

PLANNING APPLICATIONS COMMITTEE MEETING MINUTES - 20 JULY 2022

- Present:** Councillor Lovelock (Chair);
Councillors Leng (Vice-Chair), Carnell, Ennis, Gavin, Hornsby-Smith, Moore, Page, Robinson, Rowland, J Williams and Yeo
- Apologies:** Councillor Emberson

RESOLVED ITEMS

21. MINUTES OF THE MEETINGS HELD ON 1 & 22 JUNE 2022

The Minutes of the meetings held on 1 June and 22 June 2022 were agreed as a correct record and signed by the Chair.

22. QUESTIONS

Councillor Josh Williams asked the following questions of the Chair of the Planning Applications Committee:

1. Heritage buildings owned by the Council

Will the Chair please tell us what heritage buildings owned by the Council fall into the following categories:

Locally listed buildings
Grade 2
Grade 2*
Grade 1?

2. Care and preservation of Council owned heritage buildings

Will the Chair please tell us what Statutory Duties (if any) the Council has to maintain, care, preserve and conserve the heritage buildings that it owns?

If those Duties differ, please could those statutory duties be listed separately for:

Locally listed buildings
Grade 2
Grade 2*
Grade 1?

REPLY to both Questions 1 and 2 by the Chair of the Planning Applications Committee (Councillor Lovelock):

In response to your first question **Heritage buildings owned by the Council**

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A list of the Heritage Buildings owned by the Council is at Appendix 1 with the locally listed (LL) reference (ie. those not Statutorily Listed); or otherwise Listed Grade II, Grade II*, or Grade I. There are 5 locally listed buildings, 47 Grade II Listed Buildings, 3 Grade II* Listed Buildings and one Grade I Listed Building.

In response to Question 2 **Care and preservation of Council owned heritage buildings**

The duties upon the Council as landowner are the same as any other landowner. While Listed Buildings are recognised as being of National importance there is no Statutory duty to proactively maintain them and keep them in good order.

However, there are measures or powers that allow the LPA (Local Planning Authority) to intervene when a property is at risk of redevelopment or is being harmed through unacceptable alterations. Below is an overview and is divided into under the headings of Locally Listed Buildings, and (Statutory) Listed Buildings.

Locally Listed Buildings

Of the 22 locally listed buildings (and structures) currently on the Council's Local List, five are Council-owned. LL buildings are not statutorily protected from demolition or alterations, and their legal heritage status is described in policy as Non-Designated Heritage Assets (NDHAs). However, the special (local) importance of the Asset will be a material consideration to any relevant planning proposal (planning application, seeking Prior Approval to demolish, etc.) and would principally be considered under Local Plan Policy EN4, *Locally Important Heritage Assets*.

Statutory Listed Buildings

The majority of controls which LPAs have for preserving Listed Buildings are from primary legislation contained within the **Town and Country Planning (Listed Buildings and Conservation Area) Act 1990** (the LBCA). Under the LBCA, the LPA can serve the following Notices:

- A Listed Building Enforcement Notice under Section 38(1) to put right any damaging works
- A notice of Compulsory Purchase of listed buildings in need of repair under section 47
- A Repairs Notice under section 48; or
- An Urgent Works Notice under sections 54 and 55 specifying those works it considers reasonably necessary for the proper preservation of the building

Other controls available are:

- A Section 215 ('untidy site') Notice under the Town and Country Planning Act 1990. To be used when the condition of a building or land is adversely affecting the amenity of an area, including Listed Buildings or LL buildings, where required, but cannot relate to structural or substantial restoration.
- Powers under Section 77 and 78 of the Building Act 1984 are relevant in relation to dangerous buildings/structures - a Magistrate's Court order can be obtained by the LA to take such steps necessary for making the building safe (however the LA must first consider taking action under sections 47 and 48 or section 54 of the LBCA above).

