechanical plant being installed.

Recommended Condition
BS4142 Noise assessment – to be submitted
No mechanical plant shall be installed until a noise assessment of the proposed mechanical plant has been submitted and approved by this Council. The assessment shall be carried out for in accordance with BS4142:2014 methodology. The predicted specific sound level (LAeq,TR) as measured at a point 1 metre external to sensitive facades shall be at least 10dB below the existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The predicted rating level, LAr,Tr (specific sound level plus any adjustment for the characteristic features of the sound) as measured at a point 1 metre external to sensitive facades shall not exceed the existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The plant shall thereafter only be installed in accordance with the assessment.

Kitchen Extraction – odour
In addition to concerns about noise (as discussed above), cooking odour is often a significant problem in commercial kitchens and therefore the applicants must provide an assessment of the likelihood of odours based on the proposed cuisine and a statement of how the proposals will ensure that odour nuisance will be prevented. Reference must be made to the Defra Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (January 2005).

The following condition could be attached to consent, however it is possible that the criteria cannot be met with the plant specifications proposed in this application and a new application may need to be made at a later date for alternative plant / location.

Condition
No development shall take place until an odour assessment has been carried out and a detailed odour management plan to include scale plans, odour control specifications and a maintenance plan has been submitted and

approved. Reference shall be made to the Defra Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (January 2005) when assessing potential odours and selecting appropriate odour control methods. Thereafter, the development shall not be carried out other than in accordance with the approved scheme unless the Local Planning Authority otherwise agrees in writing.

Officer note: Due to the proposed flexible layout of the internal uses it is considered reasonable that the condition can be worded to secure details prior to any extraction equipment being installed.

4.2 RBC Transport –Based on the submitted plans including 151116 0405 P-09 Existing and Proposed South Court Corner elevation 02 – to show details of the external seating (dated 16.5.19) no objections subject to the following condition:

DC10 Delivery and Servicing Plan – where there is just one unit
Prior to occupation of the development details on the management of delivery and servicing vehicles accessing the development site and the anticipated number of vehicle trips associated with delivery and servicing vehicles for the development shall be submitted to the Local Planning Authority for approval in writing. Thereafter deliveries and servicing will be carried out in accordance with the approved details.
Reason: In the interest of the safety and convenience of all highway users in accordance with Core Strategy Policy CS24 and Sites and Detailed Polices Document Policy DM12.

4.3 RBC Licensing – No objection. Initial objection overcome by the revised Operational Management Plan and specified opening hours.

4.4 Thames Valley Police – Objection - Initial concerns based on the Licencing Cumulative Impact Area Policy and that the submission did not demonstrate how the development will create an accessible and safe environment. Also queries regarding the CCTV operational requirements, details of lighting and provision of a smoking area.
Further comments: Concern regarding segregation the A1 and A3/A4 units at night and how the mixed activity can be managed and the A1 units segregated and secured.

4.5 CCTV - There are two existing cameras in the area that cover areas of Hosier Street and the Hexagon.

4.6 Public Consultation:

4.7 Due to the extent of the applicant's ownership of adjoining properties no neighbouring units were required to be notified by letter. The case officer erected 3 site notices on the exteriors of the units clearly visible in the public realm; and the application was advertised in the local press.

No representations had been received at the time of writing.

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

National Planning Guidance
National Planning Policy Framework (2018)

Reading Borough LDF Core Strategy (Adopted January 2008, amended 2015)
CS3 (Social Inclusion and Diversity)
CS4 (Accessibility and the Intensity of Development)
CS5 (Inclusive Access)
CS7 (Design and the Public Realm)
CS23 (Sustainable Travel and Travel Plans)
CS24 (Car/Cycle Parking)
CS25 (Scale and Location of Retail, Leisure and Culture Development)
CS26 (Network and Hierarchy of Centres)
CS27 (Maintaining the Retail Character of Centres)
CS33 (Protection and Enhancement of the Historic Environment)
CS34 (Pollution and Water Resources)

Sites and Detailed Policies Document (Adopted October 2012, amended 2015)

SD1 Presumption in Favour of Sustainable Development
DM1 Adaptation to Climate Change
DM4 Safeguarding Amenity
DM12 Access, Traffic and Highway-Related Matters
DM23 Shopfronts and Cash Machines

Reading Central Area Action Plan (Adopted January 2009)
RC2 (West Side Major Opportunity Area): site is RC2d, Broad Street Mall and adjacent to RC2e, Hosier Street
RC5 (Design in the Centre)
RC6 (Definition of the Centre)
RC7 (Leisure, Culture and Tourism in the Centre)
RC8 (Drinking Establishments)
RC10 Active Frontages

RC14 (Public Realm)

Supplementary Planning Documents
Employment, Skills and Training SPD adopted April 2013
Minster Quarter Area Development Framework adopted December 2018

Reading Borough Submission Draft Local Plan 2018
Following the examination process, the independent inspector has identified a number of modifications that are needed to the Local Plan which require a further period of consultation. These are known as main modifications. Consultation on these modifications is to take place between Wednesday 12 June and Wednesday 24 July 2019.

6. APPRAISAL

Compatibility with planning policy and wider regeneration of the Area

6.1 Paragraph 85 of the NPPF (2018) states that planning policies and decisions should define a network and hierarchy of town centres and promote their long-term vitality and viability. The glossary of the NPPF details that main town centre uses include Retail development (including warehouse clubs and factory outlet centres); and leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls). Each of the proposed uses A1, A3 and A4 therefore constitutes an appropriate town centre use as set out in national policy.

6.2 Core Strategy Policy CS26 seeks to maintain and enhance the vitality and viability of centres, as well as widen the range of uses. RCAAP Policy RC6 also seeks to promote retail development whilst supporting other town centre uses within the wider Central Core area. The proposed A1, A3 and A4 uses would be appropriate town centre uses in this location. Whilst the proposals would also accord with Policies CS25, RC7 and RC8 which seek to locate new Leisure, Culture and Tourism facilities within the Town Centre.

6.3 In terms of the wider regeneration of the area two planning applications are currently under consideration, including the Mall Masterplan directly adjacent to and above the application site (under ref 182137). The current application for a change of use, elevational changes and external seating on Dusseldorf Way is in keeping with the policy objectives for the regeneration of the wider area and reflect the content of application 182137. The applicant has stated in their submitted covering letter that these works would remain in situ until the wider Mall Masterplan comes forward and are therefore not considered to prejudice future redevelopment of the site in accordance with Policy RC2 (West Side Major

Opportunity Area): site is RC2d, Broad Street Mall and adjacent to RC2e, Hosier Street.

Impact on residential amenity

6.4 There are no residential units in the immediate vicinity of the application site at present however Policy DM4 of the Sites and Detailed Policies Document seeks to protect the amenity of existing and future occupiers in terms of privacy, light, overbearing, noise and disturbance, lighting, vibration, small and crime and safety. With regard to existing commercial units and proposal for future residential units (proposed on top of the existing Mall structure) the building envelope is not sought to be altered and therefore the potential for any overbearing or loss of light is limited and there are no concerns in this respect. Impact upon privacy and overlooking to neighbouring buildings is also likely to be limited.

6.5 The impact of the proposed A4 (bar) elements and associated activity has also been carefully considered as the site falls within the Council's Cumulative Impact Policy Area. Upright vertical drinking establishments are the most likely driver of anti-social behaviour and crime and disorder with potential to affect the amenities of surrounding residential occupiers. Following detailed discussions with RBC Licensing Officers there is no objection to the scheme subject to a maximum of 20% of the floor area being in A4 use and the opening hours for A3 and A4 use within the submitted Operational Management Plan. This can be secured by condition.

6.6 The comments of Thames Valley Police Crime Prevention Design Advisor have been carefully considered by officers as issues regarding anti-social behaviour, noise and disturbance are intrinsically linked to the material planning consideration of protecting the amenity of surrounding occupiers and therefore must be taken into account within the planning balance. As set out above the A4 element of the proposal is now ancillary to the unit as a whole and details of the opening hours and CCTV are set out in the Operational Management Plan. It is also considered that means to secure A1 'stalls' which would tend to close prior to the A3 and A4 units can be controlled by condition.

6.7 Environmental Protection Officers are also satisfied, subject to recommended conditions, that the site specific impacts of plant within the proposed development on any immediate surrounding occupiers) and future occupiers) can be suitably mitigated. In relation to noise and disturbance to future occupiers of residential units in the Masterplan scheme the use of the market place will cease at 11pm in the week and 11.30 on Friday and Saturday. This is considered to be acceptable in this town centre location and similar to existing public house premises eg Pavlov's Dog in the immediate vicinity. Any further additional mitigation required within the fabric of the flatted units or access to these units can be secured within the Masterplan application.

6.8 On the basis of the conditions outlined above officers are satisfied that the proposal could be satisfactorily mitigated to prevent any undue noise and disturbance to surrounding occupiers and would accord with Policies DM4 and CS34.

Design and the Public Realm

6.9 The proposed visual appearance of the new shopfront glazing and cladding as viewed from Dusseldorf Way and South Court are considered to be appropriate in the context of the existing Broad Street Mall and the intended redevelopment of the Mall as a whole. The proposals are considered to regenerate the existing elevations of the Broad Street Mall with the proposed bi-fold doors creating an active frontage to Dusseldorf Way which is lacking at present. The applicant has stated the shopfronts have been designed in line with the recently submitted Broad Street Mall masterplan application and the new entrances will achieve level access.

6.10 The proposed elevations will also include 'fascia signage zones' to allow the erection of signage when vendors within the unit are known. The area allocated for signage is in keeping with existing shop units on Queens Walk and within the Mall itself. The detailed design of any signage and awnings to be erected will be subject to separate advertisement consent that will full consider CCTV coverage. This will be added as an informative on any planning permission issued.

6.11 Street furniture is sought in relation to the proposed of use in the form of external seating and a smoking area; and associated litter-bins and canvas barriers, etc. This street furniture is considered to have no adverse visual impact and is considered to enliven Dusseldorf Way. These structures will need to be secured when the operation ceases to trade of the evening to avoid such equipment being used for anti-social activity. This can be controlled by condition.

6.12 The proposal is considered to accord with Policies CS7, CS33 and RC5.

Transport

6.13 The Highway Authority has no objection in principle to a change of use of this nature as the majority of customer trips will be linked trips to the town centre. Regarding servicing the units to be amalgamated have existing basement servicing arrangements. The proposal is to be serviced by stairs and a newly created service lift, in the centre of the site, to access the existing basement servicing area of the Mall. This would allow additional flexibility of servicing and access and subject to the suggested condition, to monitor cumulative vehicle trips at the site, the proposal is considered to comply with, policies CS4, CS24 and DM12.

Other Issues:

Ground conditions

6.14 The site is near an Area of Archaeological Potential, however the proposal as a change of use does not require works to break the existing slab or dig into unmade ground as there is a basement area. This can be controlled by condition.

Community Infrastructure Levy

6.15 The proposal constitutes a chargeable development however Reading Borough Council charges CIL in respect of development for "All other chargeable developments Borough wide at £0". Also as the proposal is to be provided solely via change of use of existing floor space then, if the applicant can demonstrate that the building has been in use for a continuous period of 6 months at any time within the last 36 months then the liability would again default to £0. The proposed unit is situated within the Broad Street Mall and therefore it can be demonstrated that this criteria can be met.

Employment Skills and Training

6.16 As the proposal relates to a change of use of over 1000m2, at 1491sqm, it is necessary to consider a construction phase Employment Skills and Training Plan. It is considered that the size and nature of the proposed change of use from A1 to A1/A3/A4 within an existing shopping center will generate physical works akin to a shop 'fit out'- where internal elements would not have required planning permission. The proposed scale and nature of the proposal is therefore not considered in this specific instance to be significant in terms of the actual works involved and therefore a contribution is not sought.

Equalities Impact

6.17 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, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, 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.

6.18 In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

7.0 CONCLUSION

7.1 This proposal has been carefully considered in the context of previous applications for mixed use schemes at the site; and the current applications

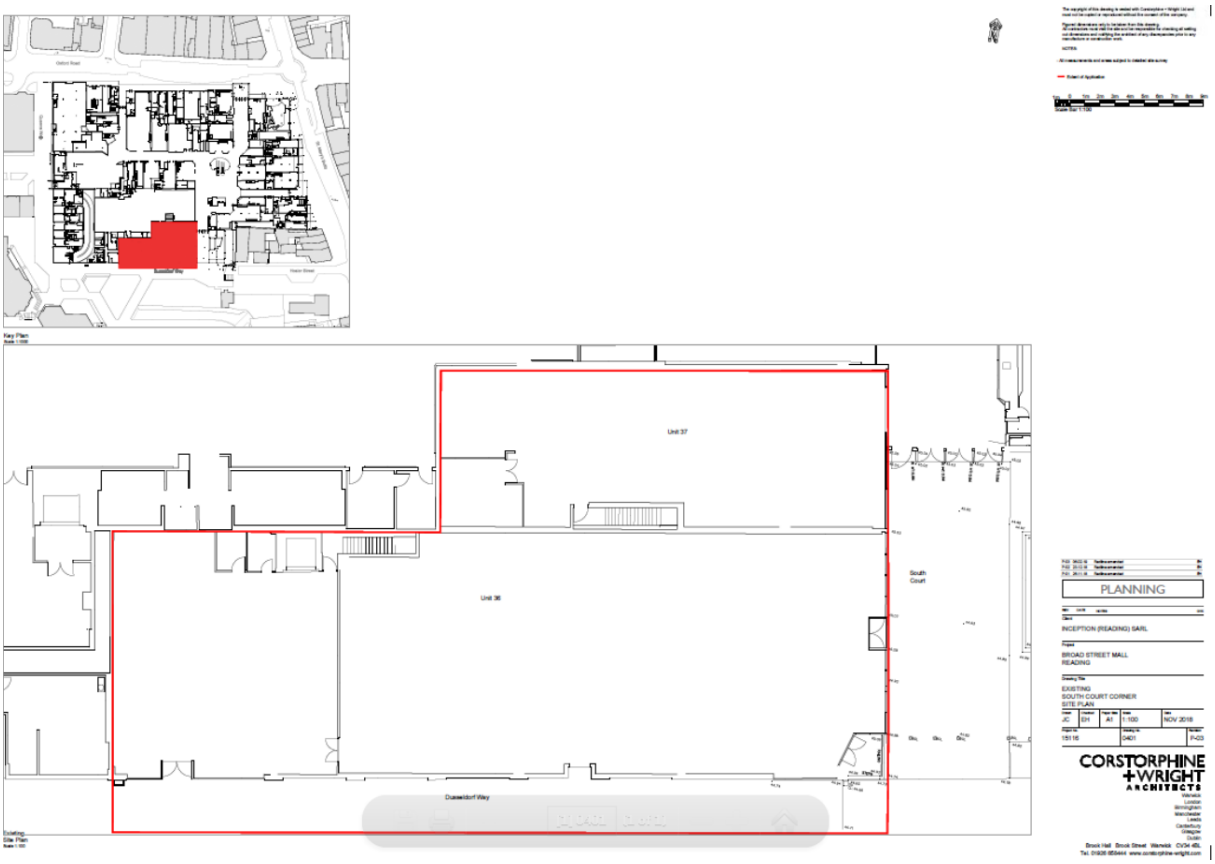
for redevelopment of the wider site. Officers have worked to ensure the scheme is acceptable, and subject to the specified conditions, this innovative proposal is considered to be a positive addition to the Broad Street Mall and wider area.

