

To: Councillor Lovelock (Chair)
Councillors Yeo, Cresswell, Davies,
Emberson, Ennis, Gavin, Goss, Hornsby-
Smith, Leng, Moore, Robinson, Rowland
and Williams

Direct ☎ : 0118 9372303

11 July 2023

Your contact is: **Simon Hill - Committee Services (simon.hill@reading.gov.uk)**

NOTICE OF MEETING - PLANNING APPLICATIONS COMMITTEE 19 JULY 2023

A meeting of the Planning Applications Committee will be held on Wednesday, 19 July 2023 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	-		7 - 10
2. DECLARATIONS OF INTEREST	-		
3. QUESTIONS	-		
4. POTENTIAL SITE VISITS FOR COMMITTEE ITEMS	Decision		11 - 14
5. PLANNING APPEALS	Information		15 - 22
6. APPLICATIONS FOR PRIOR APPROVAL	Information		23 - 28
7. 2023/24 FIRST QUARTER PERFORMANCE REPORT - PLANNING AND BUILDING CONTROL	Information	BOROUGHWIDE	29 - 32
8. PROPOSED TREE WORK TO PROTECTED COUNCIL TREES ON BERKELEY AVENUE	Decision	COLEY	33 - 36

PLANNING APPLICATIONS TO BE CONSIDERED

***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. | 230228/FUL & 230381/LBC - ST
MARYS CHURCH SERVICE
YARD, ST MARYS BUTTS | Decision | ABBEY | 37 - 48 |
| | Proposal | Erection of a new half brick wall and railings fence and gates in St. Mary's Service Yard, within the curtilage of St. Mary's Church. | | |
| | Recommendation | Application Permitted. | | |
| 10. | 221364/FUL - 36-42 LONDON
STREET | Decision | | 49 - 66 |
| | Proposal | Demolition of existing building (mural wall to be retained and restored), construction of new building to accommodate a community hall (Use Class F2) and 17 no. residential flats (Use Class C3), with associated works and landscaping | | |
| | Recommendation | Permitted subject to Legal Agreement. | | |

WEBCASTING NOTICE

Please note that this meeting may be filmed for live and/or subsequent broadcast via the Council's website. At the start of the meeting the Chair will confirm if all or part of the meeting is being filmed. You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during a webcast will be retained in accordance with the Council's published policy.

Members of the public seated in the public gallery will not ordinarily be filmed by the automated camera system. However, please be aware that by moving forward of the pillar, or in the unlikely event of a technical malfunction or other unforeseen circumstances, your image may be captured. **Therefore, by entering the meeting room, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.**

Agenda Annex

GUIDE TO PLANNING APPLICATIONS

1. There are many different types of applications processed by the Planning Service and the following codes are used to abbreviate the more common types of permission sought:

FUL - Full detailed planning permission for development or change of use
OUT - Principal of developing a site or changing a use
REM - Detailed matters “reserved matters” - for permission following approval of an outline planning application.
HOU - Applications for works to domestic houses
ADV - Advertisement consent
APC - Approval of details required by planning conditions
VAR - Significant change to a planning permission previously granted
NMA - Insignificant change to a planning permission previously granted
ADJ - Consultation from neighbouring authority on application in their area
LBC - Works to or around a Listed Building
CLE - A certificate to confirm what the existing use of a property is
CLP - A certificate to confirm that a proposed use or development does not require planning permission to be applied for.
REG3 - Indicates that the application has been submitted by the Local Authority.