Appendix 1 Heritage buildings/assets owned by Reading Borough Council

Locally listed buildings owned by the Council:

- LL9 Arthur Hill Pool, Kings Road
- LL16 Attwells Drinking Fountain
- LL17 Kings Road Garden, Kings Road
- LL20 Palmer Park Pavilion (and associated building and entrance gates)
- LL21 40 Christchurch Road

Statutory Listed Buildings (and structures) owned by the Council:

2 AND 4, BRIDGE STREET, READING	Listing	II
2 AND 4, LONDON STREET, READING	Listing	II
6-10, BRIDGE STREET, READING	Listing	II
BUILDING ON SOUTH EAST CORNER, Yield Hall Lane	Listing	II
Corn Exchange Arcade Entrance, Market Place	Listing	II
KINGS MEADOW SWIMMING POOL, Kings Meadow Road	Listing	II
KITCHEN GARDEN WALLS AND GARDENER'S COTTAGE AT COLEY PARK FARM	Listing	II
Mansion House, Prospect Park, Liebenrood Road	Listing	II
NEWTOWN (Primary) SCHOOL, School Terrace	Listing	II
THE PUMP AND TURBINE HOUSE, Gas Works Road	Listing	II
THE SCREENS HOUSE, Gas Works Road	Listing	II
BATTLE PRIMARY SCHOOL INCLUDING CARETAKER'S HOUSE, FORMER COOKERY SCHOOL, MANUAL INSTRUCTION BLOCK AND BOUNDARY RAILINGS AND GATES, Oxford Road	Listing	II
KEEP AND ATTACHED WALLS AND GATEWAY, BROCK BARRACKS, Oxford Road	Listing	II
ST BARTHOLOMEW'S CHURCH HALL, St. Bartholomew's Road	Listing	II
CAVERSHAM COURT STABLES, Caversham Court, Church Road, Caversham	Listing	II
Nos. 29 AND 31, CAVERSHAM ROAD, READING	Listing	II
Nos. 47-48, KENAVON DRIVE, READING	Listing	II
ANDREWS AND BARRETT FAMILY MONUMENTS, Reading Cemetery	Listing	II
ANGLIAN CROSS, Forbury Gardens	Listing	II
ARCHWAY CONNECTING FORBURY GARDENS TO ABBEY RUINS. INCLUDING RETAINING WALLS FLANKING PATH TO ABBEY RUINS	Listing	II
CAVERSHAM COURT, Church Road, Caversham	Park and Garden	II
CAVERSHAM FREE PUBLIC LIBRARY, Church Street, Caversham	Listing	II
Caversham War Memorial, Christchurch Meadows, Caversham	Listing	II
CULVERT ON HOLY BROOK RUNNING SOUTH WESTWARDS FROM SU71441/73234 TO 71327/73133 (Bridge Street area)	Listing	II
ENTRANCE LODGES AND GATES TO CEMETERY, Cemetery Junction	Listing	*