RECOMMENDATION : GRANT subject to conditions

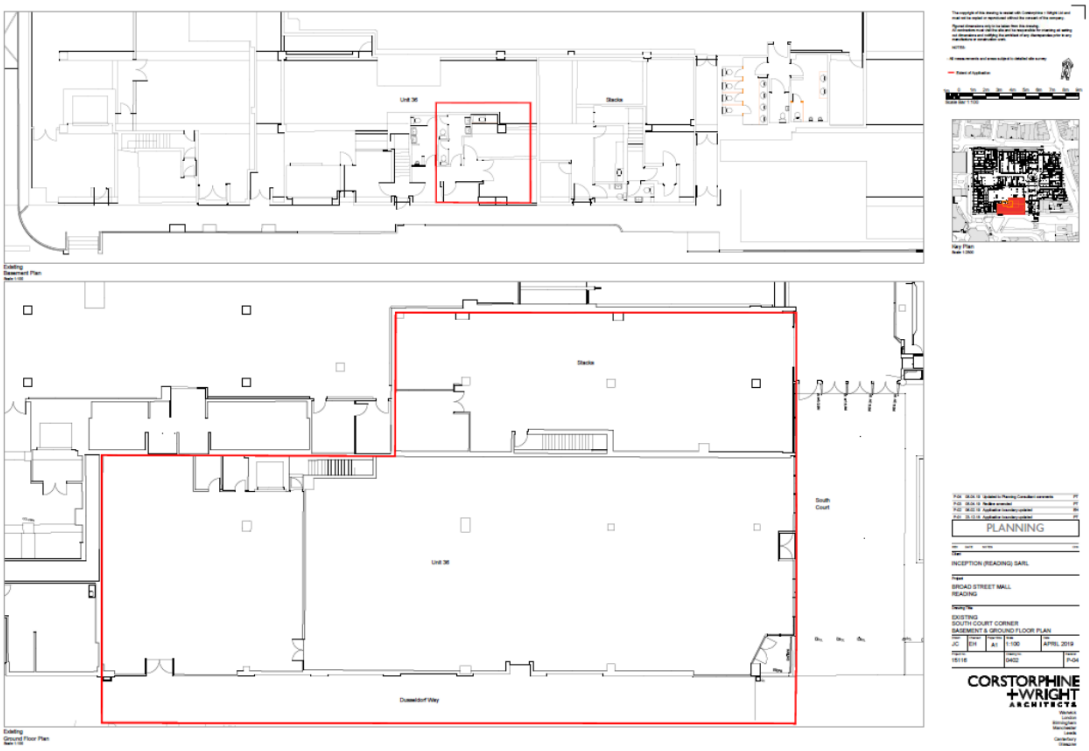
Case Officer: Susanna Bedford

Plans:

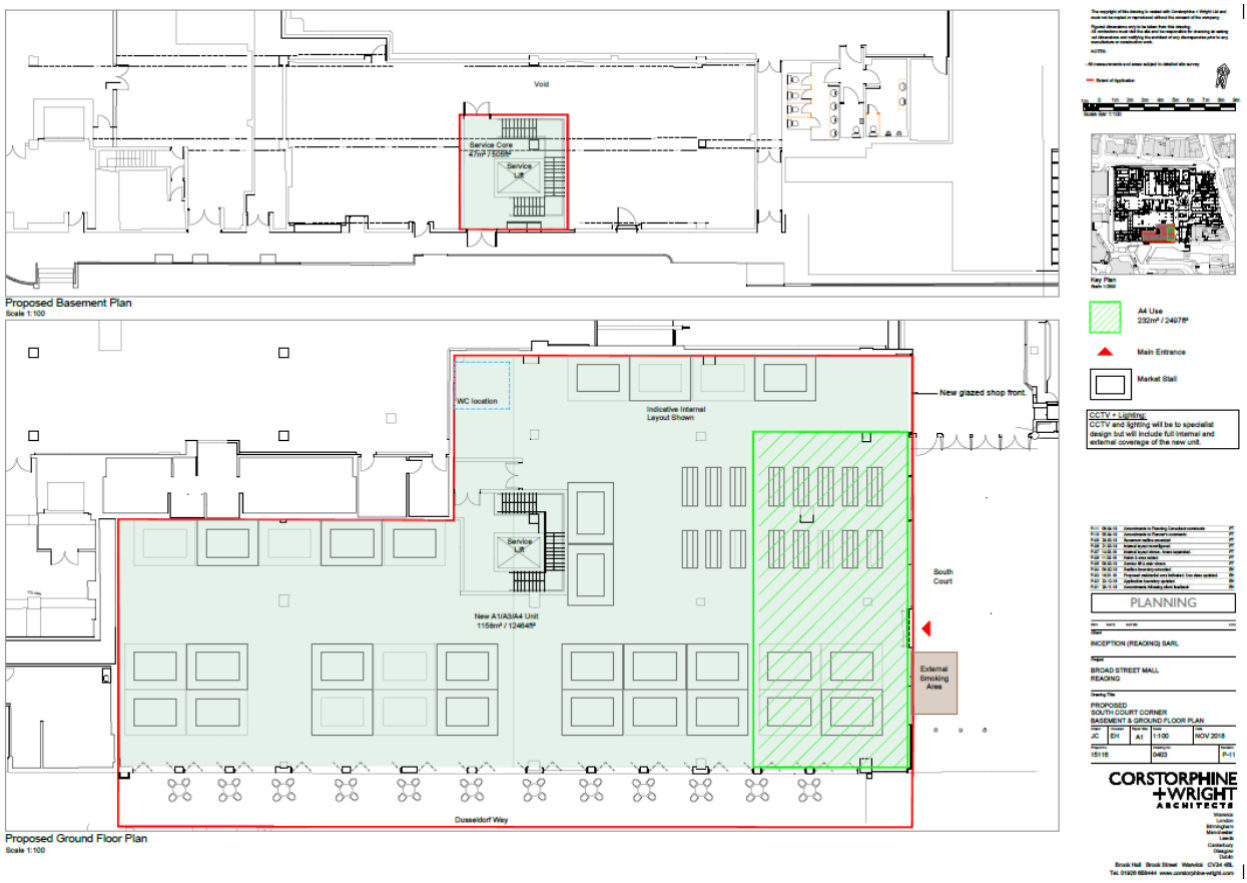
Existing Site Plan:



Existing Basement and Ground Floor Plan:

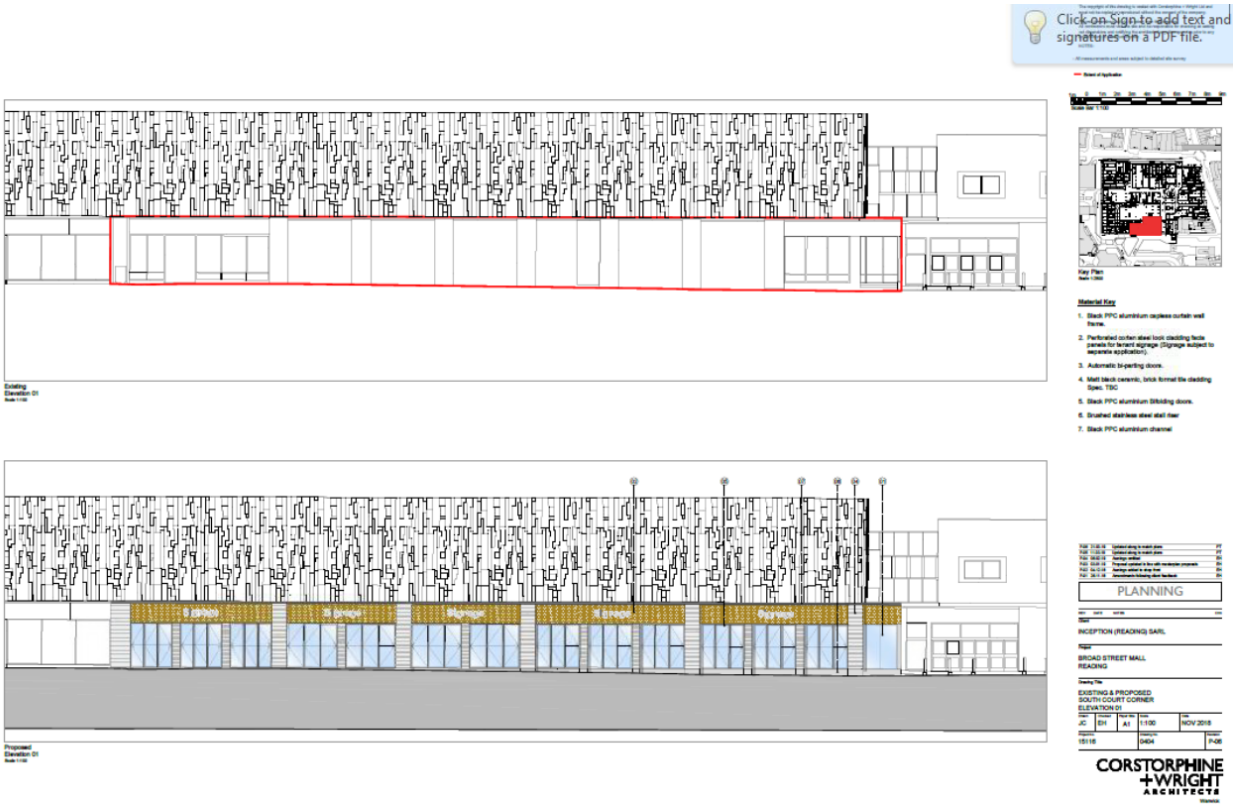


Proposed Basement and Ground Floor plan:

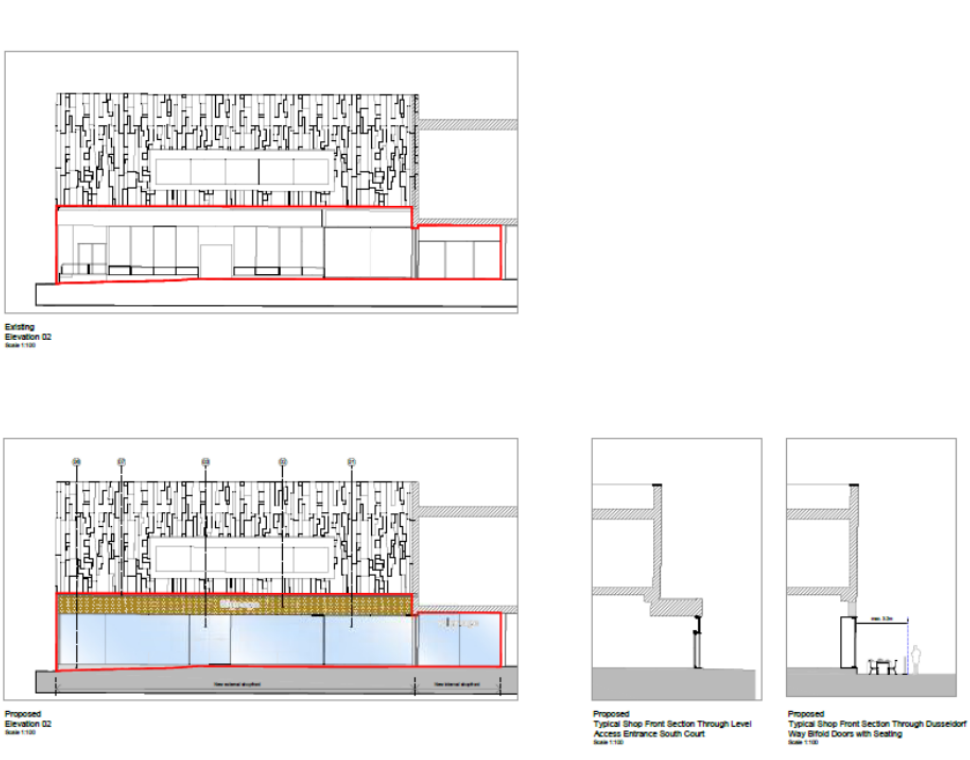


Existing and Proposed Dusseldorf Way Elevations:

Click on Sign to add text and signatures on a PDF file.



Existing and Proposed South Court Elevations:



COMMITTEE REPORT

BY THE EXECUTIVE DIRECTOR FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 26th June 2019

Ward: Abbey
Application No.: 190793/NMA
Address: Land between Weldale Street and Chatham Street, Reading

Proposal: Non-material amendments to permission 170326 (granted on 15/03/2018) to amend the wording of conditions 15, 34 and 43 to allow details to be submitted on a phase-by-phase basis, and amend the wording of condition 32 to allow archaeological works to take place via an agreed timetable rather than pre-commencement (amended description).

Applicant: Ropemaker Properties Ltd
Date Valid: 15/05/19
Application target decision date: Extension of time agreed until 28/06/19
26 week date: 13/11/2019

RECOMMENDATION

AGREE the non-material amendments to permission 170326 subject to the following replacement conditions:

Replacement Condition 15 (air quality):
Prior to the first occupation of any residential unit hereby approved a) an overall air quality strategy demonstrating strategic mitigation principles shall be submitted to and approved in writing by the local planning authority. Prior to the first occupation of any residential unit within the relevant phase of development (b) phase 2 - Block A1, c) phase 3 - Block A2, d) phase 4 - Block B2, e) phase 5 - Block B1, as per 3622_0250 Rev C Phasing Plan, as received 20/10/17) hereby approved a detailed scheme demonstrating sufficient mitigation to protect the occupants of the new dwellings hereby approved from poor air quality shall be submitted to and been approved in writing by the local planning authority. The scheme shall be implemented as approved prior to occupation of the relevant part of the development (associated with the relevant phase of development) and retained as approved at all times thereafter.

Reason: to protect the amenity / health of future occupants of the proposed development, in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015), Policy RC9 of the Reading Central Area Action Plan (2009) and Policies DM4 and DM19 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

Replacement Condition 32 (Archaeology)
No development shall take place within the site until the applicant, or their agents or their successors in title, has submitted a written scheme of investigation of archaeological work and this has been approved in writing by the local planning authority. Thereafter the implementation of a programme of archaeological work (which may comprise more than one phase of work) shall take place in accordance with the detailed scheme and timetable approved pursuant to this condition.

Reason: The site lies in an area of archaeological potential, as illustrated by the Berkshire Archaeology Historic Environment Record. Archaeological monitoring or evaluation will

ensure preservation, either by record or in situ, of any heritage assets present on the site in a manner appropriate to their significance, in accordance with Policy CS33 of the Reading Borough LDF Core Strategy 2008 (Altered 2015).

Replacement Condition 34 (SuDS):
No development (barring demolition) shall take place on any relevant phase (a) phase 1, b) phase 2 c) phase 3, d) phase 4, e) phase 5, f) phase 6, in accordance with the approved phasing details specified on drawing 3622_0250 Rev C phasing plan, as received 20/10/17) until a detailed sustainable drainage design for that phase, which shall also include details on the implementation, maintenance and management plan of the sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The plan shall include:
i. a timetable for its implementation, and
ii. a management and annual maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The scheme shall be implemented and thereafter managed and maintained in accordance with the approved plan.

Reason: To reduce the risk of flooding onsite or elsewhere and to ensure that the development contributions adequately towards environmental sustainable urban drainage, in accordance with NPPF Paragraph 103, Policy CS1 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM1 of the Sites and Detailed Polices Document 2012 (Altered 2015).

Replacement Condition 43 (play-space facility details)

Prior to the first occupation of any residential unit within the relevant phase of development (a) phase 2 - Block A1, b) phase 4 - Block B2, as per 3622_0250 Rev C Phasing Plan, as received 20/10/17) hereby approved, details of all on-site play-space facilities serving that phase shall be submitted to, and approved in writing by the Local Planning Authority. The details shall include a plan indicating the locations of the facilities, specifications and designs of the equipment, maintenance and management (including safety inspections) arrangements. The approved scheme shall be installed before occupation of the relevant block of residential accommodation (prior to the occupation of Block A1 for the facilities serving Blocks A1 and A2; prior to the occupation of Block B2 for the facilities serving Blocks B1 and B2) and shall thereafter be maintained in accordance with the approved details.

Reason: In order to provide suitable on-site play-space facilities for future occupiers and the wider public and to enhance the appearance of the development, in accordance with Policies CS7 and CS29 of the Reading Borough LDF Core Strategy 2008 (Altered 2015), Policy RC5 of the Reading Central Area Action Plan (2009) and Policy DM4 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).
Informatives:

1. This Non-Material Amendment relates only to the changes highlighted on the plans. Furthermore it shall only be read in the context of the planning permission 170326 and is bound by all the conditions and obligations attached to that permission. That permission still stands and this notice (and any other notices issued under section 96a for this development in the future) should be read together.

2. In reaching this decision, the local planning authority is satisfied that the changes

proposed by this application do not constitute material changes to the approved planning permission.

3. The Local Planning Authority has worked positively and proactively with the applicant to determine under the non-material amendment procedure within the agreed timeframes.

1. INTRODUCTION

1.1 The application site comprises land and buildings between Weldale Street (to the north), Caversham Road (The Inner Distribution Road – IDR) / Thorn Walk (to the east) and Chatham Street (to the south). More specifically, the existing site contains three large retail buildings and associated servicing/car parking/electric sub-station. An area of hard/soft landscaping and pavements in the south-east corner of the proposed site is owned by Reading Borough Council (RBC) as Highway land. The red line of the application site also includes the RBC highways owned pavements of Thorn Walk and Weldale Street. Of the three retail buildings, the one closest to Weldale Street was in use until earlier in 2019 by Iceland. In contrast, the other two units have been vacant for a number of years (having previously been occupied by Wickes and Multiyork). These buildings were erected in the late 1980s, with the site having previously been a bus depot (from 1950s) and terraced residential (at least from 1870). Part of the customer car parking is at ground level, with a portion on the western side of the site including a raised second level. Former vehicular access to the site was solely from Weldale Street, with the exit point being onto Chatham Street, effectively making this a one-way parking arrangement. The site is roughly rectangular in shape and is 1.32ha in size. There is a significant (more than 4 metres) fall in land levels from south to north at the site.

1.2 The application site is located within the Reading Central Area Action Plan area. The site is also wholly within the West Side Major Opportunity Area (Policy RC2). The vision for the area is for 'a mixed-use extension to the west of the centre containing high quality mixed-use environments and fostering stronger east-west links into the central core'. Policy RC2 is structured with general points applicable to all sub-areas, then some individual guidance for each sub-area. The more general points that are particularly relevant specify that development will:

i) Contribute towards providing a mix of uses including residential;
ii) Help facilitate greater pedestrian and cycle permeability, in particular on key movement corridors and east-west links through the area and between development areas and the station, including the IDR;
iv) Provide additional areas of open space where possible, generally in the form of town squares;
v) Give careful consideration to the areas of transition to low and medium density residential and conservation areas and protect and, where appropriate, enhance the setting of listed buildings.

1.3 More specifically at an individual level, the site is the southern half of the Great Knollys Street & Weldale Street Policy RC2b sub-area. Policy RC2b states:

This area will be developed primarily for residential, although development resulting in the loss of small business units should seek to replace some of those units, preferably on site. Residential development should be located on the parts of the site at lower flood risk.

1.4 The site is also within the Office Core (Policy RC6), an air quality management area (Policy DM19) and, owing to the former bus depot use, part of the site potentially includes contaminated land (Policy CS34). Furthermore, the Environment Agency has identified that the site overlies a principal aquifer.