2. Officer reports often refer to a matter or situation as being “a material consideration”. The following list tries to explain what these might include:

Material planning considerations can include (but are not limited to):

- Overlooking/loss of privacy
- Loss of daylight/sunlight or overshadowing
- Scale and dominance
- Layout and density of buildings
- Appearance and design of development and materials proposed
- Disabled persons' access
- Highway safety
- Traffic and parking issues
- Drainage and flood risk
- Noise, dust, fumes etc
- Impact on character or appearance of area
- Effect on listed buildings and conservation areas
- Effect on trees and wildlife/nature conservation
- Impact on the community and other services
- Economic impact and sustainability
- Government policy
- Proposals in the Local Plan
- Previous planning decisions (including appeal decisions)
- Archaeology

There are also concerns that regulations or case law has established cannot be taken into account. These include:

- Who the applicant is/the applicant's background
- Loss of views
- Loss of property value
- Loss of trade or increased competition
- Strength or volume of local opposition
- Construction noise/disturbance during development
- Fears of damage to property
- Maintenance of property
- Boundary disputes, covenants or other property rights
- Rights of way and ownerships disputes over rights of way
- Personal circumstances

Glossary of usual terms

Affordable housing - Housing provided below market price to meet identified needs.

Air Quality Management Area (AQMA) - Area where air quality levels need to be managed.

Apartment-hotel - A use providing basic facilities for self-sufficient living with the amenities of a hotel. Generally classed as C1 (hotels) for planning purposes.

Article 4 Direction - A direction which can be made by the Council to remove normal permitted development rights.

BREEAM - A widely used means of reviewing and improving the environmental performance of generally commercial developments (industrial, retail etc).

Brownfield Land - previously developed land.

Brown roof - A roof surfaced with a broken substrate, e.g. broken bricks.

Building line - The general line along a street beyond which no buildings project.

Bulky goods - Large products requiring shopping trips to be made by car: e.g. DIY or furniture.

CIL - Community Infrastructure Levy. Local authorities in England and Wales levy a charge on new development to be spent on infrastructure to support the development of the area.

Classified Highway Network - The network of main roads, consisting of A, B and C roads.

Conservation Area - areas of special architectural or historic interest designated by the local authority. As designated heritage assets the preservation and enhancement of the area carries great weight in planning permission decisions.

Control of Major Accident Hazards (COMAH) Competent Authority - The Control of Major Accident Hazards Regulations 1999 (COMAH) and their amendments 2005, are the enforcing regulations within the United Kingdom. They are applicable to any establishment storing or otherwise handling large quantities of industrial chemicals of a hazardous nature. Types of establishments include chemical warehousing, chemical production facilities and some distributors.

Dormer Window - Located in the roof of a building, it projects or extends out through the roof, often providing space internally.

Dwelling - A single housing unit - a house, flat, maisonette etc.

Evening Economy A term for the business activities, particularly those used by the public, which take place in the evening such as pubs, clubs, restaurants and arts/cultural uses.

Flood Risk Assessment - A requirement at planning application stage to demonstrate how flood risk will be managed.

Flood Zones - The Environment Agency designates flood zones to reflect the differing risks of flooding. Flood Zone 1 is low probability, Flood Zone 2 is medium probability, Flood Zone 3a is high probability and Flood Zone 3b is functional floodplain.

Granny annexe - A self-contained area within a dwelling house/ the curtilage of a dwelling house but without all the facilities to be self contained and is therefore dependent on the main house for some functions. It will usually be occupied by a relative.

Green roof - A roof with vegetation on top of an impermeable membrane.

Gross floor area - Total floor area of the house, including all floors and garage, measured externally.

Hazardous Substances Consent - Consent required for the presence on, over, or under land of any hazardous substance in excess of controlled quantity.

Historic Parks and Gardens - Parks and gardens of special historic interest, designated by English Heritage.

Housing Association - An independent not-for-profit body that provides low-cost "affordable housing" to meet specific housing needs.

Infrastructure - The basic services and facilities needed for the smooth running of a community.

Lifetime Home - A home which is sufficiently adaptable to allow people to remain in the home despite changing circumstances such as age or disability.

Listed building - Buildings of special architectural or historic interest. Consent is required before works that might affect their character or appearance can be undertaken. They are divided into Grades I, II and II*, with I being of exceptional interest.

Local Plan - The main planning document for a District or Borough.

Luminance - A measure of the luminous intensity of light, usually measured in candelas per square metre.

Major Landscape Feature - these are identified and protected in the Local Plan for being of local significance for their visual and amenity value

Public realm - the space between and within buildings that is publicly accessible, including streets, squares, forecourts, parks and open spaces whether publicly or privately owned.