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Former School of Art (part of the Town Hall buildings), Blagrove Street	Listing	II
GARDEN WALL TO NORTH AND EAST OF THE ACACIAS, London Road/Redlands Road		
WALL TO GARDEN OF THE ACACIAS, London Road/Redlands Road	Listing	II
MAIWAND MEMORIAL, Forbury Gardens	Listing	II
MONUMENT TO BERNARD LAURENCE HIEATT, Reading Cemetery	Listing	II
OXFORD ROAD PRIMARY SCHOOL, Oxford Road	Listing	II
PROSPECT PARK	Park and	
Queen Victoria Jubilee Fountain, St. Mary's Butts	Garden	II
RAILINGS TO GEORGE V MEMORIAL GARDEN, Eldon Square	Listing	II
Reading Abbey Ruins	Listing	I
Reading Abbey: a Cluniac and Benedictine monastery and Civil War earthwork.	Scheduli	
	ng	
	Park and	
READING CEMETERY	Garden	II
Reading Museum, part of Town Hall, Blagrove Street/Valpy Street	Listing	II
RETAINING WALLS OF AXIAL EAST WEST GARDEN TERRACE WALK AT CAVERSHAM COURT	Listing	II
RETAINING WALLS TO RAISED WALK TO RIVERSIDE GARDEN PAVILION AT CAVERSHAM COURT	Listing	II
RIVERSIDE GARDEN PAVILION AT CAVERSHAM COURT	Listing	II
SARCOPHAGUS MONUMENT AT READING CEMETERY	Listing	II
SCREEN WALL AT NORTH EAST END OF CAVERSHAM COURT RECREATION GROUND	Listing	II
Shelter at north-east corner of Forbury Gardens	Listing	II
ST ANNE'S WELL HEAD AND DRINKING BOWL, Priest Hill/St. Anne's Road, Caversham	Listing	II
STATUE OF GEORGE PALMER, Palmer Park	Listing	II
The Concert Hall, Blagrove Street	Listing	II
	Park and	
THE FORBURY GARDEN	Garden	II
THE HENRY BUILDING AT KATESGROVE PRIMARY SCHOOL INCLUDING BOUNDARY WALL AND FORMER CARETAKER'S COTTAGE, Katesgrove Lane	Listing	II
THE STATUE OF KING EDWARD VII, Station Road/Forbury Road	Listing	II
		II
TOWN COUNCIL CHAMBER AND OFFICES WITH CLOCK TOWER	Listing	*
West Branch Library (now Battle Library), Oxford Road	Listing	II
YEOMANRY HOUSE, Castle Hill/Coley Avenue	Listing	II

23. POTENTIAL SITE VISITS FOR COMMITTEE ITEMS

The Executive Director for Economic Growth and Neighbourhood Services submitted 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, and a list of previously agreed site visits.

Resolved -

That application 212037/FUL - Land adjacent to Reading Sewage and Treatment Works, Island Road, together with any additional applications which the Assistant Director of Planning, Transport and Public Protection Services might consider appropriate, be the subject of unaccompanied site visits.

24. 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 three 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 four 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

There were no reports on appeal decisions.

Resolved -

- (1) That the new appeal, 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.

25. APPLICATIONS FOR PRIOR APPROVAL

The Executive Director for Economic Growth and Neighbourhood Services submitted a report giving details in Table 1 of seven prior approval applications received, and in Table 2 of 13 applications for prior approval decided, between 8 June and 8 July 2022.

Resolved - That the report be noted.

26. WORKS TO PROTECTED TREES AT ST MARY'S CHURCHYARD, ST MARY'S BUTTS

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The Executive Director for Economic Growth and Neighbourhood Services submitted a report seeking approval for proposed works to Council-maintained trees within and adjacent to St Mary's Churchyard, which were subject to Tree Preservation Order (TPO) 10/06. A copy of the TPO plan was attached to the report at Appendix 1 and a copy of the decision notice for the tree works application 181487/TPO was attached at Appendix 2.

The report explained that, whilst the trees were not owned by the Council, the Council inspected and maintained them under a historic agreement. The works proposed, set out in paragraph 4 of the report, were not considered to be harmful to the trees' appearance or future health and were reasonable works in order to appropriately manage the trees. Paragraph 4 of the report also sought approval to renew the element of the tree works approval for 181487/TPO to allow the specified works to relevant trees within the TPO on a regular basis for the next five years.

No objections or comments had been received as a result of the public notice, but the notice period would not end until 27 July 2022 and it was therefore recommended that the works be approved subject to no substantive objections being received by 27 July 2022.

Resolved -

That the proposed tree works be approved subject to no substantive objections being received by 27 July 2022.

27. REVIEW OF EXTENDED DELEGATED AUTHORITY INTRODUCED AT START OF COVID-19

The Executive Director of Economic Growth and Neighbourhood Services submitted a report seeking approval to make permanent the extension of delegated powers to officers to determine planning applications, as introduced as an interim measure at the start of the Covid 19 pandemic episode.