1.5 The site is located outside of the designated (Policy RC13) tall building clusters, although the boundary of the 'Western Grouping' is immediately to the south of the application site at Chatham Street. The site is also located outside of both the Primary Shopping Area and the Central Core (Policy RC6). The site is also outside, but adjacent to, an area of archaeological potential (Policy CS33). It is also within Flood Zone 1, with the nearest Flood Zone 2 boundary being 45m to the north. The site is not within a conservation area, with the nearest conservation areas being as follows:

- Russell Street / Castle Hill - 170 metres to the south;
- St Mary's Butts / Castle Street Conservation Area – 330 metres to the south

1.6 None of the application site buildings are listed. However, the following buildings in the vicinity of the site are listed and could potentially be impacted by the proposed development:

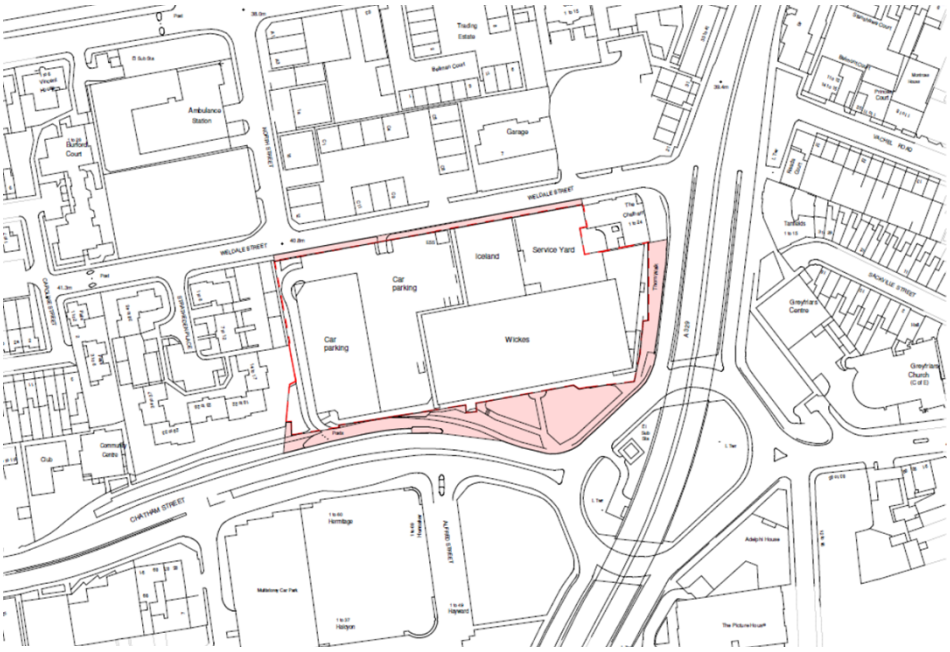
- Grade I Listed Greyfriars Church, Friar St - 80m to the east of the site and one of the most complete surviving examples of Franciscan- architecture in England
- Grade II Listed quadrant walls and railings to former No 64 (Greyfriars Vicarage) – 125m to the east. The Vicarage itself isn't listed, but is considered a non-designated heritage asset.
- Grade II Listed Mitre Inn (No 47 West Street) including No 92 Friar Street – 125m to the south-east
- Grade II Listed W I Palmer Memorial Hall (Nos 42 and 43 West Street) - 135m to the south-east
- Grade II Listed 3 & 5 Cheapside - 145m to the south-east
- Grade II Listed Butlers Wine Vaults, Chatham Street – 60m to the south-west
- Grade II Listed 122-124 Chatham Street - 150m to the west
- Grade II Listed Mansion House, Oxford Road – 140m to the south-west
- Grade II Listed Church of the Holy Trinity, Oxford Road – 185m to the south-west
- Grade II Listed 29-31 Caversham Road - 60m to the north-east
- Grade II Listed Regent Place, 47-57 Caversham Road - 150m to the north-east

1.7 The surrounding area comprises a mix of uses, predominantly commercial and residential. To the north are the two-storey light industrial and business units, a commercial garage and a recently completed four-storey residential development on Weldale Street. To the immediate north-east of the application site is The Chatham, a six-storey residential block of flats on the junction of Weldale Street and Thorn Walk. Further to the east is the IDR, beyond which are the terraced housing streets of Stanshawe Road, Sackville Street and Vachel Road. Also at this point are the Greyfriars Church (Grade I listed) and centre.

1.8 To the south-east, beyond the roundabout leading to the IDR below and Chatham Street / Friar Street are the four-storey head offices of Primark at 32-41 West Street (fronting onto Cheapside at this point) and the four-storey Adelphi House, which comprises a job centre at ground floor level. To the south of the site is the relatively recently built Chatham Place development, which is predominantly residential (varying from nine, eleven and up to nineteen storeys) and also includes

a multi-storey car park at the western end. To the south-west of the site, adjacent to the multi-storey car park, is the listed Butler public house. Beyond this are further commercial / residential uses on Chatham Street. To the west of the site is Stratheden Place, a two and three-storey residential series of buildings, which also includes a single storey garage element on the boundary with the application site. Further to the west there is more traditional terraced housing.

1.9 The site in relation to the wider urban area is shown below, together with a site photographs and an aerial view. The application is being considered at Planning Applications Committee at the request of Councillor Page (as per section 11 of the scheme of delegation), in view of the sensitivity of this site and application.



Key

Site ownership

RBC ownership

Site Location Plan (not to scale)

Site photographs from Weldale Street

Aerial view from Chatham Street car park

2. PROPOSALS

2.1 Non-material amendments to planning permission 170326 granted on 15/03/2018 are proposed. More specifically, these seek to change the wording of conditions 15, 34 and 43 to allow details to be submitted on a phase-by-phase basis, and amend

the wording of condition 32 to allow archaeological works to take place via an agreed timetable rather than pre-commencement.

2.2 During the statutory time period for determining such applications originally proposed changes to conditions 4, 19, 20, 26, 27, 41 and 45 were omitted from the proposals, following comments from officers. Furthermore, in the early stages of the determination period, amendments to the wording of condition 32 were introduced to the proposals. This arose following observations received from Berkshire Archaeology during the course of separate application 190787 (discharge of condition 32), which necessitated the wording of the condition to change to enable the condition to be discharged in line with guidance/advice from Berkshire Archaeology.

2.3 In terms of the Community Infrastructure Levy (CIL), this is not relevant in this specific proposal as no changes to the floor area are proposed.

3. PLANNING HISTORY

3.1 170326/FUL - Demolition of all existing buildings (including 3 retail units) and structures, and erection of new buildings ranging between lower ground & 4 storeys to lower ground & 11 storeys in height, providing 427 (233x1, 182x2 & 12x3-bed) residential units (Class C3) and 1 flexible ground floor retail shop (Class A1) or restaurant and cafe (Class A3) unit, together with new public realm, landscaping, accesses, parking and associated works (amended description). Granted following completion of s106 legal agreement 15/03/18.

3.2 190787/APPCON - Discharge of condition 32 (Archaeology) of planning permission 170326. Current application under consideration.

4. CONSULTATIONS

i) RBC SuDS Manager

4.1 The SuDS Manager advises that the SuDS scheme is broken down into two sections as it stands and therefore there is no in-principle issue with the proposed phasing of the condition. It is however necessary to include extra clarity (in the context of the originally proposed revisions to the wording of the condition) to require the drainage design to be submitted as well; the condition proposed by the applicant only required details on implementation, maintenance and management. As the scheme could be altered to reflect each phase, officers will need to assess the design as each phase comes forward. Officer comment: This suggestion was subsequently agreed to be added by the applicant.

ii) RBC Environmental Health – Environmental Protection

4.2 The proposal is for the air quality mitigation scheme to be on a phase by phase basis, but for the first submission to set out an overall strategy to be complied with for each subsequent phase. This may be acceptable, however it is considered (in the context of the originally proposed revisions to the wording of the condition) that the condition in its current suggested wording requires this first submission to be an overall strategy. Officer comment: This suggestion was subsequently agreed to be added by the applicant.

4.3 Environmental Protection officers raised concerns regarding the originally proposed changes to the wording of conditions 19 & 20. Officer comment: These conditions

were omitted during the course of the application and are therefore no longer proposed to be changed.

iii) RBC Natural Environment

4.4 The Natural Environment officer raised concerns regarding the originally proposed changes to the wording of conditions 26 & 27. Officer comment: These conditions were omitted during the course of the application and are therefore no longer proposed to be changed.

vi) Public consultation

4.5 . No statutory requirement for this type of application (Local Planning Authorities have discretion), as it is not an application for planning permission. None has been carried out for this application. No responses have been received

5. LEGAL AND PLANNING POLICY CONTEXT

5.1 Whilst there is no statutory definition of what constitutes a 'non-material' amendment, Section 96A, part 2 of the Town and Country Planning Act 1990 (as amended) states that, "In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted." The National Planning Practice Guidance clarifies that there is no statutory definition of 'non-material' "because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another." To clarify, a non-material amendment permission does not result in a new permission.

5.2 In terms of relevant policies, the proposed amendments are assessed for materiality – not on the basis of their planning merits. Planning policies therefore do not apply. The National Planning Practice Guidance confirms that "as this is not an application for planning permission, section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply."

6. APPRAISAL

6.1 The main issue is considered to be whether the proposed changes are non-material amendments to the original permission or not. Accordingly, each of the four changes are considered in turn:

<u>Condition 15 – air quality</u>

6.2 For context, the wording of the original condition at the time of permission 170326 was:

Prior to the first occupation of any residential unit hereby approved a detailed scheme demonstrating sufficient mitigation to protect the occupants of the new dwellings hereby approved from poor air quality shall be submitted to and been approved in writing by the local planning authority. The scheme shall be implemented as approved prior to occupation of the relevant part of the development (associated with the relevant phase of development) and retained as approved at all times thereafter.

Reason: to protect the amenity / health of future occupants of the proposed development, in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015), Policy RC9 of the Reading Central Area Action Plan (2009) and Policies DM4 and DM19 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

6.3 The applicant is now seeking for an overall strategy demonstrating strategic mitigation principles to be submitted and approved prior to the first occupation of any unit, rather than the entire scheme. Thereafter, separate submissions could be made prior to the first occupation of each phase demonstrating the scheme for each block. As before, such measures would also need to be implemented prior to occupation. Officers, including specialist Environmental Protection officers, are content with the now proposed condition, as detailed in the recommendation section above. This will ultimately still require the same level of overall information to be submitted/approved, as per the original wording, but allows greater flexibility in the provision of such details being submitted/approved on a phase by phase basis, whilst still adhering to the principles of an overall strategy discharged prior to any occupation. Accordingly, officers agree to the now proposed changes to the wording of this condition.

Condition 32 - archaeology

6.4 For context, the wording of the original condition at the time of permission 170326 was:

No development shall take place within the site until the applicant, or their agents or their successors in title, has secured the implementation of a programme of archaeological work (which may comprise more than one phase of work) in accordance with a written scheme of investigation, which will have been submitted to and approved in writing by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

Reason: The site lies in an area of archaeological potential, as illustrated by the Berkshire Archaeology Historic Environment Record. Archaeological monitoring or evaluation will ensure preservation, either by record or in situ, of any heritage assets present on the site in a manner appropriate to their significance, in accordance with Policy CS33 of the Reading Borough LDF Core Strategy 2008 (Altered 2015).

6.5 Changes to the wording of this condition have been sought following the Berkshire Archaeology consultation response to the separate application seeking to discharge condition 32 (Ref 190787 – see section 3 above). In short, a written scheme of investigation (WSI) has been submitted, that commences with exploratory investigations. These will determine if any buried remains of significance survive within the site that require further investigation, either prior to or during construction. More specifically, section paragraph 1.6 of the WSI indicates that trench evaluations will take place at the appropriate phases of development. Therefore, although Berkshire Archaeology are satisfied with the WSI, the originally worded condition can no longer be adhered to, as there is a conflict between the wording / requirements of the condition (pre-commencement the implementation of archaeological works) and what is now likely to take place in practice (paragraph 1.6 of the WSI).

6.6 Accordingly, a workable solution is to alter the wording of the condition so that the development is carried out in accordance with a WSI, and the implementation of the programme of archaeological work is carried out in accordance with the details and timetable stated within the WSI. Berkshire Archaeology, the applicant and officers are agreeable to the changes in light of the written scheme of investigation submitted. The additional flexibility in the wording of the condition is not considered to dilute the scope of the original condition. Should this condition be agreed to be altered, this would then be applied to separate application 190787.

Condition 34 - SuDS

6.7 For context, the wording of the original condition at the time of permission 170326 was:

No development (barring demolition) shall take place until details of the implementation, maintenance and management plan of the sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The plan shall include:

i. a timetable for its implementation, and
ii. a management and annual maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The scheme shall be implemented and thereafter managed and maintained in accordance with the approved plan.

Reason: To reduce the risk of flooding onsite or elsewhere and to ensure that the development contributions adequately towards environmental sustainable urban drainage, in accordance with NPPF Paragraph 103, Policy CS1 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM1 of the Sites and Detailed Polices Document 2012 (Altered 2015).

6.8 The applicant is now seeking for the wording of the condition to be altered to allow the possibility of details being submitted on a phase-by-phase basis. The applicant has outlined that whilst there is a drainage strategy for the whole site, which was submitted as part of the original planning application, the detailed design work required to discharge this condition has to date only been carried out for Blocks A1 and A2 (the phasing plan details these blocks will be completed first). The applicant advises that the drainage will be interrelated and in line with the previously approved strategy, accounting for the allowable discharge rates previously agreed for the site-wide implementation. Given the proximity of Blocks A1 and A2 together with B1 and B2, the applicant anticipates that there would be a maximum of two submissions in relation to this condition. However, to provide maximum flexibility, all phases are referenced separately in the amended worded condition stated in the recommendation above.

6.9 The SuDS Manager is content with the changes and his additions (see section 4 above for details) have also been agreed to be incorporated. In summary, officers are content with the altered wording, as ultimately it shall still require the same level of information overall to be submitted/approved, as per the original wording, but it allows greater flexibility in the provision of such details being submitted/approved on a phase by phase basis. Accordingly, officers agree to the now proposed changes to the wording of this condition.

Condition 43 – play-space facility details

6.10 For context, the wording of the original condition at the time of permission 170326 was:

Prior to the first occupation of any residential unit hereby approved details of all on-site play-space facilities shall be submitted to, and approved in writing by the Local Planning Authority. The details shall include a plan indicating the locations of the facilities, specifications and designs of the equipment, maintenance and management (including safety inspections) arrangements. The approved scheme shall be installed before occupation of the relevant block of residential accommodation (prior to the occupation of Block A1 for the facilities serving Blocks A1 and A2; prior to the occupation of Block B1 for the facilities serving Blocks B1 and B2) and shall thereafter be maintained in accordance with the approved details.

Reason: In order to provide suitable on-site play-space facilities for future occupiers and the wider public and to enhance the appearance of the development, in accordance with Policies CS7 and CS29 of the Reading Borough LDF Core Strategy 2008 (Altered 2015), Policy RC5 of the Reading Central Area Action Plan (2009) and Policy DM4 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

6.11 The applicant is now seeking for the wording of the condition to be altered to allow the possibility of details being submitted in two phases. First, prior to the first occupation of any residential unit within phase 2 (Block A1) details of the play-space facilities serving Blocks A1 and A2 (phases 2 & 3) would need to be submitted/approved, and these would then need to be installed prior to occupation of Block A1. Secondly, prior to the first occupation of any residential unit within phase 4 (Block B2) details of the play-space facilities serving Blocks B2 and B1 (phases 4 & 5) would need to be submitted/approved, and these would then need to be installed prior to occupation of Block B2. The applicant has advised that the detailed information for Block B is unlikely to be available at the time it needs to be submitted for Block A. Officers are agreeable to the proposed change, as it will still require the same level of information, but simply allows flexibility in providing these details in two stages. This is considered appropriate in the context of this being a long-term construction programme. Accordingly, officers agree to the now proposed changes to the wording of this condition.

Overall conclusions

6.12 Officers are content that the proposed changes, individually and cumulatively, are acceptable. Officers also consider that these changes can be made through the non-material amendment procedure. More specifically, it is not considered that the amendments, either individually or cumulatively, will have any material impact on the overall design idiom, neighbour amenities, transport / highway safety or any other relevant intentions. Instead the changes simply allow details to be submitted in more stages than present. This conclusion is also reached owing to the context of the overall approved scheme and the nature of the surrounding context.

6.13 An informative is recommended which states that this permission relates only to the changes specified within the replacement conditions. Furthermore it shall only be read in the context of the planning permission granted under reference number

170326, and is bound by all the conditions and obligations attached to that permission. A further informative is recommended which states: In reaching this decision, the local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.

Equality

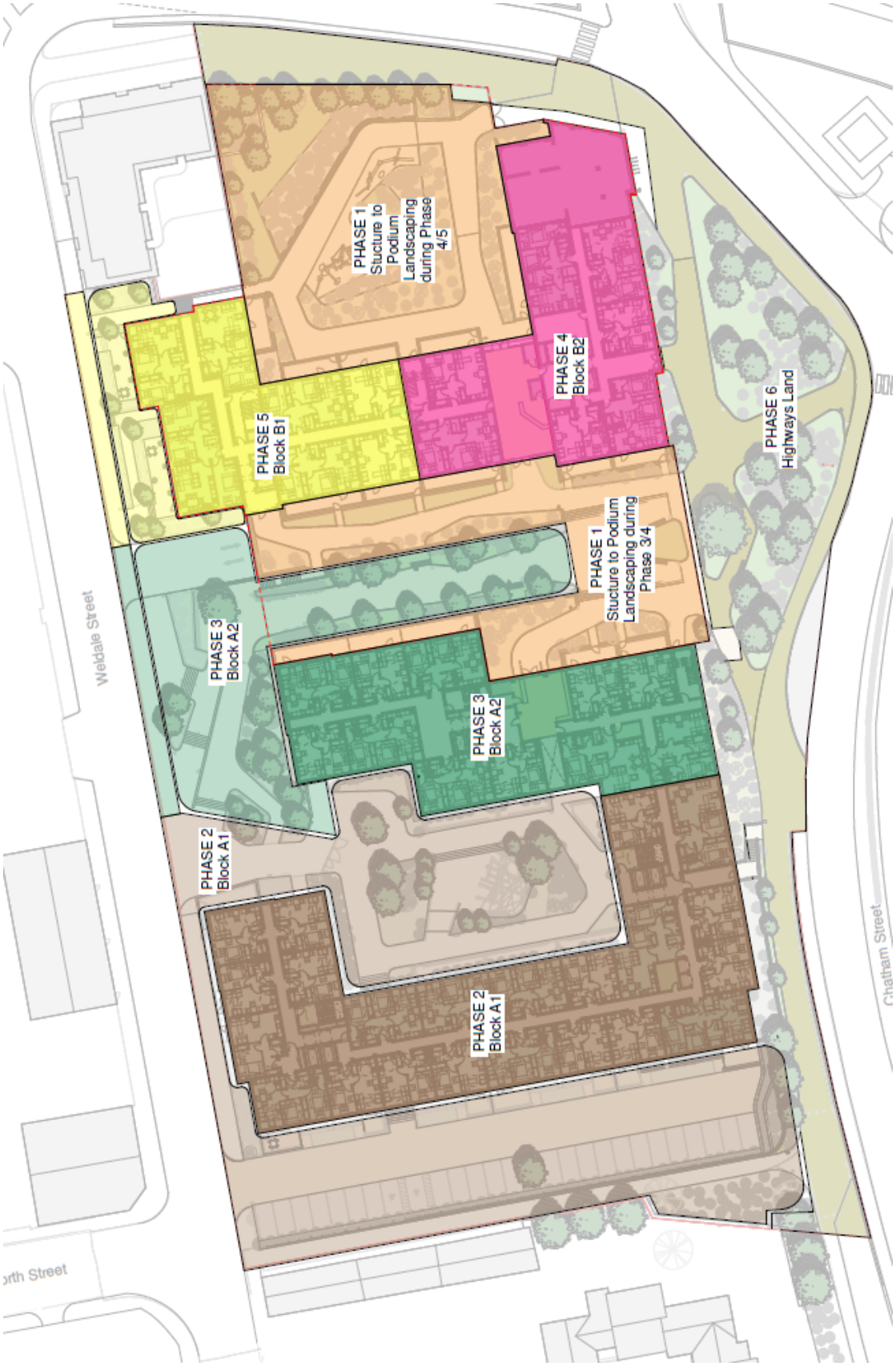
6.14 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, 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 as non-material amendments to the original permission and therefore are recommended to be agreed as such.