Scheduled Ancient Monument - Specified nationally important archaeological sites.

Section 106 agreement - A legally binding agreement or obligation entered into by the local authority and a land developer over an issue related to a planning application, under Section 106 of the Town and Country Planning Act 1990.

Sequential approach A method of considering and ranking the suitability of sites for development, so that one type of site is considered before another. Different sequential approaches are applied to different uses.

Sui Generis - A use not specifically defined in the use classes order (2004) - planning permission is always needed to change from a sui generis use.

Sustainable development - Development to improve quality of life and protect the environment in balance with the local economy, for now and future generations.

Sustainable Drainage Systems (SUDS) - This term is taken to cover the whole range of sustainable approaches to surface water drainage management.

Tree Preservation Order (TPO) - An order made by a local planning authority in respect of trees and woodlands. The principal effect of a TPO is to prohibit the cutting down, uprooting, topping, lopping, wilful damage or wilful destruction of trees without the LPA's consent.

Guide to changes to the Use Classes Order in England.

Changes of use within the same class are not development.

Use	Use Class up to 31 August 2020	Use Class from 1 September 2020
Shop - not more than 280sqm mostly selling essential goods, including food and at least 1km from another similar shop	A1	F.2
Shop	A1	E
Financial & professional services (not medical)	A2	E
Café or restaurant	A3	E
Pub, wine bar or drinking establishment	A4	Sui generis
Takeaway	A5	Sui generis
Office other than a use within Class A2	B1a	E
Research & development of products or processes	B1b	E
For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)	B1c	E
Industrial	B2	B2
Storage or distribution	B8	B8
Hotels, boarding & guest houses	C1	C1
Residential institutions	C2	C2
Secure residential institutions	C2a	C2a
Dwelling houses	C3	C3
Small house in multiple occupation 3-6 residents	C4	C4
Clinics, health centres, creches, day nurseries, day centre	D1	E
Schools, non-residential education & training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	D1	F.1
Cinemas, theatres, concert halls, bingo halls and dance halls	D2	Sui generis
Gymnasiums, indoor recreations not involving motorised vehicles or firearms	D2	E
Hall or meeting place for the principal use of the local community	D2	F.2
Indoor or outdoor swimming baths, skating rinks, and outdoor sports or recreations not involving motorised vehicles or firearms	D2	F.2

Present: Councillor Lovelock (Chair);
Councillors Yeo (Vice-Chair), Cresswell, Davies, Emberson, Ennis, Gavin, Goss, Hornsby-Smith, Leng, Robinson, Rowland and Williams

Apologies: Councillor Moore

RESOLVED ITEMS

11. MINUTES

The minutes of the meeting held on 31 May 2023 were agreed as a correct record and signed by the Chair.

12. 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.

It was reported at the meeting that the previously agreed accompanied visit to the former Central Club would be arranged for 12.30pm on 13 July 2023 and that a video would be recorded for those Committee members unable to attend.

Resolved -

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

230613/REG3 – AMETHYST LANE

Demolition and redevelopment of the Site at Amethyst Lane to deliver a new respite care facility alongside 21 new homes, landscaping and ancillary works.

230612/REG3 – DWYER ROAD

Redevelopment of the Site at Dwyer Road to deliver 31 new homes comprising 16 two and three storey houses and 15 flats in a 4-storey apartment block, alongside new access, soft and hard landscaping, parking and ancillary works.

13. PLANNING APPEALS

(i) New Appeals

PLANNING APPLICATIONS COMMITTEE MEETING MINUTES - 21 JUNE 2023

The Executive Director for Economic Growth and Neighbourhood Services submitted a schedule giving details of notification received from the Planning Inspectorate regarding a planning appeal, 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

There were no recent decisions to report.

(iii) Reports on Appeal Decisions

The Executive Director for Economic Growth and Neighbourhood Services submitted a report on the following appeal decision in Appendix 3:

211424/FUL – 1a EATON PLACE

Demolition of existing commercial building (Class E) and erection of residential block comprising of 2 x 1 bed flats (Class C3).