- Appendix 1 provided the delegations as preceding April 2020
- Appendix 2 provided a copy of Appendix B as it had appeared in the Policy Committee papers for 27 April 2020, showing the existing delegations and the changes to them agreed as an interim measure for online meetings
- Appendix 3 provided the delegations now proposed

The report explained that a report had been presented at Policy Committee on 27 April 2020 to explain that the Coronavirus Act and associated Regulations from 2020 had enabled Council meetings to take place online during the Covid-19 pandemic. The report had provided revised protocols for running meetings to help manage online events and had included a proposal to extend the delegated authority for making decisions on planning applications and confirming Tree Preservation Orders to reduce the work handled by Planning Applications Committee (PAC), which had been agreed by the Policy Committee. The report explained the changes which had been made.

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With committee meetings being run mainly in person once again, officers had been considering if the amended delegations should continue to apply. The purpose of the extension, to help to reduce the number of cases needing to be decided by PAC, remained valid as it reduced the burden of work on case officers preparing and presenting reports for committee.

The report stated that, in practice, officers had welcomed being able to use the delegated authority to refuse major applications or to determine amendments in their negotiations to good effect and had exercised common sense by bringing the more controversial cases to committee. Between June 2020 and July 2022, 13 Major applications had been refused planning permission with four coming to PAC for a decision. The ability to deal with Variations to permissions without first clearing the approach with Councillors had also been effective.

Councillors could still call those and other applications to committee for a decision and were aware of the need to justify why. Officers had welcomed this and the way that Councillors had been pragmatic and willing to work with officers to confirm if a call in was still needed as the case had been progressed.

The report clarified that the section on Section 73 Variations - regarding applications to develop land without compliance with conditions attached by Committee - had been deleted, in line with the interim arrangement that those decisions be delegated to officers. However, it was considered appropriate to ask for a PAC decision when an objection to a Tree Preservation Order had been received or where the proposal had been submitted by or on behalf of the Council, so this was no longer proposed to be delegated.

An update report was tabled at the meeting which explained that, when the extended delegations had been agreed, it had been requested that a report on the applications affected by the change in delegations should be presented to PAC. Such a report had been presented up to September 2020 but had been omitted since then. Appendix 1 to the update report listed the major decisions for refusal from June 2020 to July 2022 and the report stated that officers would provide a similar table as appropriate in future.

Resolved -

That the Assistant Director of Planning, Transport and Public Protection Services is not authorised to exercise delegated powers in respect of the following:

Applications “called -in” by a Councillor, including those in adjacent authorities.	Councillors need to explain why a decision by PAC is required, in consultation with the Planning Manager and Chair of PAC.
Planning Applications Committee re-referral	When Planning Applications Committee has resolved that a matter should be referred back to PAC.
Applications submitted by serving	Applies to applications for planning permission, approval of reserved matters, variations of conditions, variations of

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councillors and employees of the Council on Corporate Management Team and any person employed or engaged by Planning and Legal Services or their close family.	legal agreements or planning obligations, advertisement consent, listed building consent, works affecting trees covered by tree preservation order and certificates of existing or proposed lawful use or development made by serving councillors or their close family and any member of the Corporate Management Team and any person employed or engaged by Planning and Legal Services or their close family.
Council developments	Power to determine an application for planning permission made by the Council alone or jointly with another person under Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492) (Para 6) and the determination of applications made by the Council for listed building consent.
Departures from the Development Plan.	Any development which is considered by the Assistant Director of Planning, Transport and Public Protection Services to be a departure from the provisions of the adopted development plan and recommendation is for approval.
'Major' Applications within the Borough where the officer recommendation is to grant planning permission.	Major development, i.e.: Building or engineering work involving new development or change of use comprising: residential development of 10 or more dwellings or residential development on an application site of 0.5 ha or more, or (ii) in the case of other development those comprising 1,000 sq. m or more of gross floorspace, or an application site of 1ha or more.
Listed building consent	Only when forms part of a proposal that also requires planning permission in any of the above categories.
Tree Preservation Orders / Trees in conservation areas	Where an objection to a Tree Preservation Order has been received or where the proposal has been submitted by or on behalf of the Council