Documents considered:
Application form
Proposed Amendments to Weldale Street Conditions for Non-Material Amendment Application Rev D, as received 31/05/19
Email from Ridge and Partners, dated and received 11/06/19

Case Officer: Jonathan Markwell



Extract of Phasing Plan - 3622_0250 Rev C Phasing Plan, as received 20/10/17 at the time of permission 170326

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COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 26th June 2019

Ward: Norcot
App No.: 190357/HOU
Address: 10 Pegs Green Close, Reading
Proposal: Two storey side/rear extension and single storey front and rear extensions, loft conversion with new dormer window and 2 Velux windows.
Applicant: Mrs Akhtar
Date application valid: 28th February 2019
Extended deadline: 28th June 2019
Planning Guarantee 26 week target: 29th August 2019

RECOMMENDATION

GRANT Planning Permission subject to conditions and informatives

CONDITIONS TO INCLUDE:

1) Standard Time Limit
2) Approved Plans
3) Matching Materials
4) Vehicle parking spaces to be provided prior to occupation and retained
5) Vehicle access to be constructed prior to occupation.
6) First floor side facing window serving the bathroom shall be fixed non-opening and glazed with obscure glass on parts below 1.7m as a minimum when measured from the floor level of the respective rooms, before occupation of that room, and shall be permanently maintained thereafter as non-opening and obscure glazed.
7) No windows, other than those shown on the approved plans shall at any time be placed in the side elevation (western facing no.8), or the side elevation of the first floor bedroom (eastern facing no. 9) of the building/extension hereby permitted without the grant of a separate planning permission from the Local Planning Authority.

INFORMATIVES TO INCLUDE:

1) Terms and conditions
2) Building control approval
3) Encroachment
4) Highways
5) CIL- chargeable
6) Positive and proactive

1.0 INTRODUCTION

1.1 The application site is a two storey semi-detached house on the northern side of Pegs Green Close within a wholly residential area. It has an existing driveway and detached garage, which is set back within the plot. Other properties within the Close have secured planning permission for side and rear extensions, e.g. nos. 6 and 7.

1.2 The application has been called-in for committee decision by the Ward Councillor, Councillor Lovelock, due to amenity concerns raised by neighbours.

2.0 PROPOSAL AND SUPPORTING INFORMATION

2.1 The scheme comprises a two storey side extension and a part two storey and single storey rear extension, loft conversion and canopy porch.

The proposal would result in the demolition of the existing garage, and also the changing of the front garden to parking area with a new dropped kerb.

- The canopy porch would measure 2.1m wide by 1.0m deep
- The two storey side extension would be 3.1m wide, set down from the main roof by 0.3m and set back at first floor by 0.85m. It would extend for 12.5m in depth, 4.5m of which would project beyond the existing rear building line of the host dwelling.
- The single storey rear extension would be 3.4m wide by 4.5m deep at a maximum height of 3.6m.
- Windows – there would be two front facing rooflights, one ground floor side facing window, and first floor bathroom window. To the rear ground floor doors and window, a first floor window and a pitched roof dormer window.

The proposed materials would match the existing property.

2.2 The following plans and supporting documents have been assessed:

Received 1st March 2019 (unless otherwise stated):

- Location Plan, received 6th March 2019
- Site/ Block Plan – Drawing no: MZ10
- Existing Ground Floor Layout - Drawing no: MZ11
- Existing First Floor Layout – Drawing no: MZ12
- Existing Elevations - Drawing no: MZ13
- Existing Elevations Survey – Drawing no:130
- Proposed Ground Floor Layout - Drawing no: MZ14
- Proposed First Floor Layout – Drawing no: MZ15
- Proposed Second Floor Layout – Drawing no: MZ16
- Proposed Elevations – Drawing no: MZ17

Other Document received 8th April 2019:

- Bat Survey, report ref: A1133.001 *Issue 1,* prepared by Crossman Associates

Amended plans received:

- Site/ Block Plan – Drawing no: MZ10 Rev B, received 1st April 2019
- Proposed Ground Floor Layout - Drawing no: MZ14 Rev A, received 23rd May 2019
- Site/ Block Plan – Drawing no: MZ10 Rev C, received 23rd May 2019
- Proposed First Floor Layout – Drawing no: MZ15 Rev A
- Proposed Elevations – Drawing no: MZ17 Rev C, received 25th May 2019

3.0 PLANNING HISTORY

6 Pegs Green Close – 150674 – Two storey side extension – Approved 29/6/15
7 Pegs Green Close – 141839 – Single storey side extension – Approved 23/4/15

4.0 CONSULTATIONS

(i) <u>Statutory</u>

4.1 None

(ii) <u>Non-statutory</u>

Ecology

4.2 Ecology requested a bat survey be undertaken.

Planning Officer note: A bat survey was provided. Following this Ecology provided the following further comments:

"The bat survey report (Crossman Associates Ecological Consultants, April 2019) has been undertaken to an appropriate standard and concludes that the building is unlikely to host roosting bats. As such, since the proposals are unlikely to affect bats or other protected species, there are no objections to this application on ecological grounds."

RBC – Transport

4.3 Transport originally provided the following comments: "Plans indicate that the existing detached garage located to the rear of the property is to be demolished therefore displacing 1 car parking space as well as parking provision along the side of the property.

In principal there are no Transport objections as alternative off road parking for 3 vehicles is being proposed, however it is not clear from google images if the boundary wall has already been removed and the existing kerb has been extended; Therefore clarification is required on this point.

Please note an extended dropped crossing cannot be within 1m of a lamp column, there is one present located outside the property. The lamp column should be illustrated on revised plans along with the proposed access.

Please ask the applicants agent to address the points above so that this application can be fully determined."

Planning Officer note: An amended plan was provided and Transport confirmed that the revision would be acceptable from a transport perspective. Two conditions and an informative were recommended. However, a further amended plan has been requested to reduce the parking provision on the front to 2 no. spaces, which would meet car parking standards and would remove the requirement for the whole front boundary and front garden to be removed; responding to comments received from the public. This will be reported in an update.

(iii) <u>Public/ local consultation and comments received</u>

4.4 Notification letters were sent to 4-9 Pegs Green Close (consecutive) and a site notice was displayed. Six responses were received and are summarised as follows:

- The proposed two storey side extension will not be in keeping with the character of the area. Although single storey side extensions are common, two storey side extensions are not. There is one at no 6 Pegs Green Close, which has extenuating circumstances because it overlooks no other properties and it is a granny extension.
- The rear dormer will encroach on neighbouring privacy.
- The house is believed to be an HMO
- Overshadowing
- Subsidence is a common occurrence in the close.
  Planning Officer note: This is not a planning matter.
- Parking
- The other properties in the close will be devalued.
  Planning Officer note: This is not a planning matter
- Quality of life will be reduced.
- Only two notification letters were sent out, and the site notice was not displayed in a public location.

Planning Officer note: 6 letters of notification were sent out and a site notice was also displayed and it was relocated to an appropriate location after a complaint was received about its previous position.

- The area between the proposed lounge and dining room has not been identified.
  Planning Officer note: This area is part of the lounge and looks split due to the line displaying the width measurement of this room.
- There is a very large oak tree on the site.
  Planning Officer note: This is not near where the proposed development will occur.
- The dropped curb will have to be extended and a lamppost removed.
- Concerns over storage of materials and skips.
- The footprint of the extension must be 50% of the existing, unless extenuating circumstances. This proposed plan is 140%.
  Planning Officer note: There is no requirement for an extension to be 50% of the existing. A scheme is considered on its own merits.
- No outside access to the rear, which is a safety hazard.
  Planning Officer note: This would be no different to the situation of a terraced house.
- A Construction Management Plan should be required.
  Planning Officer note: CMS is usually required for new houses not for house extensions.

5.0 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.

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

National Policy
National Planning Policy Framework
National Planning Practice Guidance

Reading Borough Local Development Framework Core Strategy (2008, altered 2015)
Policy CS7 (Design and the Public Realm)
Policy CS24 (Car/Cycle Parking)
Policy CS36 (Biodiversity and Geology)
Policy CS38 (Trees, Hedges and Woodland)

Sites and Detailed Policies Document (2012, altered 2015)
Policy DM4 (Safeguarding Amenity)
Policy DM9 (House Extensions and Ancillary Accommodation)
Policy DM10 (Private and Communal Outdoor Space)
Policy DM12 (Access, Traffic and Highway-Related Matters)

Supplementary Planning Guidance/Documents

Revised Parking Standards and Design (2011)
Revised Sustainable Design and Construction (2011)
A Design Guide to House Extensions SPG (2003)

6.0 APPRAISAL

6.1 **Main considerations:**

The main issues to be considered are:

i) Design and Appearance
ii) Residential Amenity
iii) Parking
iv) Community Infrastructure Levy
v) Other Matters

(i) <u>Design and Appearance</u>

6.2 Policy DM9 states that an extension to a house will be acceptable where it:

- Respects the character of the house in terms of scale, location, materials and design;
- Respects the character and pattern of neighbouring properties and the street as a whole in terms of scale, location, materials and design, and any important existing building line; Respects neighbour's amenities and does not present a large blank façade to public areas.

6.3 The Council's Design Guide on house extensions states that on semi-detached houses rear extensions should not normally be longer than 4 metres in depth, but that exceptions to this might be accepted if the house and garden are capable of taking an extension of a longer depth. The proposed extension would be 4.5m in depth, part single and part two storey, with the two storey element sited at 3.6m from the shared boundary with no. 9, and 0.8m (at the furthest point) along the shared and splayed boundary with no. 8. Subject to satisfactorily meeting issues with regard to daylight and sunlight, addressed below, it is therefore, considered that the size would be acceptable in this instance.

6.4 The proposed rear dormer would be modest in scale with a pitched roof which would comply with guidance in that it would be set within the roof slope and would be in proportion with the scale of the rest of the house in terms of overall size and window shape.

6.5 There are existing side extensions within the immediate area, albeit the majority are single storey, expect for that at no. 6. The Council's Design Guide states that two storey side extensions should normally be designed to be smaller in scale than the main house, which can be achieved by setting them back and down from the main house, and set them in from the side boundary. Whilst the proposed extensions, do substantially increase the size of the property, it has been designed in a way which ensures the extended elements are subservient to the host dwellinghouse. It has been set in slightly from the shared boundary with no. 8, and this gap increases further back due to the splayed nature of the boundary. The ridge height of the side and rear extensions would be 0.3m lower than the original ridge. It would

also be set back at first floor level to the front. It is therefore, considered to comply with policy and supporting guidance.

6.6 The proposed porch canopy would be slightly higher than what would allowable under permitted development, so would therefore not be excessive in terms of height and depth. It would have a design, with pitched roof and materials, which would reflect the host dwelling and it is not considered that that element would have a detrimental impact on the appearance of the street or the surrounding area, and is therefore considered acceptable.

6.7 The proposal includes the removal of the front boundary and garden to create a parking area, because the proposal would result in the loss of the side drive and garage. The loss of this does need to be weighed against the impact of on-road parking which would result if it were not included and in the context that these works could be undertaken under permitted development rights. It is considered that providing satisfactory off-road parking would be an important aspect of this extension proposal, and the loss of the garden and front boundary would not be so significantly detrimental to the character and appearance of the street to warrant refusal on this basis.

6.8 An objector raised concerns over an existing large oak tree, but no trees are proposed to be removed as a result of the development and the development would not be near any trees, which are located at the rear of plots.

6.9 The proposed design would reflect the existing dwelling with respect to materials, roof pitch, and fenestration details.

6.10 It is not considered that the extensions would detrimentally detract from the appearance of the host dwelling.

(ii) <u>Residential Amenity</u>

6.11 Policy DM4: Safeguarding Amenity states that an extension to a house will be acceptable where it will not cause a significant detrimental impact to the living environment of existing or new residential properties.

6.12 In terms of two storey extensions the Design Guide states that they should not normally be closer than a line taken at 45 degrees from the middle of any window of a habitable room in a neighbouring property. The proposed plans show a 45 degree line from the nearest habitable room window at no. 9. The proposed rear extension would not impinge on this line. This combined with the orientation of the site would ensure that there would not be a significant detrimental effect with respect to overshadowing and loss of daylight/ sunlight.

6.13 The rear single storey extension, which would be up to the boundary with no, 9, although slightly deeper than 4m, as discussed above, would have a partially flat and partially mono-pitched roof, and would therefore reduce form 3.6m down to 2.6m along its depth, which would minimise any effect with respect to no. 9.

6.14 In terms of the two storey extension's relationship to no. 8, although the proposal would be close to the boundary, due to the siting of the properties they are splaying away from each other. It is therefore considered that there would be no overshadowing concerns as a result of the proposed development.

6.15 With regard to windows there is one proposed side facing first floor window, which would be for a bathroom and a condition is recommended requiring this to be obscure glazed. A small rear dormer is proposed, which will serve a children's 'den' (playroom). It is not considered that there would be any further overlooking as a result of this dormer than already exists from existing rear facing first floor windows.

6.16 Policy DM10 relates to private amenity space. Although there would be a relatively large increase in the footprint of the dwelling the majority of this would be on an area currently used as a driveway and garage. There would still be a large private garden space remaining which would accord with the requirements of the Policy.

(iii) Parking

6.17 The overall off road parking shown is for 3 no. spaces. This complies and exceeds parking standards and Transport has no objection to the proposed scheme subject to conditions and an informative.

(iv) Community Infrastructure Levy (CIL)

6.18 The gross internal floorspace of the proposed scheme (including the loft conversion) would exceed 100sqm and therefore would be liable for CIL. There are certain exemptions for residential extensions subject to relevant conditions. CIL does not form part of the decision making for the application and an informative is included in this regard.

(v) Other Matters

6.19 Some of the letters of representation refer to the existing use of the property as an HMO. The applicant has confirmed that it is being rented for an interim period, as a C4 HMO, for which separate permission is not required, as although the C3 Dwellings and C4 Small HMOs are in separate Use Classes, the change between the two is 'permitted development'. The applicant has also confirmed that the intention is that the property, once extended, would be their family home.

(vi) Equality

6.20 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, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation.

6.21 There is no indication or evidence (including from consultation on the application) that the protected groups have or would have different needs, experiences, issues and priorities in relation to the particular planning application.

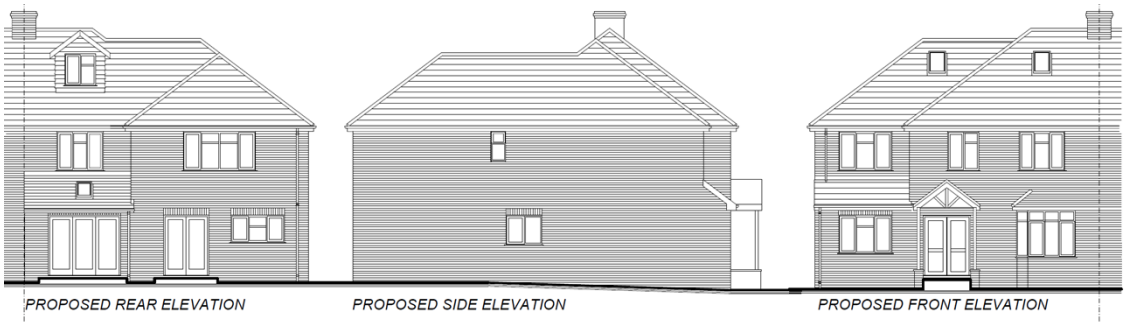
6.22 In terms of the key equalities protected characteristics, it is considered there would be no significant adverse impacts as a result of the development.

7.0 CONCLUSION

7.1 The proposed development would not be harmful to the character or appearance of the site or its surroundings and would not have a detrimental impact on the appearance of the original building or neighbouring properties or amenity. It is considered that the proposal would not cause a significant detrimental impact to the living environment of any existing or new occupiers or neighbours. As such the proposed works are considered to be in accordance with the above policies and the proposed scheme is recommended for approval subject to conditions and informatives as set out in the recommendation above.