Written representations.

Appeal allowed subject to conditions.

Resolved –

- (1) That the new appeal, as set out in Appendix 1, be noted;
- (2) That the report on the appeal decision in Appendix 3 be noted.

14. APPLICATIONS FOR PRIOR APPROVAL

The Executive Director for Economic Growth and Neighbourhood Services submitted a report giving details in Table 1 of no prior approval applications received, and in Table 2 of five applications for prior approval decided, between 17 May and 18 June 2023.

Resolved – That the report be noted.

15. 220189/FUL - 205-213 HENLEY ROAD & LAND TO THE REAR OF 205-219 HENLEY ROAD, CAVERSHAM

Demolition of nos. 205-213 Henley Road and rear gardens of nos. 205-219 Henley Road and erection of 2 retirement living apartments blocks (C3 use-age restricted) including communal spaces with supporting car parking, open space landscaping and associated infrastructure. Access into the site from the adjacent development on Henley Road.

Further to Minute 7 of the meeting held on 31 May 2023, when consideration of the application had been deferred for further information on various matters, the Executive

PLANNING APPLICATIONS COMMITTEE MEETING MINUTES - 21 JUNE 2023

Director of Economic Growth and Neighbourhood Services submitted a report on the above application. The following appendices were attached to the report:

- Appendix 1 - enlarged or zoomed in extract versions of selected visual elements of the main agenda report from 31 May 2023
- Appendix 2 - Written responses provided by the applicant in relation to matters raised by members when the application was considered at Planning Applications Committee on 31 May 2023
- Appendix 3 – Full copy of the Arboricultural Report Tree Survey, Arboricultural Impact Assessment & Arboricultural Method Statement
- Appendix 4 – Copy of the consultation response received from the Environment Agency
- Appendix 5 – Full copy of Policy H5 Assessment Document received on 7 June 2023
- Appendix 6 – Copy of the committee report submitted to the meeting on 31 May 2023

An update report was tabled at the meeting which summarised an additional public consultation response that had been received.

Comments and objections were received and considered.

Objector Ian Turner, the applicant's agent Tim Burden and Emmer Green Ward Councillor Clarence Mitchell attended the meeting and addressed the Committee on this application.

Resolved –

- (1) That the Assistant Director of Planning, Transport and Public Protection Services be authorised to grant planning permission for application 220189/FUL, subject to the completion of a Section 106 legal agreement by 5 July 2023 (unless a later date be agreed by the Assistant Director of Planning, Transport and Public Protection Services), to secure the Heads of Terms set out in the report submitted to the meeting on 31 May 2023 and attached to the report at Appendix 6;
- (2) That, in the event of the requirements set out not being met, the Assistant Director of Planning, Transport and Public Protection Services be authorised to refuse permission;
- (3) That planning permission be subject to the conditions and informatives recommended in the report originally submitted to the meeting on 31 May 2023 and attached to the report at Appendix 6, with the Condition regarding parking provision amended to require that the disabled parking requirement for the development be reviewed and that the provision of disabled parking bays be adjusted in accordance with the findings of the review.

16. 220385/FUL - TRINITY HALL, SOUTH STREET

Demolition of existing buildings and erection of 22 apartments.

PLANNING APPLICATIONS COMMITTEE MEETING MINUTES - 21 JUNE 2023

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 set out details of an additional representation received in support of the application and clarification of the application target decision date. The update report also provided CGIs of the proposals at the request of the applicant.

Comments and objections were received and considered.

Supporter Faheem Ahmed, Joseph Baum and Paul Butt representing the applicant, and Katesgrove Ward Councillor Liam Challenger attended the meeting and addressed the Committee on this application.

Resolved –

That application 220385/FUL be refused planning permission for the reasons set out in the original report with the informatives as recommended.