28. THE BUGLE, 144 FRIAR STREET - PROPOSAL TO ADD TO THE LIST OF LOCALLY IMPORTANT BUILDINGS AND STRUCTURES

The Executive Director for Economic Growth and Neighbourhood Services submitted a report on a proposal to add the Bugle Public House, 144 Friar Street to the list of Locally-Important Buildings and Structures. The following documents were attached to the report:

- Appendix 1: Location map
- Appendix 2: Relevant photos and images
- Appendix 3: Proposed Local List text

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- Appendix 4: Nomination form
- Appendix 5: Representation by landowner
- Appendix 6: Representation by Conservation Area Advisory Committee

The report set out details of consultation on the proposal and an assessment against the criteria in Appendix 2 of the Reading Borough Local Plan, concluding with reasons why the building qualified for addition to the Local List.

An update report was tabled at the meeting which corrected a typographical error in paragraph 3.4 of the original report and provided more clearly visible versions of the census information provided in Appendix 3 to Appendix 4 of the report.

Objector David Owens, on behalf of the owners of the Bugle PH, and Evelyn Williams, on behalf of the Conservation Area Advisory Committee, attended the meeting and addressed the Committee on this item.

Resolved -

That the Bugle Public House, 144 Friar Street be added to the list of Locally-Important Buildings and Structures.

29. 220567/FUL - 109B OXFORD ROAD

Change of use from sui generis (betting shop) to A3 restaurant with ancillary A5 takeaway and replacement shopfront (Part retrospective)

The Executive Director of Economic Growth and Neighbourhood Services submitted a report on the above application. An update report was tabled at the meeting which corrected an error in the original report and explained that the applicant had submitted an additional noise report and recommended that consideration of the application should be deferred to allow the further information to be fully assessed and the implications reported to the Committee.

Comments and objections were received and considered.

Resolved -

That consideration of application 220567/FUL be deferred to allow the further information from the applicant to be assessed.

30. 211416/FUL - 4 DOWNSHIRE SQUARE

Erection of 1 x detached and 2 x semi detached dwellings following demolition of the existing bungalow and detached garage.

The Executive Director of Economic Growth and Neighbourhood Services submitted a report on the above application. An update report was tabled at the meeting which gave details of an additional letter of representation regarding car parking and officer

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comments on the matters raised. It also included further drawings from the agent to provide clarity over the impact on neighbouring amenity and the parking layout.

Comments and objections were received and considered.

Ward Councillor Liz Terry attended the meeting and addressed the Committee on this application.

Resolved -

That application 211416/FUL be refused for reasons based on the following issues, with the detailed wording for the reasons for refusal to be finalised by the Assistant Director of Planning, Transport and Regulatory Services, in consultation with the Chair, Vice Chair and Ward Councillors:

- a) the scale and siting in close proximity to side windows of 6 Downshire Square would result in overbearing effects, loss of daylight and loss of privacy harmful to neighbouring amenity (contrary to Policy CC8)
- b) the scale and siting in relation to neighbouring dwellings and private gardens would result in overlooking and loss of privacy causing harm to neighbouring amenity (contrary to Policy CC8)
- c) the scale, plot coverage and layout would represent cramped development failing to accommodate buildings, parking area and landscaping that would be harmful to spacious character of the area, street scene and the Downshire Square conservation area (contrary to Policies CC7, EN1 and EN3)
- d) lack of a Section 106 agreement to secure contribution towards provision of affordable housing elsewhere in the Borough (contrary to Policy H3)

31. 211485/FUL - 9 COLEY AVENUE

Extension to the existing Berkshire Record Office and associated site works.

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

Comments were received and considered.