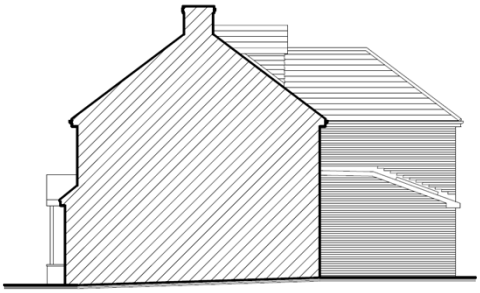
Case Officer: James Overall

APPENDIX 1: PLANS AND ELEVATIONS



PROPOSED REAR ELEVATION PROPOSED SIDE ELEVATION PROPOSED FRONT ELEVATION

1 0 1 2 3 4 5 6 7 8 9 10
SCALE BAR 1 : 100



PROPOSED SIDE ELEVATION

REV.C. REMAINING SIDE ELEVATION ADDED AT PLANNING OFFICERS REQUEST 25th MAY 2019
REV.B. TWO STOREY SIDE EXTENSION FLANK WALL STEPPED IN BY 300mm AT PLANNERS RECOMMENDATION 23rd MAY 2019
REV.A. REVISED FOLLOWING ADVICE FROM PLANNING OFFICER 18th MAY 2019

RFDL

RICHARD FENN DESIGNS LIMITED
11 HARRIER CLOSE, WOODLEY,
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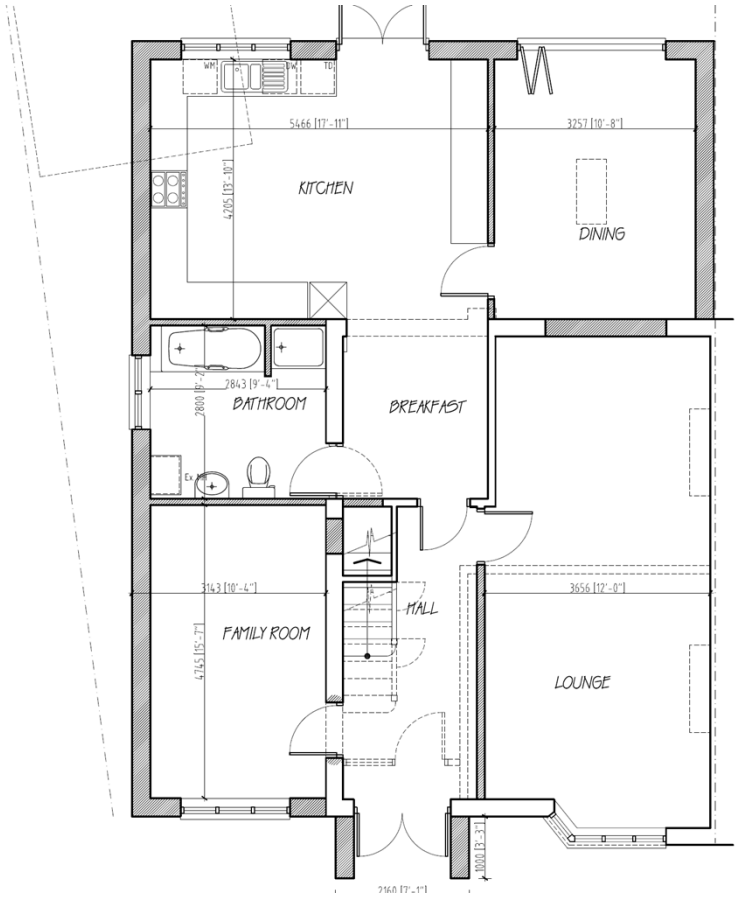
E-Mail : architect@ntlworld.com

PROPOSED TWO STOREY SIDE/REAR EXTENSION AND SINGLE STOREY FRONT AND REAR EXTENSIONS, LOFT CONVERSION WITH NEW DORMER WINDOW AND TWO VELUX WINDOWS TO 10 PEGS GREEN CLOSE, READING BERKSHIRE for MRS AISHAH AKHTAR

PROPOSED ELEVATIONS

DATE	SCALE
FEBRUARY 28th 2019	1 : 100

DRAWING No. MZ17 REVISION C



NOTE
ALL MATERIALS INTENDED TO BE USED ON NEW EXTENSION ARE TO MATCH EXISTING
THIS DRAWING HAS BEEN PREPARED WITHOUT THE BENEFIT OF AN ACCURATE SITE SURVEY
ALL BATHROOM AND KITCHEN FITTINGS AND LAYOUTS ARE INDICATIVE ONLY

REV.A. TWO STOREY SIDE EXTENSION FLANK WALL STEPPED IN BY 300mm AT PLANNERS RECOMMENDATION 23rd MAY 2019

RFDL

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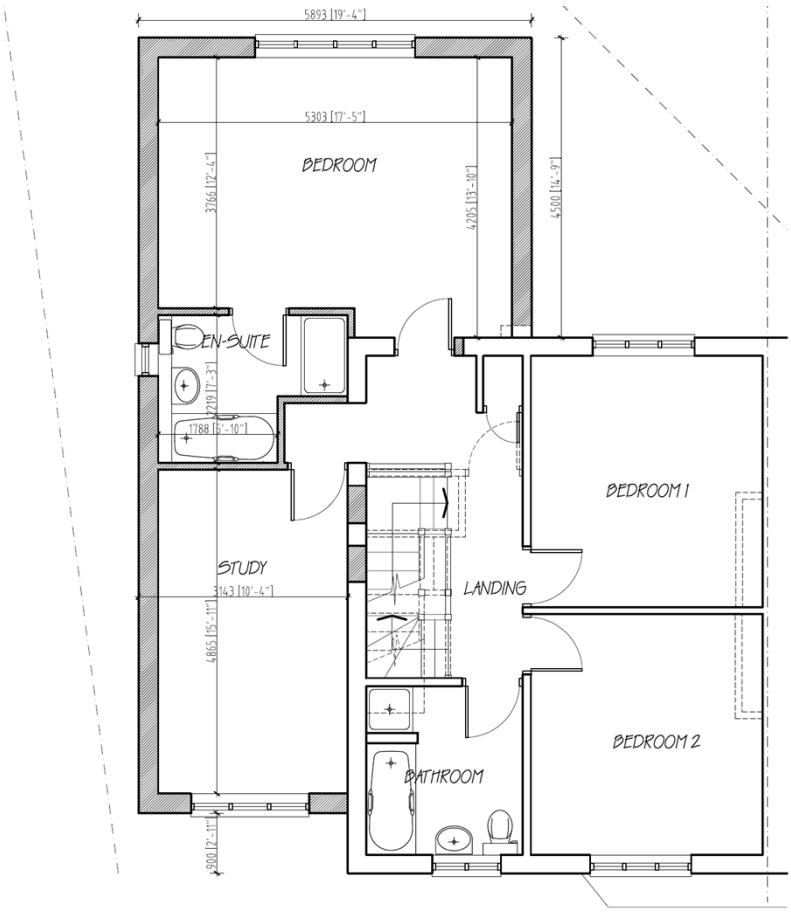
PROPOSED GROUND FLOOR LAYOUT

DATE	SCALE
FEBRUARY 28th 2019	1 : 50

DRAWING No. MZ14 REVISION A



NOTE

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ALL BATHROOM AND KITCHEN FITTINGS AND LAYOUTS ARE INDICATIVE ONLY.

REV A. TWO STOREY SIDE EXTENSION FLANK WALL STEPPED IN BY 300mm AT PLANNERS RECOMMENDATION 23rd MAY 2019

RFDL

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PROPOSED FIRST FLOOR LAYOUT

DATE	SCALE
FEBRUARY 28th 2019	1 : 50

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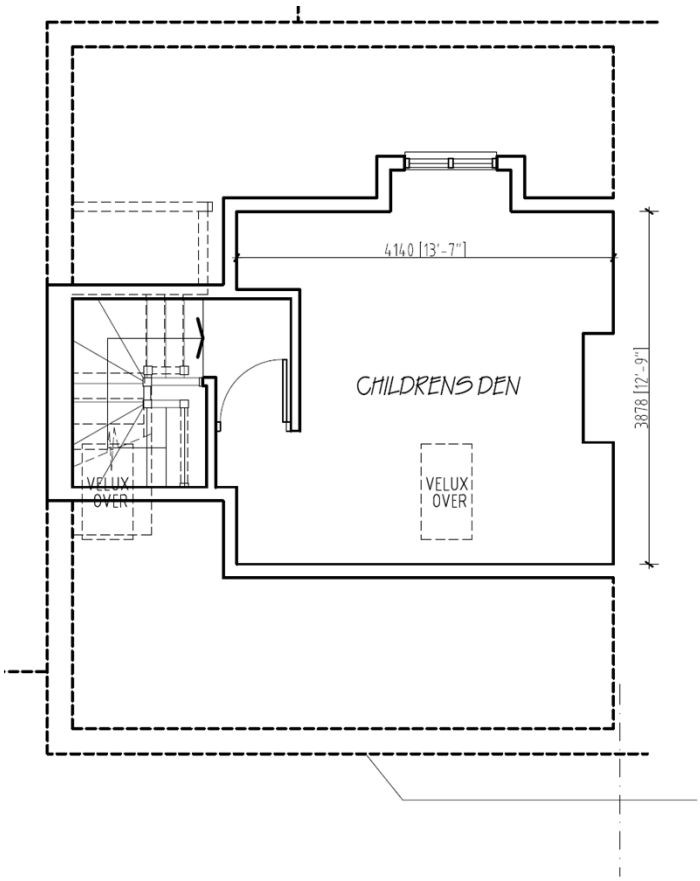

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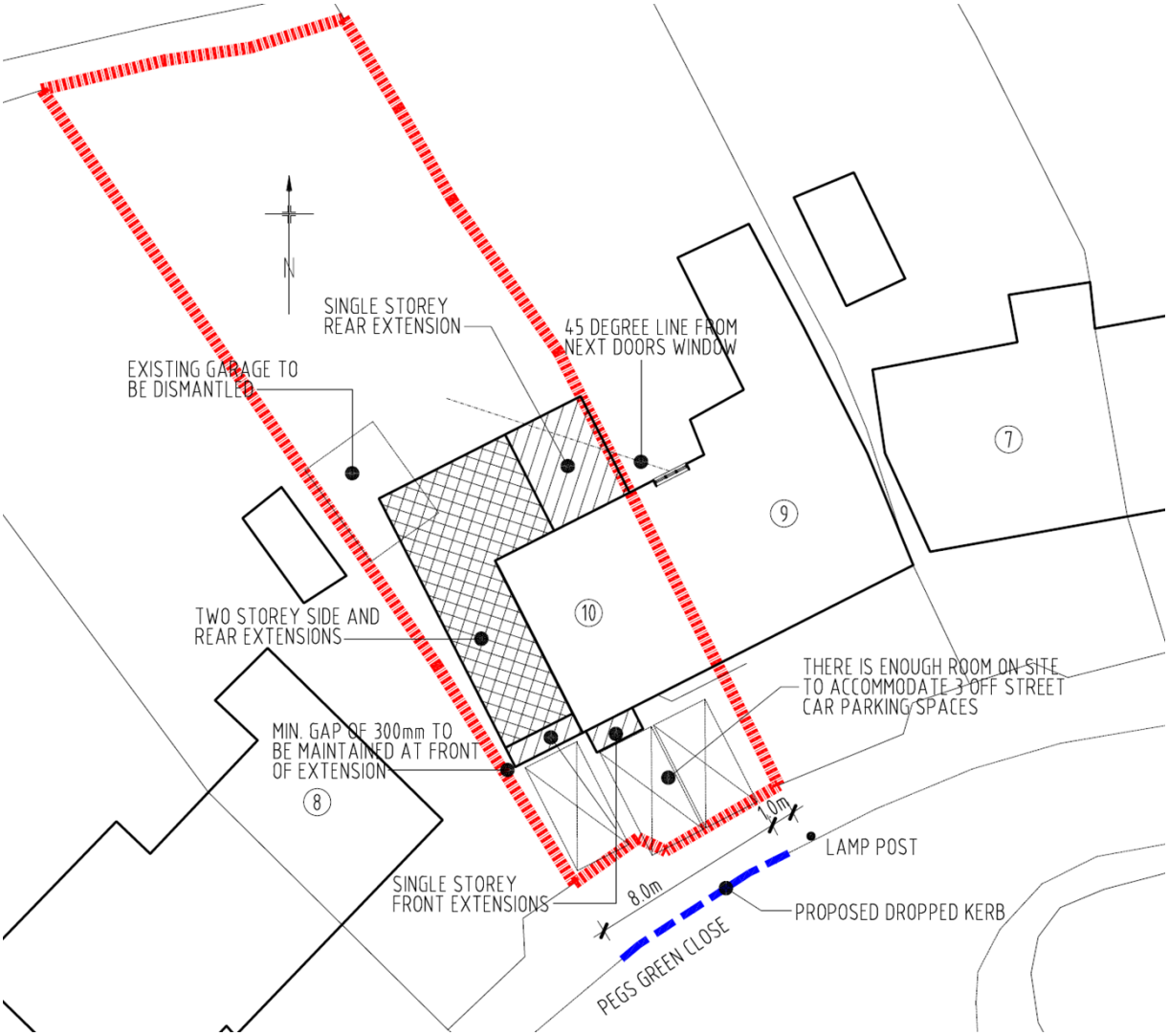
PROPOSED SECOND FLOOR LAYOUT

DATE	SCALE
FEBRUARY 28th 2019	1 : 50

DRAWING No. MZ16 REVISION


N
SINGLE STOREY
REAR EXTENSION
45 DEGREE LINE FROM
NEXT DOORS WINDOW
EXISTING GARAGE TO
BE DISMANTLED
7
9
10
TWO STOREY SIDE AND
REAR EXTENSIONS
THERE IS ENOUGH ROOM ON SITE
TO ACCOMMODATE 3 OFF STREET
CAR PARKING SPACES
MIN. GAP OF 300mm TO
BE MAINTAINED AT FRONT
OF EXTENSION
8
1.0m
LAMP POST
SINGLE STOREY
FRONT EXTENSIONS
8.0m
PROPOSED DROPPED KERB
PEGS GREEN CLOSE

COMMITTEE REPORT

BY THE DIRECTORATE FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 26th June 2019

Ward: Redlands
App No: 182214
Address: 45 Upper Redlands Road, Reading
Proposal: Erection of 4 dwellinghouses and accesses with associated landscaping and parking.
Applicant: Mr A Sharp
Date validated: 17 December 2018
Target Date: 11 February 2019 **Extended:** 1 July 2019

RECOMMENDATION:

Delegate to Head of Planning, Development and Regulatory Services to:
i) GRANT Full Planning Permission with appropriate conditions and informatives, subject to the satisfactory completion of a S106 legal agreement by 1st July 2019 to secure an Affordable Housing contribution of £158,333.33 towards affordable housing in the Borough in accordance with Policy CS16 Index-linked from the date of permission, to be paid on commencement of the development.

OR
ii) to **REFUSE** permission should the S106 agreement not be completed by 1st July 2019, unless the Head of Planning, Development and Regulatory Services agrees to a later date for completion of the agreement to be able to grant permission.

Conditions to include:

1. Time limit for implementation (3 years)
2. Materials as shown on approved plans
3. Approved plans
4. Ecology – Vegetation Clearance
5. Ecology – Landscaping
6. Landscaping
7. Landscaping implementation
8. Landscaping maintenance/replacement within five years
9. Arboricultural method statement to be submitted
10. Arboricultural method statement to be followed
11. Arboricultural Site Supervision
12. Landscape: Boundary Treatment
13. Construction Method Statement
14. Provision of Vehicle Parking
15. Provision of Vehicle Access
16. Bin Storage
17. Provision/maintenance of Visibility Splays
18. No Bonfires
19. Parking permits 1
20. Parking permits 2

Informatives to include:

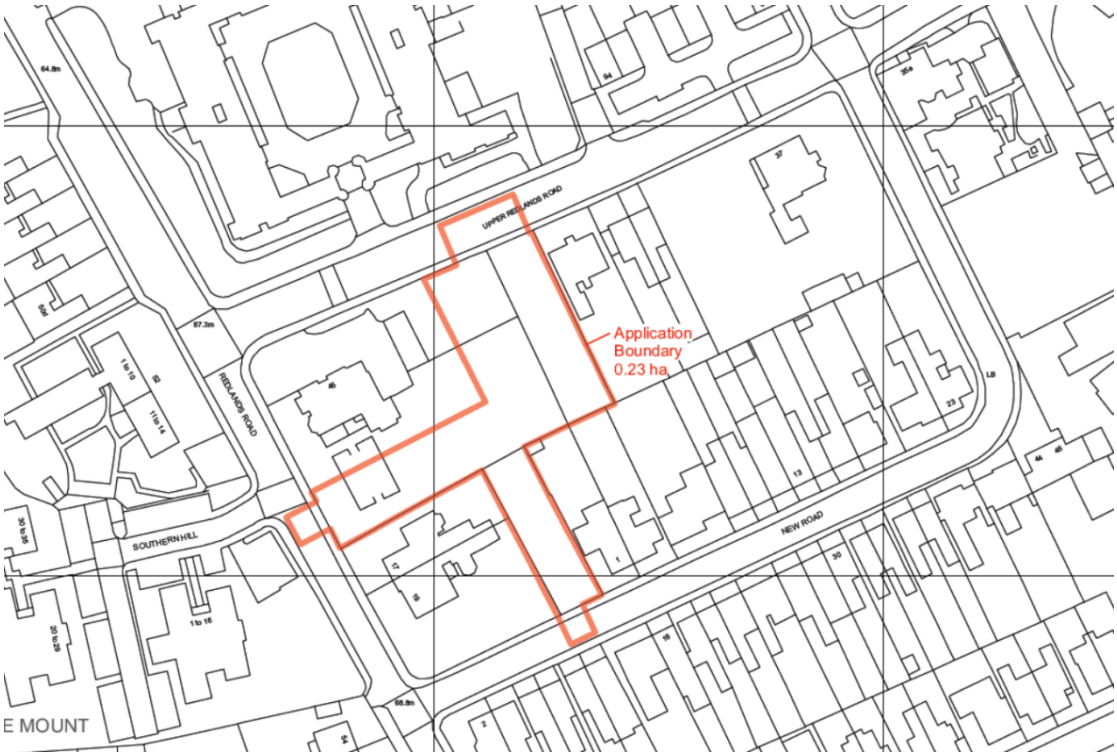
1. Positive and Proactive Statement
2. Pre-commencement Conditions
3. Terms and conditions
4. Need for building regulations
5. Highways S59
6. Complaints about construction
7. No parking permits

1. INTRODUCTION

1.1 The application site is 0.23 hectares, and is located within the Redlands Conservation Area with frontages to Upper Redlands Road to the North, Redlands Road to the West and New Road to the South. Redlands Conservation Area is a tightly drawn essentially Victorian/Edwardian suburb of Reading.