17. 221800/REG3 - VARIOUS PROPERTIES AT ROCKBOURNE GARDENS. CRANBOURNE GARDENS AND RIPLEY ROAD

Property improvement works and Thermal efficiency upgrades to 22 RBC properties. Works to each property will consist of fitting new External Wall insulation, new triple glazed windows and doors, minor roof adaptations, fitting of Air Source Heat pumps, central heating upgrades and associated works. All properties located on the Old Norcot Estate, Reading. Addresses include:- 1, 3, 4, 6, 7, 9, 10 and 13 Rockbourne Gardens, RG30 6AU. 2, 4, 7, 8, 10 and 11 Cranbourne Gardens, RG30 6TS. 6, 11, 16, 18, 20, 22, 24 and 26 Ripley Road, RG30 6UD (Part retrospective) (Amended description)

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

Comments were received and considered.

Resolved –

That, pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission for application 221800/REG3 be granted, subject to the conditions and informatives as recommended in the report.

(The meeting started at 6.30 pm and closed at 8.45 pm)

Planning Applications Committee

19 July 2023



Reading
Borough Council
Working better with you

Title	POTENTIAL SITE VISITS FOR COMMITTEE ITEMS
Purpose of the report	To make a decision
Report status	Public report
Report author	Julie Williams, Development Manager (Planning & Building Control)
Lead Councillor	Councillor Micky Leng, Lead Councillor for Planning and Assets
Corporate priority	Not applicable, but still requires a decision
Recommendations	<p>The Committee is asked to:</p> <ol style="list-style-type: none"> 1. note this report and confirm if the site(s) indicated on the appended list are to be visited by Councillors. 2. confirm if there are other sites Councillors wish to visit before reaching a decision on an application. 3. confirm if the site(s) agreed to be visited will be arranged and accompanied by officers or unaccompanied with a briefing note provided by the case officer.

1. Executive Summary

- 1.1. To identify those sites where, due to the sensitive or important nature of the proposals, Councillors are advised that a Site Visit would be appropriate before the matter is presented at Committee and to confirm how the visit will be arranged. A list of potential sites is appended with a note added to say if recommended for a site visit or not.

2. The Proposal

- 2.1. A site visit helps if a proposed development and context is difficult to visualise from the plans and supporting material or to better understand concerns or questions raised by a proposal.
- 2.2. Appendix 1 of this report provides a list of applications received that may be presented to Committee for a decision in due course. Officers will try to indicate in advance if visiting a site to inform your decision making is recommended. Also, Councillors can request that a site is visited by Committee in advance of consideration of the proposal.
- 2.3. However, on occasion, it is only during consideration of a report on a planning application that it becomes apparent that Councillors would benefit from visiting a site to assist in reaching the correct decision. In these instances, Officers or Councillors may request a deferral to allow a visit to be carried out.
- 2.4. Accompanied site visits are appropriate when access to private land is necessary to appreciate matters raised. These visits will be arranged and attended by officers on the designated date and time. Applicants and objectors may observe the process and answer questions when asked but lobbying is discouraged. A site visit is an information gathering opportunity to inform decision making.
- 2.5. Unaccompanied site visits are appropriate when the site can be easily seen from public areas and allow Councillors to visit when convenient to them. In these instances, the

case officer will provide a briefing note on the application and the main issues to assist when visiting the site.

2.6. It is also possible for officers to suggest, or Councillors to request, a visit to a completed development to assess its quality.

2.7. Appendix 2 sets out a list of application sites that have been agreed to be visited at previous committee meetings but are still to be arranged.

3. Contribution to Strategic Aims

4.1 The processing of planning applications contributes to creating a healthy environment with thriving communities and helping the economy within the Borough, identified as the themes of the Council's Corporate Plan.

4. Environmental and Climate Implications

4.1. The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).

4.2. The Planning Service uses policies to encourage developers to build and use properties responsibly by making efficient use of land and using sustainable materials and building methods.

5. Community Engagement

5.1. Statutory neighbour consultation takes place on planning applications.

6. Equality Implications

6.1. Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, 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. It is considered that an Equality Impact Assessment (EIA) is not relevant to the decision on whether sites need to be visited by Planning Application Committee. The decision will not have a differential impact on people with the protected characteristics of; age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex (gender) or sexual orientation.