Resolved -

That planning permission for application 211485/FUL be granted, subject to the conditions and informatives as recommended in the original report, with amendments to Condition 7 to require the provision of areas of green or brown roof where feasible and Condition 8 to require provision of photovoltaic panels to supply electrical energy to the site.

32. 220304/REG3 - 30 LOWFIELD ROAD, CAVERSHAM

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Retention of 28 no. (2 bedroom) self-contained temporary accommodation units with associated access, car parking, communal amenity space, refuse and bicycle storage, a play area and landscaping for Temporary permission (10 years).

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

Comments and objections 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 220304/REG3 be authorised, subject to the conditions and informatives as recommended.

33. 220204/FUL & 220245/LBC - 75-77 LONDON STREET

Proposed demolition of buildings to rear (Olympia Hall) and erection of 12 flats with associated parking, landscaping and courtyard garden and conversion of ground floor of Nos. 75-77 to 3 flats

The Executive Director of Economic Growth and Neighbourhood Services submitted a report on the above applications. An update report was tabled at the meeting which gave an update on the affordable housing contribution and amended the recommendation accordingly. It also had appended further information submitted by the applicant giving details of alternative event venues for the customer base.

Comments and objections were received and considered.

Resolved -

220244/FUL

- (1) That the Assistant Director of Planning, Transport and Regulatory Services be authorised to grant planning permission subject to the completion of a Section 106 legal agreement by 22 September 2022 (unless a later date be agreed by the Assistant Director of Planning, Transport and Regulatory Services) to secure the Heads of Terms set out in the original report, with the amendment as set out in the update report;
- (2) That, in the event of the requirements set out not being met, the Assistant Director of Planning, Transport and Regulatory Services be authorised to refuse permission;
- (3) That planning permission be subject to the conditions and informatives recommended in the original report;

220245/LBC

- (4) That listed building consent for application 220245/LBC be granted, subject to the conditions and informatives as recommended in the original report.

34. 221009/VAR - HAMILTON CENTRE, 135 BULMERSHE ROAD

Deed of Variation to approved application 191634 - Conversion of Hamilton Centre into 2 storey Special Educational Needs College for 11 - 18 yr olds. Project also includes a 500m2 new build extension, car parking, landscaping and multi use sports area.

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

Comments were received and considered.

Resolved -

That the Assistant Director of Legal and Democratic Services be authorised to agree a Deed of Variation to the S106 Legal Agreement associated with planning permission 191634 and dated 14 October 2020 as follows:

- Playing Pitch Improvements Sum of £25,000 (subject to indexation, calculated from the date of first occupation) to be paid towards physical improvements within three years of first occupation of the development; and
- If the Playing Pitch Improvements Sum is not paid within three years of first occupation, the clause reverts to the obligations in the original agreement being carried out within six further months (ie on-site improvements to the original grassed playing pitches themselves).

35. 220145/FUL - UNITS 4 AND 5 BRUNEL RETAIL PARK, ROSE KILN LANE

Continued use of Units 4 and 5 within use class E(a)

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

Comments were received and considered.

It was reported at the meeting that there was an error in paragraph 6.15 of the report and the area for sale of food and drink would be no greater than 840 square metres, as set out in the proposed condition, not 280 square metres as set out in paragraph 6.15.

Resolved -

That planning permission for application 220145/FUL be granted, subject to the conditions and informatives as recommended.

36. 220761/ADJ - HENLEY ROAD, CAVERSHAM

Change of use of an established lake for recreation and sports purposes

The Executive Director of Economic Growth and Neighbourhood Services submitted a report on the above application. An update report was tabled at the meeting on a further representation received from a member of the public.

Comments and objections were received and considered.

Resolved -

- (1) That South Oxfordshire District Council be informed that Reading Borough Council raised an objection to the proposal on the transport grounds set out in the report;
- (2) That South Oxfordshire District Council be sent a copy of the report for their information and use.

(The meeting started at 6.30 pm and closed at 8.21 pm)