1.2 The site currently comprises undeveloped garden land, which is surrounded by residential dwellings, other than at the sections where it fronts a road. The surrounding residential properties are between 2 and 3 storeys in height, and their designs vary within traditional architecture. There are examples of grey and red brick, mostly Victorian, with Stucco and render. The majority of the properties in the area are grand buildings, within generous plots and walled gardens.

1.3 The closest Listed building is Wantage Hall (Grade II), which is located to the north, opposite the application site on Upper Redlands Road. Wantage Hall was the first hall of residence at the University of Reading and opened in 1908. It was listed in 2008. There are three other listed buildings within the Redlands Conservation Area, which are 85-89 Christchurch Road.



Site plan - not to scale

2. PROPOSALS

2.1 It is proposed to build four detached houses in land currently occupied by gardens to the rear/side of 45 Upper Redlands Road, Reading. The land and surrounding buildings are owned and occupied by the University of Reading. The proposals were the subject of pre-application advice with officers before this application was submitted.

2.2 All of the four proposed houses would be two storey detached properties. Plot 1 would face onto New Road, Plot 2 would face onto Redlands Road, and Plots 3 and 4 would face onto Upper Redlands Road, directly opposite Wantage Hall. Although connected, the new plots for the houses would appear as separate 'infill plots' to each road.

Plot 1
Size – 153.46 sq.m with 3 bedrooms (6 persons)
Amenity Space – 171 sq.m
Walls – Red brick to match adjoining houses
Roof - Natural slate with red clay hips
Windows - White painted timber windows and concrete cills.

Plot 2
Size – 218.83 sq.m with 4 bedrooms (8 persons)
Amenity Space – 239 sq.m
Walls – White render to match adjoining houses
Roof – Natural slate with black clay hips
Windows – White painted timber windows and concrete cills.

Plot 3
Size – 217.89 sq.m with 4 bedrooms (8 persons)
Amenity Space – 329 sq.m
Walls – Red brick in Flemish bond to match adjoining houses
Roof – Natural slate with red clay hips
Windows – White painted timber windows and concrete cills.

Plot 4
Size – 201.96 sq.m with ¾ bedrooms (6/7 persons)
Amenity Space – 226 sq.m
Walls – Red brick in Flemish bond to match adjoining houses
Roof – Natural slate with red clay hips
Windows – White painted timber windows and concrete cills.

2.3 This application is being reported to Committee at the request of ward councillors in response to the concerns raised by neighbours.

2.4 In relation to the community infrastructure levy, the applicant has duly completed a CIL liability form with the submission. As per the CIL charging schedule adjusted for indexation (£148.24 per sq.m) this proposal will attract a charge of £117,426.84 based on the proposed floor areas (total GIA is 792.14 sq.m).

3. RELEVANT PLANNING HISTORY

Reference No.	Detailed Description	Outcome
960054	Redevelopment to provide new student housing and staff flats, include	Application Refused on 23 Dec-96

	upgrading alterations to existing buildings (17-19 Redlands Rd, 45 Upper Redlands Rd)	
960745	Demolition of redundant outbuildings.	Application Permitted on 10 Jan-97
970879	Conversion of stable to one 2 bedroomed dwelling; creation of two additional study bedrooms through internal alterations of The Lawn together with external alterations (insertion of windows and doors).	Application Permitted on 21 Aug-97
181174	Pre-Application Advice sought	Acceptable in principle subject to details being appropriate.

4. CONSULTATIONS

4.1 Statutory:
None

4.2 Non-statutory:

4.2.1 **RBC Transport Strategy** was consulted on 7 January 2019. Their comments stated; "*The site is located within Zone 2, the primary core area but on the periphery of the central core area which lies at the heart of Reading Borough, consisting primarily of retail and commercial office developments with good transport hubs.*

In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide parking provision of 2 parking spaces per dwelling.

The submitted Site Plan P6 F shows each dwelling with 2 off road parking spaces which is in accordance with the Council's current standards.

Plot 1 will have vehicular access from New Road
Plot 2 will have vehicular access from Redlands Road
Plot 3 and 4 will share vehicular access from Upper Redlands Road

The proposed shared access for Plots 3 & 4 will need to be a minimum of 4.1m wide to facilitate two way movements in and out of the site. This will need to be illustrated on revised plans.

Visibility splays have not been illustrated on plans for any of the accesses. Plans will need to be submitted illustrating the proposed access points including visibility splays. Accesses will need to be designed in accordance with Reading Borough Councils Geometric Design Guidance for residential Accesses on to Classified Roads. Link to the guidance is below:
http://old.reading.gov.uk/media/2415/Geometric-Design-Guidance/pdf/Geometric_Design_Guidance.pdf

Visibility Splays required:

- *Upper Redlands Road - 2.4m x 43m*
- *Redlands Road - 2.4m x 70m*
- *New Road - 2.4m x 43m*

It should be noted that the development site is located in an area where a residential parking scheme operates, therefore there should be an assumption that future inhabitants of the dwellings will not be eligible to apply for residents and visitor parking permits. This will be covered by the appropriate conditions and informatives.

Transport would not support a formal break in the residential/shared parking bays surrounding the development site; however an access protection marking can be applied for if required.

A licence will be required to be obtained from the Highways Department to undertake any work on the Public Highway.

In line with the Council's adopted Parking Standards and Design SPD, each dwelling should be provided with two secure cycle parking spaces. The submitted site plans shows each dwelling will be provided with a garden shed, therefore this is deemed acceptable.

Bin storage should not be further than 15m from the access point of the site to avoid the stationing of service vehicles on the carriageway for excessive periods. Bin storage has been illustrated on the submitted site plan and is deemed acceptable".

4.2.2 **The Planning Natural Environment (Tree Officer)** was consulted on 7 January 2019. The comments received raised the following points:

- Conservation Areas provide a certain level of protection to trees.
- The most significant trees on or adjacent to the site are those which are highly visible growing adjacent to the highway. Of particular note are a Tulip Tree and a pollarded Lime.
- It is generally accepted that tree roots will not be growing under the adopted highway and the supporting tree information has therefore offset the identified rooting areas of the tree(s) to take this into account.
- The loss of any trees required in order to facilitate the build should be mitigated with replacement planting to ensure that the application does not result in a net loss of tree cover on site.
- Trees within the centre of the site are significant as groups but without the individual arboricultural merit or public amenity value which would make it expedient to serve a TPO at this time.
- The proposed property adjacent the Tulip Tree (which has a dense and extensive root spread) will be erected on a Abbey Pynford 'Housedeck' system in order to retain a void under the property. This will allow rain water to be directed under the building structure, and therefore with access to oxygen and water, tree roots will continue to thrive under the property.
- One significant problem is the laying of services to each of the new properties where it will be within the RPA of the trees. The applicant is proposing Air-spade excavation and suction. Whilst this is generally considered okay, if for any reason it proves unviable then the applicant will need to agree alternatives with the Borough Council and Site Arboricultural Consultant. In such case, the method statements and tree protection plans will need to be modified.
- If planning permission is granted, a full and detailed Arboricultural Method Statement will be required, which details the steps to be taken during the course of the building works, with step by step procedures for new areas of

hard surfacing, the installation of the housedeck and laying of services in particular.

- It is expected that a detailed specification for Monitoring and Supervision is followed with visits fed back to the LPA who will make spot checks where possible during the course of the building works.
- Other conditions are also recommended in addition to the above.
- In order to be effective the tree related conditions will be required as pre-commencement conditions.

4.2.3 **The Council's Ecologist** was consulted on 7 January 2019. Their comments stated; "*As per our comments on the previous pre-application (ref: 181174) with similar plans and same ecological survey, the Preliminary Ecological Appraisal (Windrush Ecology, May 2018) states that the majority of trees will be retained. However, as per the plans submitted, a number of trees will be felled to facilitate the works and to accommodate the new houses. Nevertheless, the report states that the trees on site were assessed as having "negligible" potential to support roosting bats.*

The report states that the site is not considered to be suitable for reptiles, amphibians, badgers or other protected species. Nonetheless, the trees on the site are likely to be used by nesting birds, since four old bird nests were found, and as such, any vegetation clearance will need to be undertaken outside the bird nesting season (March - August inclusive). This should be secured through a planning condition to ensure that birds are not harmed or killed during the development…

…Additionally, as per the recommendations given in the report and in line with the NPPF, biodiversity enhancements and a wildlife-friendly landscaping scheme should be incorporated into the development to ensure that the site is enhanced for wildlife. This should be secured via a planning condition…

…As such, subject to… [two] conditions…there are no objections to this application on ecological grounds".

4.2.4 The **Conservation Area Advisory Committee** was consulted on 7 January 2019. A response was received on 4 June 2019 objecting to the application on the following grounds:

- The heritage statement does not demonstrate how the application will conserve and enhance the conservation area and its urban low-density setting.
- Detrimental impact upon the Conservation Area and heritage assets.
- Discrepancies within the Heritage Statement.

4.2.5 The **Council's Conservation & Heritage Consultant** objects to the application; "*The proposed development of four detached properties within the gardens to 45 Upper Redlands Road would detract from the character and appearance of the Conservation Area due to the loss of garden space around existing properties, loss of characteristic/historic garden walls in the streetscene and due to over-development within the context of the Conservation Area; all these elements are recorded in the Conservation Area Appraisal as contributing to the character and appearance of the Conservation Area. These elements opposite the Grade II Listed Wantage Hall would harm the significance of the Listed Building through detriment to its setting and the contribution it makes to the heritage of the area.*

The proposals would erode the large, open gardens which are associated with 45 Upper Redlands Road and which are considered within the Conservation Area appraisal to be part of the character of the area.

In summary, the proposed development is not considered to achieve the requirement to preserve or enhance the character or appearance of the Conservation Area or preserve the setting of the Listed Building, contrary to the statutory requirements of Sections 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the requirements of Reading Local Plan policies and guidance in the NPPF and PPG".

4.2.6 Thames Water was consulted on 7 January 2019. No response has been received.

4.3 Public consultation:

4.3.1 Fifty-three households were consulted via letter, as well as a site notice being displayed.

42 letters of representation have been received from 26 households, although a petition added an additional 58 letters of representation (from 37 households) to this number, to give a total of 88 letters of representation. 16 of these households were duplicated from individually received letters of representation, which means a total of 47 households object to this application. These letters of representation were received before the re-consultation, which occurred on 9th May 2019.

On top of this, a second petition with 35 signatures was received, although this did not add any further households to the list of those objecting, as they were all duplicates from previously received responses.

The letters of representation raise the following issues:

- Loss of open space
- Parking and transport concerns
- Detrimental impact upon the Conservation Area
- Detrimental impact upon a Grade II Listed building
- The proposal does not assist with the shortage of social housing in the Borough
- The proposal is a cluttered design
- Detrimental architectural impacts
- Detrimental social impacts
- Detrimental environmental impacts
- Overlooking/invasion of privacy to the grounds of a mental health provider with 16 service users
- Loss of views
- Overdevelopment
- Overshadowing
- Detrimental impact upon trees
- No space in schools for the new families
- Out of character with the surrounding area
- Loss of a nature corridor
- The planning approval could be sold on a number of times leading to the possible use of poor quality materials, the loss of important trees and other aspects of design that fail to reflect the history and particular nature of this area
- The allotment next door to No.43 Upper Redlands Road should be preserved
- Noise concerns
- Air quality concerns

The petition states that the signatories object to the application on the basis of:

- Impact upon Conservation Area and Character of New Road
- Heritage Impact of the development
- Ecological Impact
- Residential Impact
- Car Parking
- Risks of selling-on, may result in poor materials and loss of important trees ***Officer comment: impact on ability to sell property is not a planning matter***
- Responsibility of the University and Planning Authority to listen to local opinions ***Officer comment: this application shall be assessed on its planning merits***

The second petition confirms that the objections remain the same as previously.

5. RELEVANT PLANNING POLICY AND GUIDANCE

5.1 National Planning Policy Framework 2019
National Planning Practice Guidance

5.2 Reading Borough Local Development Framework Core Strategy (RCS) (Adopted January 2008 – amended 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 & Amenities)
CS14 (Provision of Housing)
CS15 (Location, Accessibility, Density and Housing Mix)
CS24 (Car/Cycle Parking)
CS33 (Protection and Enhancement of the Historic Environment)
CS36 (Biodiversity and Geology)
CS38 (Trees, Hedges and Woodlands)

Sites and Detailed Policies Document (2012) (Amended 2015)

SD1 (Presumption in Favour of Sustainable Development)
DM1 (Adaptation to Climate Change)
DM3 (Infrastructure Planning)
DM4 (Safeguarding Amenity)
DM6 (Affordable Housing)
DM10 (Private and Communal Outdoor Space)
DM11 (Development of Private Residential Garden Land)
DM12 (Access, Traffic and Highway-Related Matters)
DM18 (Tree planting)

Supplementary Planning Documents:

The Council's 'Revised Sustainable Design & Construction SPD' (July 2011)
The Council's 'Parking Standards and Design' SPD (Oct 2011)
The Council's 'Revised SPD on Planning Obligations under Section 106 of the Town and Country Planning Act 1990' (2013)
The Council's 'Affordable Housing' SPD (2013)
Redlands Conservation Area Appraisal (2008)

6. APPRAISAL

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

6.2 S66(1) of the LBCA 1990 says "*in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*".

6.3 The main issues raised by this proposal are:

- The Principle of Development
- Impact on the Character and Appearance of the Conservation Area and Setting of Listed Buildings
- Impact upon Trees
- Development of Residential Gardens
- Residential Amenity
- Parking & Highways
- Affordable Housing
- Other Matters

6.4 **Principle of Development**

6.4.1 The site lies in a residential area of Reading where additional accommodation would normally be acceptable subject to satisfying a number of policies. In this case the site lies in a conservation area and close to a Listed Building so the design and appearance of the proposed scheme and its impact on the character and appearance of the conservation area and the setting of the Listed Building is the main consideration.

6.5 Impact on the Character and Appearance of the Conservation Area and Setting of Listed Buildings

6.5.1 The Redlands Conservation Area Appraisal splits the Conservation Area into four character areas, and the application site predominately falls within the area entitled, "*Upper Redlands Road and 17-19 Redlands Road*", although a small part of the application site falls within the character area entitled, "New Road".

6.5.2 The character area for Upper Redlands Road and 17-19 Redlands Road, states, "*This area is mainly characterised by large detached and semi-detached houses standing in extensive and well-treed grounds…The architectural styles vary from the simple plain red brick style of the 1850s to later stucco villas (some very large) with Italianate and classical features, in particular, 17 and 19 Redlands Road. 35a Upper Redlands Road is an interesting gothic style building which turns the corner of New Road…*
Properties here and throughout the Conservation Area are "linked" by frontage brick walls and/or low brick walls with railings above, and good tree cover behind".

6.5.3 The character area for New Road states, "*This is a quiet and more intimate road of smaller early Victorian houses and cottages, of which a great deal of the original character remains (although some unsympathetic additions have been made). The general character of housing in this part of the area is of plain red brickwork, sometimes with a contrasting band of grey bricks marking the division between*

the floors, low pitched slate roofs, four panelled doors with arched fanlights and glazing bar sash windows (9 and 12 panes). Numbers 20 Hill and Myrtle Cottages, 28, 30, 40 and 23 add particular vitality to the area.

6.5.4 Objectors, the Council's Conservation Consultant and the Reading Conservation Area Advisory Committee (the CAAC) are concerned for the impact of the introduction of these properties on the application site and consider that this will have an adverse impact on the character of the Conservation Area.

6.5.5 The Redlands Conservation Area Appraisal states, "*No individual building stands out in each street in the Conservation Area. Corner buildings tend to be prominent in the street scene, but not from any distance*". The Redlands Conservation Area also mentions that "*Properties at the north (Upper Redlands Road)…of the Conservation Area are however epitomised by being fairly substantial properties in commensurately large grounds. These are typically bounded brick walls and railings and containing significant tree cover, providing a good setting for individual properties and the character of the Conservation Area as a whole*".

6.5.6 The proposed properties would be set back within their sites and behind boundary walls and therefore will be in keeping with this characteristic of the Conservation Area. The proposed gardens are similar in size to existing gardens in the area with boundary treatments in keeping with those around them.

6.5.7 The application proposes four detached dwellings, which are proposed to be inserted between other buildings. The design of the proposed houses take their lead from the adjacent buildings, as details of ridge and eaves heights and window and door designs reflect those of adjacent buildings and others of similar age. It is considered that the properties have been designed in such a way that they are sympathetic to the surrounding character of the area and the street scene. They have been carefully designed, with ample garden areas and settings, to be in keeping with other properties in the Redlands Conservation Area and will not detract from its character and appearance.

6.5.7 Although the original comments received from the Heritage & Conservation Officer were not positive, this was based on plans, which have since been superseded. The amended plans now proposed to provide narrower entrances and two of them reuse bricks to curve the wall inwards for the purpose of continuing the wall, and ensure the impact on heritage assets is minimal. As previously discussed, this will also aid with continuing the view of the wall, when gazed upon at an indirect angle, which will make the entrances appear narrower. As for the comments, which relate to the loss of large gardens, the site lends itself to development due to its irregular shape, and the grounds of No.45 are much larger than any others in the surrounding area. As previously mentioned within this report, the proposed amenity space proposed for each of the properties will be acceptable when compared to similar properties in the area, and therefore it is believed that on balance this scheme will not have a major detrimental impact upon the Conservation Area.

<u>Impact on Wantage Hall (Grade II)</u>

6.5.8 The Council's Conservation Consultant remains concerned for the impact of the development on the setting of the Listed Building. In considering this impact, it should be remembered that the principal setting to this building is within its own grounds on the North side of Upper Redlands Road. The impact of the new houses on the South side of the road, are considered to be comparatively minor. In any event this impact is considered to be mitigated further with the amendment, which proposes to reduce the entrance width for plots 2 and 3 as they will remain largely hidden behind the boundary wall, which will retain its height.