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 and Councillor costs.

9. Timetable for Implementation

9.1. Site visits are normally scheduled for the Thursday prior to committee. Planning Administration team sends out notification emails when a site visit is arranged.

10. Background Papers

10.1. There are none.

Appendices

1. Potential Site Visit List:

Ward: Abbey

Application reference: 230682

Application type: Variation of Condition

Site address: The Oracle, Bridge Street, Reading

Proposal: Application under Section 73 of Town and Country Planning Act (1990) to remove condition no. 62 of planning permission ref. 970419 to allow the sub-division of 'department store' floorspace. Imposition of new planning condition(s) to restrict use of 'department store' floorspace within Use Class E(a)(b)(d)(e), with a minimum unit size of 1,000 sqm (GIA).

Reason for Committee item: Major Application

Ward: Coley

Application reference: 230826

Application type: Full Planning Approval

Site address: Rose Kiln Court, Rose Kiln Lane, Reading, RG2 0HP

Proposal: Demolition of the existing Class E(g)(i) (Office) building and the construction of three buildings for Class E(g)(iii) (Light Industrial) / Class B2 (General Industrial) / Class B8 (Storage and Distribution) uses, including the provision of a new substation, parking, landscaping, and associated works.

Reason for Committee item: Major Application

2. Previously Agreed Site Visits with date requested:

- 220409 - Caversham Park – agreed by PAC 30.03.22 to be accompanied
- 221345 – Curzon Club, 362 Oxford Road – agreed by PAC 7.12.22 to be unaccompanied
- 221364 – Central Club, 36-42 London Street - agreed by PAC 11.01.23 to be accompanied – to take place 13.07.23
- 230613 - Amethyst Lane - agreed by PAC 21.06.23
- 230612 - Dwyer Road - agreed by PAC 21.06.23

This page is intentionally left blank

Planning Applications Committee

19 July 2023



Reading
Borough Council
Working better with you

Title	PLANNING APPEALS
Purpose of the report	To note the report for information
Report status	Public report
Report author	Julie Williams, Development Manager (Planning & Building Control)
Lead Councillor	Councillor Micky Leng, Lead Councillor for Planning and Assets
Corporate priority	Inclusive Economy
Recommendations	The Committee is asked: 1. To note the report.

1. Executive Summary

- 1.1. To advise Committee on notifications received from the Planning Inspectorate on planning appeals registered with them or decision made and to provide summary reports on appeal decisions of interest the Planning Applications Committee.

2. Information provided

- 2.1. Please see Appendix 1 of this report for new appeals lodged since the last committee.
- 2.2. Please see Appendix 2 of this report for appeals decided since the last committee.
- 2.3. Please see Appendix 3 of this report for new Planning Officers reports on those appeal decisions of interest to this committee.

3. Contribution to Strategic Aims

- 3.1. Defending planning appeals made against planning decisions contributes to creating a sustainable environment with active communities and helping the economy within the Borough as identified as the themes of the Council's Corporate Plan.

4. Environmental and Climate Implications

- 4.1. The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).
- 4.2. The Planning Service uses policies to encourage developers to build and use properties responsibly by making efficient use of land and using sustainable materials and building methods

5. Community Engagement

- 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 Implications

- 6.1. Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, 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. It is considered that an Equality Impact Assessment (EIA) is not relevant to the decision on whether sites need to be visited by Planning Application Committee. The decision will not have a differential impact on people with the protected characteristics of; age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex (gender) or sexual orientation.

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. Timetable for Implementation

- 9.1. Not applicable.

10. Background Papers

- 10.1. There are none.