6.5.9 Overall the proposal is found to comply with the objectives of Policy CS33.

6.6 **Impact upon Trees**

6.6.1 An important part of the character of the Redlands Conservation Area is the mature and semi-mature trees within the ground of the buildings. All trees within conservation areas are protected as if they were the subject of an individual TPO.

6.6.2 32 trees are proposed to be removed as a result of the development, although these are not considered to be of particular importance to the character of the surrounding area. 24 of these trees are part of a clump in the middle of the site (fall within Plot 3). The important trees, which do add to the character of the surrounding area, and give the feeling of 'well-treed grounds' are to remain and a tree protection plan has been submitted to ensure that these are not damaged during the construction works. The Natural Environment Officer has suggested conditions which will ensure that the trees to remain receive the necessary protection measures – one of which is for a scheme of supervision and monitoring to be submitted before development commences. It is considered that from a heritage and conservation perspective, the proposed properties will have 'well-treed grounds', even with the proposed removal of some of the existing trees, and therefore the proposal will retain its character as set out within the Redlands Conservation Area Appraisal. With the relevant conditions the proposal complies with Policy DM18, CS7 and CS33 in respect on landscape and trees.

6.7 **Development of Residential Gardens**

6.7.1 To some extent Policy DM11 Development of Private Residential Gardens is also relevant in this case. This policy accepts new residential development that involves land within the curtilage or the former curtilage of private residential gardens will be acceptable where:

a) It makes a positive contribution to the character of the area;
b) The site is of an adequate size to accommodate the development;
c) The proposal has a suitable access;
d) The proposal would not lead to an unacceptable tandem development;
e) The design minimises the exposure of existing private boundaries to public areas;
f) It does not cause detrimental impact on residential amenities;
g) The emphasis is on the provision of family housing;
h) There is no adverse impact on biodiversity, and
i) The proposal does not prejudice the development of a wider area.

6.7.2 As noted above officers consider the proposal to be acceptable in the context of the character of the area, the plots are of a good size in keeping with those around them, they all have good access points, are not tandem development and protect adjacent boundaries, no harm is cause to the amenities of neighbours, all four properties are family houses and biodiversity concerns have been addressed.

6.7.3 The proposed properties would have gardens between 170 and 330 sq.m. which is considered to be commensurate with the general character of the area.

6.7.4 The proposed dwellings are considered to be accommodated appropriately within the development site as they will all have sufficient private amenity space (as mentioned in the previous paragraph), and also they will all have sufficient

parking, bins etc. The dwellings will not appear cramped, and will fit well within the site, whilst having minimal impact upon the surrounding character of the area.

6.7.5 The proposed dwellings will all be set slightly further back from the existing build line and could potentially be seen as 'back-land development'. However their setbacks from the main building line frontages are quite minor and have done so as to ensure the protection of important trees within the Conservation Area. It is also considered that the setback from the frontage of Upper Redlands Road, aids with minimising the impact the development will have upon the nearby Grade II listed building – Wantage Hall. Overall, there is no conflict with the criteria set by Policy DM10.

6.8 Residential Amenity

6.8.1 Policy DM4 relates to safeguarding amenity, and aims to prevent detrimental impacts upon the amenity of neighbouring properties and occupants/users of the application building; in regards to overlooking, overshadowing or outlook.

6.8.2 Plot 1, has a three windows which look towards No.19 Redlands Road. One of these belongs to a bathroom and the other two windows serve bedrooms. All of these windows are proposed to be obscured glazed as highlighted on the elevational plans. The bedrooms both have other windows, which will prevent the occupants of each bedroom being negatively impacted as a result of the frosted glass. As the proposal will need to be carried out with approved plans, there is no need for an additional condition in relation to obscured glazing.

6.8.3 Plot 2 has a first floor bedroom (bedroom 1) window facing towards No.45 Upper Redlands Road. This will be adjacent other first floor windows of No.45, and the distance between them will be ~11 metres. The elevational plans show this window to be obscure glazed, which will eliminate any possible overlooking. This bedroom is served by another window, which will prevent the occupant of the room being negatively impacted. The only other first floor side facing window is directed towards No.17 Redland Road, however this will serve a bathroom and will also be obscured glazed. As the proposal will need to be carried out with approved plans, there is no need for an additional condition in relation to obscured glazing.

6.8.4 Plot 3 will have two side facing first floor windows, one which serves bedroom 1, and the other a bathroom on the opposite flank. The one serving bedroom 1 will be slightly over 20 metres from the elevation of 45 Upper Redlands Road. Both of these windows are highlighted on the elevational plans as having obscured glazing, and as such there will be not potential overlooking. The bedroom is shown to have two windows serving it, and as such it is possible to obscure glaze one of them without resulting in a detrimental impact upon the occupant. As the proposal will need to be carried out with approved plans, there is no need for an additional condition in relation to obscured glazing.

6.8.5 Plot 4 will have five side facing first floor windows. Three of these serve bathrooms, one of them serves the stairwell, and the last one serves bedroom 2, which faces towards plot 3. These windows are all proposed to be obscured glazed (highlighted on the elevational plans), which will eliminate any possible overlooking. The bedroom is served by another window, which will prevent the occupant of the room being negatively impacted. As the proposal will need to be carried out with approved plans, there is no need for an additional condition in relation to obscured glazing.

6.8.6 As for overshadowing, none of the proposed dwellings will restrict a detrimental amount of light to any neighbouring properties, nor to each other, and as such it is considered that there will be no detrimental impact as a result of the proposed scheme in terms of overshadowing.

6.8.7 With regards to outlook, the positions of the proposed dwellings and their distances from neighbouring elevations, means that there will not be a detrimental impact upon the outlook of neighbouring amenity. Some of the public consultation comments mentioned that the view from New Road to Wantage Hall will be lost. This is true, however, there is an existing tree (which will remain), and this restricts much of the view of clock tower, which is considered to be one of the more impressive features on this elevation. Further to this, there is no right to a view, and the distance of the proposed property on plot 1, will not have a detrimental impact on neighbouring amenity in regards to outlook.

6.8.8 The proposal is therefore considered to comply with Policy DM4 and respects the amenity of neighbouring properties. All of the side facing windows will be obscured glazed, which will be secured by a condition ensuing the builds are carried out in accordance with the approved plans.

6.9 Parking and Highways

6.9.1 From a transport perspective, each of the properties will have sufficient off-road parking, with spaces which are individually accessible and allow for turning on-site. This excludes Plot 1, which will require tandem parking, and no on-site turning.

6.9.2 It is important to note, that the entrance widths and styles have been designed with highway safety in mind, and these are now considered to be acceptable from a highways viewpoint, whilst retaining much of the boundary walls to ptthe nature of the Conservation Area.

6.9.3 Some of the public consultation comments stated that the new owners would park on street to allow visitors to use their driveways. As a result of this application, occupants of the proposed dwellings will not be entitled to parking permits, but could apply for them in the future. Each dwelling has two parking spaces, which is considered sufficient when assessed against the Revised Parking Standards and Design SPD, and each dwelling will have a shed, which will allow for cycle parking. The Transport Section has reviewed this application, and has not raised any concerns with regards to parking.

6.10 Affordable Housing

6.10.1 This planning application needs to accord with the requirements of Policy DM6 and make an appropriate financial affordable housing contribution.

6.10.2 The planning statement states that "*this proposal will provide a policy compliant level of affordable housing. Four new dwellings are proposed, and so the equivalent of 10% of the housing should be provided though a financial contribution. This will be calculated as 5% of the Gross Development Value (GDV) based on valuations of the development by estate agencies. This will then be paid to the Council upon occupation of the development*".

6.10.3 After three valuations were received, the valuations suggested an average GDV of £3,166,666.67. This is considered acceptable, and the policy compliant affordable housing contribution is therefore £158,333.33.

6.11 Other Matters

6.11.1 Biodiversity - The proposal has been reviewed by the Council's consultant ecologists who states that that they have no objections subject to two conditions. A detailed summary of their comments can be viewed in the consultations section (above). Their suggested condition addresses details (including providing bird nesting and bat roosting opportunities on and around the new buildings, and specifications for fencing demonstrating how hedgehogs and other wildlife will be able to continue to travel across the site.

6.11.2 The proposal is therefore considered to be acceptable from an ecological/biodiversity viewpoint. Some of the comments received from the public consultation mentioned that the proposal would result in the loss of a nature corridor. The Ecology consultant has carefully considered the objections but is satisfied that, subject to conditions, the proposal is policy compliant.

6.11.3 Equalities - In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. There is no indication or evidence (including from consultation on the application) that the protected groups have or would have different needs, experiences, issues and priorities in relation to the particular planning application. Some concerns were raised by a neighbour but these are mitigated by the approach taken to protect neighbour amenities. In terms of the key equalities protected characteristics, it is considered there would be no significant adverse impacts as a result of the development.

7. CONCLUSION

7.1 Whilst there a number of concerns have been raised by objectors and consultants regarding the proposed four homes, when appraised against relevant policies officers consider that the four dwellings can be accommodated within this area without having a detrimental impact upon the character of the Redlands Conservation Area.

7.3 Officers have worked with the applicant to seek amendments so that the scheme, in terms of design and materials and boundary treatments, will not have a detrimental impact on neighbouring amenity, trees, ecology, heritage or transport.

7.4 On balance, the proposed development is considered to meet the principles of Redlands Conservation Area Appraisal and complies with the appropriate Policies set out within the Local Development Framework.

Plans:

Plan Type	Description	Drawing Number	Date Received
Location Plan		P1 Rev A	19 Dec-18
Site Plan	Existing | Shows Removal of trees	P4 Rev B	19 Dec-18
Street Scene	Existing	P5	19 Dec-18
Floor Plans	Plot 1	P11 Rev C	19 Dec-18
Floor Plans	Plot 2	P12 Rev B	19 Dec-18
Floor Plans	Plot 3	P13 Rev D	25 Mar-19
Floor Plans	Plot 4	P14 Rev A	19 Dec-18
Elevations	Plot 1	P15 Rev A	19 Dec-18

Elevations	Plot 2	P16 Rev B	19 Dec-18
Elevations	Plot 3	P17 Rev D	25 Mar-19
Elevations	Plot 4	P18 Rev A	19 Dec-18
Block Plan	Proposed	P2 Rev K	9 May-19
Site Plan	Proposed	P6 Rev S	9 May-19
Street Scene	Proposed Elevation AA	P19	9 May-19
Street Scene	Proposed Elevation BB	P20	9 May-19
Street Scene	Proposed Elevation CC	P21	9 May-19

Case Officer: James Overall.

Appendix

Block Plan

Plot 1

Plot 2

Plots 3 & 4

Plots 3&4 Street Scene (Upper Redlands Road)

Plot 2 Street Scene (Redlands Road)

Plot 1
Street Scene (New Road)

COMMITTEE REPORT

BY THE DIRECTOR FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 26th June 2019

Ward: Whitley
App No: 190374
Address: Land to West of Drake Way, Kennet Island
Proposal: Creation of new and extended surface level car sales area including landscaping and associated works.
Applicant: Diageo Pension Trust Ltd
Date validated: 5 March 2019
Major Application 13 week target date: 4th June 2019
Extended deadline: 28th June 2019
Planning Guarantee 26 week target: 3rd September 2019

RECOMMENDATION

GRANT Full Planning Permission, subject to conditions and informatives.

Conditions to include:

1. Time limit for implementation (3 years)
2. Materials
3. Approved plans
4. External Lighting – limited hours and illumination levels set out
5. Landscaping details
6. Landscaping implementation
7. Landscaping Maintenance
8. Landscaping replacement within five years
9. Construction Method Statement
10. Vehicle Parking in accordance with plans
11. Vehicle Access in accordance with plans
12. CCTV system to face carpark
13. Sustainable Drainage – Details to be submitted
14. Sustainable Drainage – To be completed in accordance with approved details

Informatives to include:

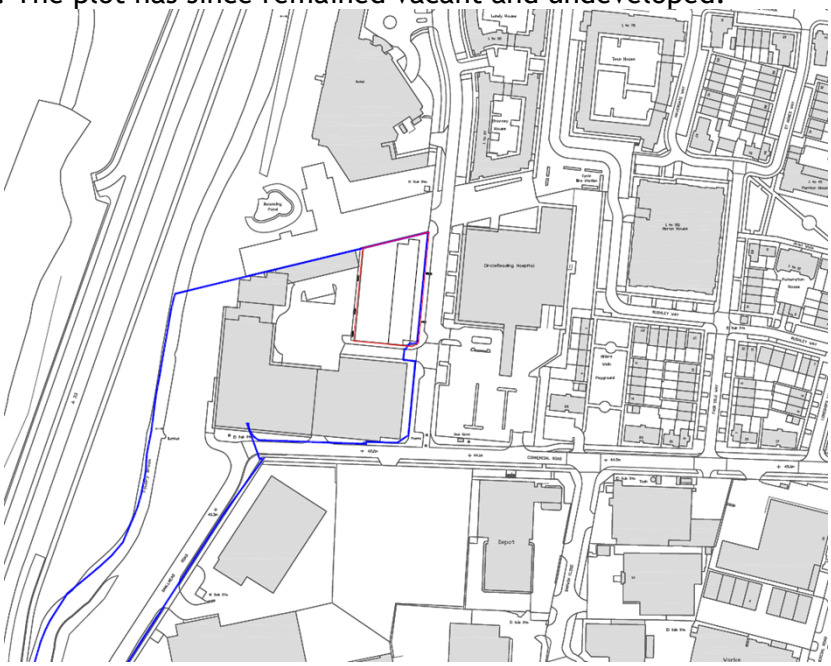
1. Positive and Proactive Statement
2. Terms and conditions
3. Need for building regulations
4. Complaints about construction
5. Construction hours
6. No Burning of Waste

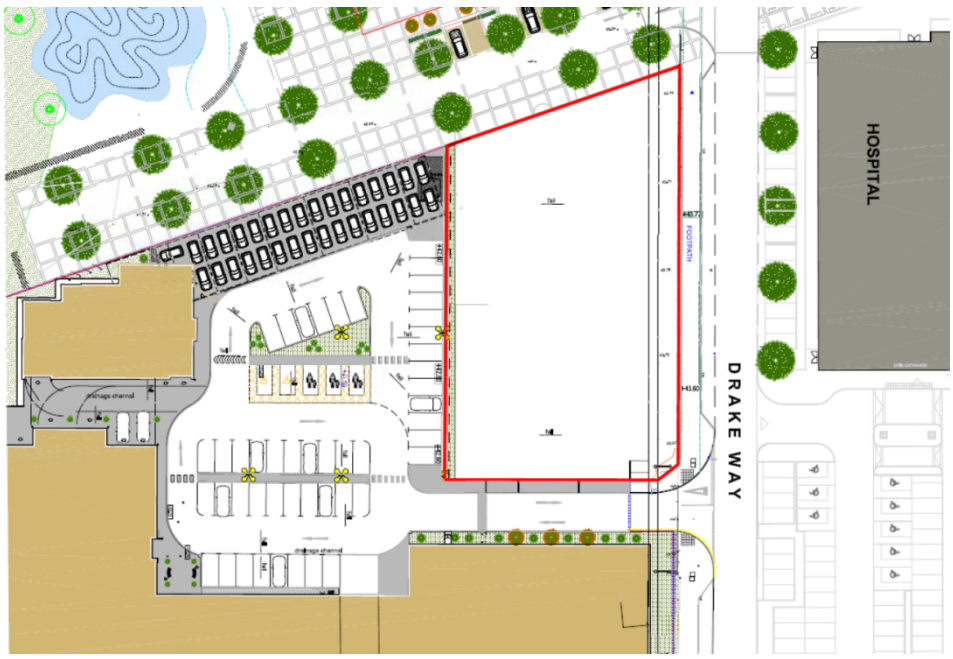
1. INTRODUCTION

1.1 The application site is an undeveloped and unallocated plot of land, situated adjacent to the Cooper BMW car dealership accessed from Drake Way within Kennet Island, opposite the Circle Hospital. The site formed part of a hybrid planning application (12/01623/OUT) approved on 26th March 2013, granting permission for the following development:
A hybrid planning application for:

- Construction and operation of a car dealership (14,197 sq m GEA) including workshop for repairs, servicing and MOT, parts store and valeting, car parking and storage with associated roads, public realm and landscaping (submitted in full with no matters reserved); and
- Construction of B1 offices (2,295 sq m GEA) and C1 serviced apartments (1,400 sq m GEA) (submitted in outline with Appearance, Landscaping, Layout and Scale reserved).

1.2 The car dealership building (the detailed element of the permission) has been built, however reserved matters details for the B1 offices (outline element of the permission) have not been submitted so this element of the hybrid permission has lapsed. The plot has since remained vacant and undeveloped.





2. PROPOSALS

2.1 As a result of the increase in trade, this application seeks planning permission to extend the surface level car sales and display area for the adjacent Cooper BMW car dealership.

2.2 A requirement for an additional 60 to 70 display spaces has been identified for used BMW cars.

2.3 The proposed development will increase the amount of parking by 74 spaces.

2.4 As a result of the proposal, it is anticipated that the number of visitors will increase by 20 to 30 per week, and the number of full time employees will increase by a maximum of 6.