APPENDIX 1

Appeals Lodged:

WARD: KATESGROVE
APPEAL NO: APP/E0345/Z/23/3317591
CASE NO: 221158
ADDRESS: "Site Between", 142 Basingstoke Road and 381 Elgar Road, Reading
PROPOSAL: Removal of existing 4 advertisement displays and installation of internally illuminated digital advertisement
CASE OFFICER: Joel Grist
METHOD: Written Representation
APPEAL TYPE: REFUSAL OF PLANNING PERMISSON
APPEAL LODGED: 29.06.2023

WARD: CHURCH
APPEAL NO: APP/E0345/W/23/3315646
CASE NO: 221368
ADDRESS: "Site At", Pepper Lane, Reading
PROPOSAL: Proposed 15.0m Phase 9 slimline Monopole and associated ancillary works.
CASE OFFICER: Beatrice Malama
METHOD: Written Representation
APPEAL TYPE: Refusal of Planning Permission
APPEAL LODGED: 21.06.2023

WARD: REDLANDS
APPEAL NO: APP/E0345/W/23/3319441
CASE NO: 221856
ADDRESS: 48 Cardigan Road, Reading
PROPOSAL: Change of use from C3 to a 4-bedroom C4 HMO with minor interior amendments and rear extension (amended)
CASE OFFICER: Joshua Clayman
METHOD: Written Representation
APPEAL TYPE: Refusal of Planning Permission
APPEAL LODGED: 21.06.2023

APPENDIX 2

Appeals Decided:

WARD: CHURCH
APPEAL NO: APP/E0345/W/22/3313373
CASE NO: 220381
ADDRESS: 15 Highmead Close, Reading
PROPOSAL: Conversion of single dwelling to two dwellings
CASE OFFICER: David Brett
METHOD: Written Representation
DECISION: REFUSED
DATE DETERMINED: 23.06.2023

APPENDIX 3

Planning Officers reports on appeal decisions.

- 9 Upper Crown Street

This page is intentionally left blank

Ward: Katesgrove

Appeal No: APP/ E0345/W/22/3313234

Planning Ref: 211614/FUL

Site: 9 Upper Crown Street, Reading, RG1 2SS

Proposal: Demolition of existing buildings and structures, associated reuse of frame with basement level used for car parking & servicing, erection of 3 no. residential blocks containing 46 no. dwellings above, associated parking (including replacement), access works and landscaping, relocation of substations & associated works to rear of Indigo apartments to facilitate pedestrian access.

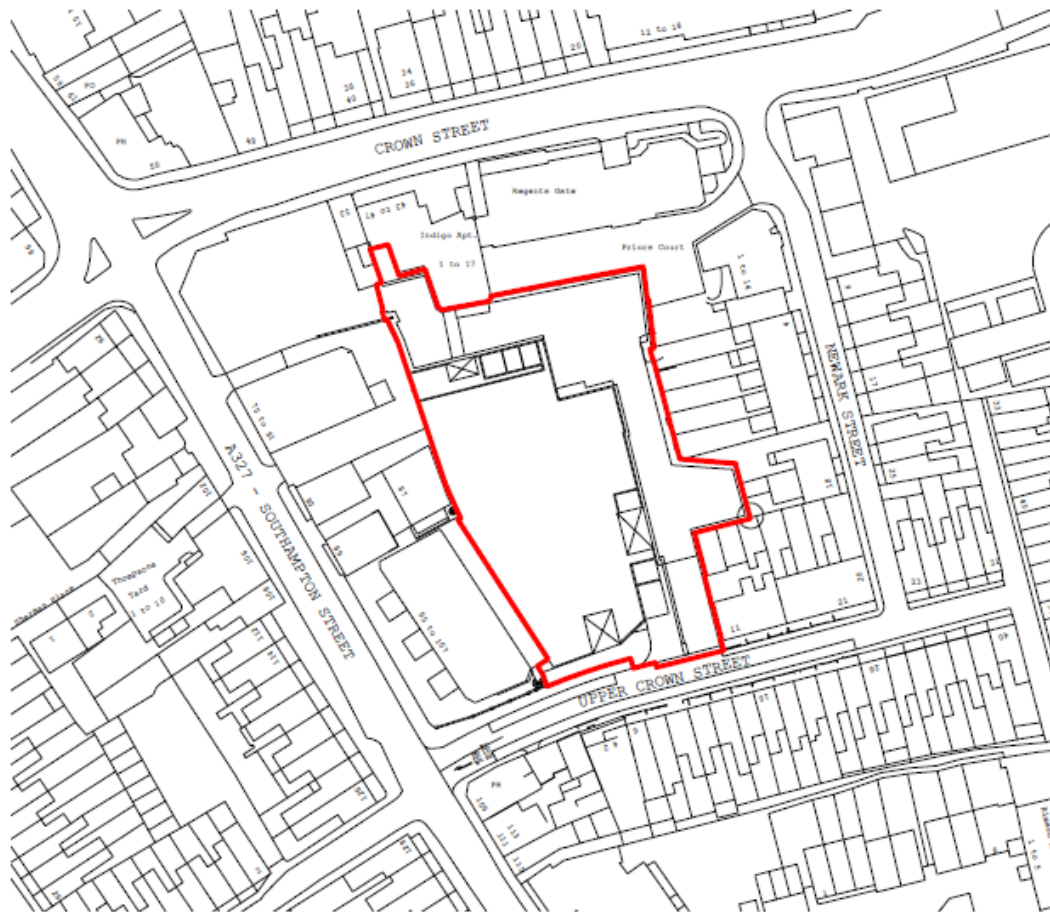
Decision level: Appeal **Method:** Public Hearing on 28th March 2023