3. PLANNING HISTORY

Reference No.	Detailed Description	Outcome
101132	Pre-application advice for vehicle storage	Observations Sent on 12 May-10
110971	Pre-application for the erection of workshops and offices in association with the use of site as depot for bus/coach company.	Observations Sent on 12 Oct-12
120408 (original ref. 12/01623/OUT)	A hybrid planning application for: 1. Construction and operation of a car dealership (14,197 sq m GEA) including workshop for repairs, servicing and MOT, parts store and valeting, car	Application Permitted on 26 March-13

	parking and storage with associated roads, public realm and landscaping (submitted in full with no matters reserved), and; 2. Construction of B1 offices (2,295 sq m GE A) and C1 serviced apartments (1,400 sq m GEA) (submitted in outline with Appearance, Landscaping, Layout and Scale reserved).	
131696	Non-material amendments to planning permission 12/01623/OUT to alter the car dealership building, public realm area and landscaping proposals along the Foudry Brook.	NMA Agreed on 11 Jun-14

4. CONSULTATIONS

4.1 Statutory:
None

4.2 Non-statutory:

Natural Environment

4.2.1 The RBC Natural Environment Team provided comments on 11 March 2019 stating: "*The site is situated within a 10% or less canopy cover area, as defined in our Tree Strategy, hence it is one in which tree planting should be secured to comply with policy DM18, emerging Policy EN14 and our Tree Strategy.*

The outline part of Hybrid approval 12/01623 (120408) for the office block included tree planting within the car park for the offices, including on the Drake Way frontage.

This current application only provides a planting strip along the Drake Way frontage which is annotated as a 'planted verge consisting of low level shrub planting and ground cover'.

Low level planting alone is not acceptable. Tree planting should be incorporated along this boundary to comply with policy and to be in line with that shown under 12/01623 and to be consistent with street tree planting to the immediate south, north and the opposite side of Drake Way.

Ideally, tree planting should be incorporated within the car park but…tree planting on the Drake Way frontage is the minimum acceptable (alongside low level planting). The applicant should therefore confirm that tree planting is feasible and indicate this on plans".

Planning Officer note: An amended plan was received on 28th May 2019. This showed proposed fastigiated trees fronting Drake Way, as well as some existing trees.

Upon review, the Natural Environment Team made the following comments on 6 June 2019:
"*[The amended plan] now shows a suitable amount of tree planting and should be…listed as an approved plan. Conditions are then required to secure detailed*

landscaping, maintenance and replacement planting. Standard conditions L2a, L2b and L3 are appropriate".

Environmental Protection & Nuisance

4.2.2 The RBC Environmental Protection and Nuisance Team was consulted on 28 March 2019. Their comments received on 30 April 2019 stated:

Environmental Protection concerns considered:

- *Noise arising from development*
- *Air Quality impact – increased emissions*
- *Contaminated Land*
- *Light – external / floodlighting*
- *Construction and Demolition phase*

Noise generating development
The proposal is for a forecourt to display cars for sale. I do not anticipate any significant noise concerns. I therefore have no objections on grounds of noise.

Air Quality - Increased emissions
An air quality assessment has been submitted. Predicted pollutant levels show no impact / negligible impact and therefore no mitigation measures are required and I have no objections on grounds of air pollution.

Contaminated Land
The area was remediated as part of the Kennet Island development and the use is not a sensitive land use, therefore there are no contaminated land concerns and I have no objections due to contaminated land.

Light
The proposals include 6 metre high lighting columns but I have found no information relating to the luminaires, to see how they will be angled and glare / overspill controlled or the times they will operate. There is no isolux contour map. There is a hotel and hospital located adjacent and Thorney House (residential) nearby. If the lighting will be operating at reasonable times of day and therefore unlikely to impact on sleep etc. of local residents, then it could be acceptable not to submit the additional information as the impact on residents and users of the neighbouring buildings would be minimal. Is the applicant able to confirm the hours of operation? Will they use a timer system? If the lights are to operate 24/7 then I recommend refusal until more information has been submitted.

This information should include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type; mounting height; aiming angles and luminaire profiles) and an isolux contour map to show light spill levels (down to 2 lux if operating between 23:00 and 07:00, or down to 10 lux if operating only between 07:00 and 23:00). The plans should show neighbouring buildings so that the predicted impact on them can be assessed. The applicants should demonstrate that light levels will not exceed the relevant guidance lux levels specified in the table below. Information should also show how glare will be controlled.

Environmental Zone – Brightness	*Light trespass (into windows) Ev [Lux]*	
	Pre-curfew	*Post-curfew*

	(before 23:00hrs)	*(after 23:00)*
E3 – Suburban	*10*	*2*
E4 - Urban	*25*	*5*

Institute of Lighting Professionals: Guidance Notes for the Reduction of Obtrusive Light GN01:2011

An informative is recommended to help prevent complaints about construction works.

Planning Officer note: On 7 May 2019, the agent confirmed that the hours of operation for the lighting will be from 07:00 – 23:00 Monday – Sunday. It was also confirmed that a suitably worded condition relating to operating hours/max lux would be acceptable.

On 14 May 2019, Environmental Protection and Nuisance confirmed this was acceptable, and provided a suitably worded condition.

Transport

4.2.3 The Transport Department was consulted on 28 March 2019. Their initial comments were received on 3 May 2019 and requested further information relating to:

- how many sales vehicles will be provided across the two sites (internal capacity and the proposed car sales area)
- how many customer parking spaces are available for this element of the business
- details regarding the management and routing between the Commercial Road compound and the proposed surface level car sales area
- clarification on how vehicles will be delivered to the additional sales area, as there is no direct access between Commercial Road and Drake Way
- will there be a physical barrier between northern boundary and the public realm area?

After further information was provided, revised comments were received, on 6 June 2019, which made the following comments:

- The site is located with Zone 3 of the adopted Supplementary Planning Document for Parking Standards and Design. In accordance with the Council's adopted standards, vehicle sales require a parking standard of 1 space per 1 FTE staff and 1 space per 10 display cars for customer parking. As part of the approved application (12/01623/OUT), a total of 16 customer parking spaces were associated with the vehicle sales. This was based on 165 display sale vehicles. To ensure the increased car sales area will retain a sufficient level of customer parking, the applicant has provided the following information;
  - **How many sales vehicles will be provided across the two sites (internal capacity and the proposed car sales area)** – 239 sales vehicles in total (165 existing and 74 proposed) with 128 inside.
  - **How many customer parking spaces are available for this element of the business** - 24 spaces will be provided for customer parking associated with the vehicle sales.
- Based on the proposed number of 239 sales vehicles, a customer parking provision of 24 spaces will be provided which complies with the Council's adopted standards.
- The proposed vehicle storage area will be accessible from the northern side of the site access road from Drake Way. The storage area will be guarded by a series of telescopic bollards, which will retract when access to the storage facility by vehicle is required. The existing dropped kerb will need to be

modified, however, this is not adopted highway and no highways licence will be required to undertake these works.

- It is not envisaged that there would be any significant change in the number of visitors to the car dealership throughout the week given that the development proposal is intended to address an existing vehicle capacity issue. However, it is accepted that an increase in area for the display of vehicles for sale may result in some increase in visitors which is likely to be focussed around the weekend. The operators of the existing car dealership envisage that this increase could equate to around 30 additional visitors per week.
- Given that the proposal is intended to address an existing vehicle capacity issue associated with the Cooper BMW car dealership, it is unlikely that the development will have any detrimental effect upon highway safety or impact upon the wider highway network.
- The applicant has confirmed that vehicles to be displayed within the new car sales area will be brought through the existing sales building off Commercial Road as per the existing arrangements.
- The applicant has also confirmed that there will be a physical barrier (existing security hoops) between northern boundary and the public realm area.
- There are no further transport objections to this application subject to conditions.

SuDS

4.2.4 The RBC SuDS Manager provided comments on 14 June 2019, which advise that the submitted SuDS document confirms a strategy which would be as per that agreed for the wider site and in principle this is acceptable subject to two conditions.

4.3 Public consultation:

4.3.1 A site notice was displayed and the application was advertised in the local Press. One letter of representation was received, which states:
"*I am in support of this application but as a resident on Kennet Island I would be interested in knowing how much additional traffic this would bring through the development? The island is already used as a 'rat run' by employees working in surrounding businesses and the existing traffic light phasing from the A33 to the Kennet Island development is already unsuitable for the amount of traffic entering and exiting the development at peak times given the levels using the hospital, car show room and hotel on top of the already growing development where people live. Coopers are a welcome addition to Kennet Island, but I would ask that planners would take heed and listen to comments continually raised by residents here about traffic and the phasing of the lights*".

5. RELEVANT PLANNING POLICY AND GUIDANCE

5.1 National Planning Policy Framework 2019
National Planning Practice Guidance 2019

5.2 Reading Borough Local Development Framework Core Strategy (RCS) (Adopted January 2008 – amended 2015)

- CS1 Sustainable Construction and Design
- CS3 Social Inclusion and Diversity
- CS4 Accessibility and Intensity of Development
- CS7 Design and the Public Realm
- CS10 Location of Employment Development
- CS13 Employment Development
- CS20 Implementation of Reading Transport Strategy
- CS23 Sustainable Travel and Travel Plans
- CS24 Car / Cycle parking
- CS34 Pollution and Water Resources

CS38 Trees, Hedges and Woodlands

5.3 Sites and Detailed Policies Document (2012)(Altered 2015)
SD1 Presumption in Favour of Sustainable Development
DM1 Adaptation to Climate Change
DM4 Safeguarding Amenity
DM12 Access, Traffic and Highway-related Matters
DM18 Tree Planting
DM19 Air Quality
SA1 South Reading Development Principles

6. APPRAISAL

Legal context

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

Main Issues

6.2 The main issues are considered to be:
(i). Principle of development
(ii). Design and appearance
(iii). Transport and parking
(iv). Residential amenity
(v). Landscaping and ecology
(vi). Flood risk/SUDS

(i) Principle of Development

6.3 The principle of developing this plot for commercial use has already been deemed acceptable within the previous application. Although the hybrid permission granted outline approval for B1 use, the proposed extension for a car showroom use would be a quasi-employment use and is therefore considered acceptable, subject to meeting other policy considerations.

6.4 As the previous application is deemed as 'soft commitment', and the element on this aspect of the site was never implemented, there is no loss of employment. The Policies set out within the Local Development Framework which cover loss of employment, are in relation to existing employment, and do not cover anticipated uses, which have previously been granted permission. It is therefore considered that there is no 'loss' of employment in this situation, and in fact due to the proposal creating 5 to 6 permanent positions, there will be an increase in employment, which is looked upon favourably.

(ii) Design and appearance

6.5 Core Strategy Policy CS7 requires that all development must be of a high design quality that maintains and enhances the character and appearance of the area of Reading in which it is situated

6.6 The application site is currently unused turfed land bounded by a 2m high fence, and therefore does not contribute positively to the appearance of the overall area. The proposed scheme would be for a parking area and would form an extension of an existing commercial premises within this already primarily commercial section of Kennet Island, with the hotel to north and the hospital to the east. Trees are proposed along the Drake Way frontage, which would improve the appearance of

the site. The nearest residential flats are diagonal to the site and separated by a wide boulevard at some distance from it (38 metres).

6.7 From a design and appearance perspective, the proposed development is not considered to have a significant detrimental impact upon the character of the surrounding area or the street scene. Landscaping is proposed (see section below) and this will help to screen the view of parked vehicles. As such the proposal is considered to comply with Policy CS7 of the Core Strategy.

(iii) Transport and Parking

6.8 The current car dealership complies with policies in relation to parking. As a general location for such a use, the application is considered to comply with Policy CS4 in that it is considered to be a suitable location in the Borough for a car-oriented use. The proposal is to further extend the parking area for the dealership and as such there are no concerns in relation to the number of parking spaces being provided.

6.9 In regards to traffic, there is anticipated to be an increase in vehicles coming and going from the site. This will be in the form of more customers, and more staff. The numbers for these have been predicted at 20 to 30 more visitors per week, and the number of full time employees will increase by 5 or 6. Transport Strategy conducted their assessment on the basis of an additional 11 employees, which could result in an additional 11 arrivals during the AM peak period and 11 departures during the PM peak period respectively; assuming a worst case scenario where all of the employees arrive and depart during the peak periods by private car.

6.8 Drake Way is wide enough for two vehicles to pass and the minimal increase in traffic are considered to not have a detrimental impact upon the amenity of neighbouring properties.

6.9 Transport Strategy raised initial queries with this application, however after further information was received to address these, it is now confirmed that they have no objections to the proposal in relation to transport. Overall, the proposal complies with relevant transport policies.

(iv) Residential Amenity

6.10 Core Strategy Policy CS34 states that development will only be permitted where it would not be damaging to the environment through air, land, noise or light pollution and SDPD Policy DM4 seeks to protect residential amenity. Lighting is proposed as part of this application in the form of 6 metre high lighting columns with CCTV. The Environmental Protection and Nuisance Team has suggested a suitably worded condition to limit the hours of use for the lighting as well as the illumination in order to prevent harm to neighbouring properties. In addition to this, the plans show the lights angled towards the car park, and not towards Drake Way. As such it is considered that there would be limited light spill towards neighbouring properties.

6.11 With regard to the proposed CCTV the agent has confirmed that a condition limiting the cameras to only face the proposed car park, and not cover public areas or private land not within the ownership of the applicant; would be acceptable. As such this is recommended. This will be secured via condition.

6.12 The comments provided above in the transport section confirm that local residents are unlikely to be negatively affected by the additional traffic arising from this proposal and therefore it meets the requirements of Policy DM4.

(v) Landscaping and Ecology

6.13 Core Strategy Policy CS36 requires development to retain, protect and incorporate features of biodiversity within it. SDPD Policy DM17 requires that new developments demonstrate how proposed landscaping and water features would link into the existing Green Network. SDPD Policy DM18 requires that new development shall make provision for tree planting within the application site. The application site is in close proximity to a Green Link and the Air Quality Management Area.

6.14 With the previous applications the Ecologist advised that there are no recorded ecological constraints regarding the site itself, although it is noted that the previous applications (which covered a wider area) did require habitat surveys to be carried out. This is because to the West of the site, the area, which is already developed, falls within an area with a habitat and land-use constraint.

6.15 The current application site does not fall within the habitat constraint area and there are no ecological concerns raised. It is relevant that the recommended condition to restrict the hours of external lighting to between 11pm and 7am, and the strength of lighting, mainly to address residential amenity concerns, would also limit the impact with respect to ecology.

6.16 Natural Environment have confirmed that the submitted plan is acceptable from a landscaping perspective, and the tree planting will comply with policy as well as being in-line with that shown under 12/01623, whilst being consistent with street tree planting to the immediate south, north and the opposite side of Drake Way.

(vi) Flood risk /SuDS

6.19 The Long-Term Flood Risk Flood Maps locate the site entirely within Floor Zone 1 (Low Probability of Flooding). The intended use of the site is classified as 'less vulnerable' to flooding according to Table 2 of the NPPG Flood Zone and Flood Risk Tables. The recommendations of the NPPG, deem the proposal as acceptable in terms of flooding.

6.20 It is worth noting that the car parking spaces – which occupy the majority of the site area – are proposed to be permeable block paving. This would allow water to soak into the ground. The SuDS Manager is satisfied that Policy CS35 has been satisfied.

(vii) Equality

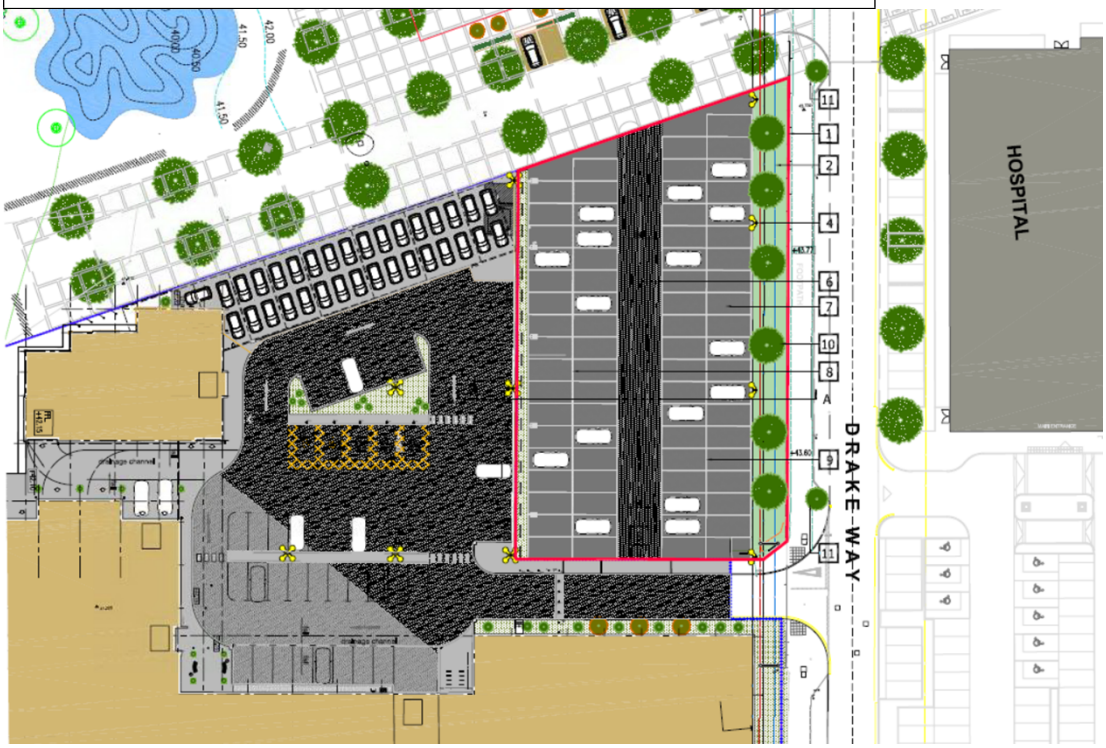
6.21 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation.

6.22 There is no indication or evidence (including from consultation on the application) that the protected groups have or would 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.

7. CONCLUSION

7.1 With the addition of appropriate conditions, the proposed development is considered to not have a detrimental impact upon the character of the area, nor will it have a detrimental impact upon the amenity of neighbouring properties. Further to this, no concerns are raised with regards to flooding, ecology, landscaping or transport. As such planning permission is recommended for approval.

Case Officer: James Overall

Plans:

Plan Type	Description	Drawing Number	Date Received
Location Plan		PP-001	5 Mar-19
Site Plan	Existing	PP-002	5 Mar-19
Site Plan	Proposed	PP-003 Rev B	28 May-19