Decision: Appeal Dismissed

Date Determined: 27/04/2023 **Inspector:** Mr. M. Chalk BSc (Hons) MSc MRTPI

BACKGROUND

The appeal site currently consists of a data storage facility with a roof deck car park above. The site is accessed from Upper Crown Street.



The application for the above proposals was refused under officers' delegated authority to refuse Major applications on 20th June 2022 for the following reasons:

1. *The development, as a result of the re-provision of significant number of on-site vehicle parking spaces unrelated to the proposed residential use, results in a significant proportion of the site being taken up by parking spaces and hardstanding. This, together with the scale and siting of proposed buildings 2 and 3, results in a development which appears cramped in terms of the proposed buildings within it but also in relation to existing buildings surrounding the site at no.s 75-81, 85, 87 and 89 Southampton Street. The extent of hardstanding and parking spaces proposed, together with the scale and cramped layout of buildings 2 and 3 results in provision of poor-quality areas of on-site landscaping and communal open space. The layout and scale of the proposed buildings is detrimental to the usability of these spaces and provision of suitable landscaping. The re-provision of the significant number of on-site vehicle parking spaces for off-site users unconnected to the development also fails to provide a safe environment for future occupiers of the development due to the level of pedestrian and vehicle movements that would occur within the development and its buildings that would be unrelated to the residential occupiers of the site. The proposals are considered to be an overdevelopment of the site and to fail to create a safe or high-quality residential layout contrary to Policies CC7, EN14, and H10 of the Reading Borough Local Plan 2019.*
2. *The siting and the layout of proposed buildings 2 and 3 would result in direct overlooking between facing habitable rooms windows to the two buildings creating a loss of privacy and overbearing form of development for future occupiers. The presence of balconies to the facing elevations exacerbates this unacceptable relationship and inadequate separation distance between the two buildings. The siting and scale of proposed building 2 would result in an overbearing form of development for future occupiers of the proposed terrace of four dwellings (building 1) to the site frontage on Upper Crown Street and would be detrimental to the usability of their private amenity spaces. The proposed development would fail to provide future occupiers with an acceptable standard of residential amenity or amenity spaces contrary to Policies CC8 and H10 of the Reading Borough Local Plan 2019.*
3. *The siting of proposed building 3 directly on the west boundary of the site together with its scale is considered to result in an overbearing visually dominant relationship with the adjacent buildings at 85, 87, 89 Southampton Street which are either in residential use or have been granted prior approval for conversion to residential use. The siting of large windows directly on the boundary, whilst indicated on the proposed plans to be obscurely glazed, would result in a perception of overlooking to occupiers of these neighbouring buildings. The proposed development would be harmful to the residential amenity of both existing and future occupiers of no.s 85, 87 and 89 Southampton Street contrary to Policy CC8 of the Reading Borough Local Plan 2019.*
4. *In the absence of a completed legal agreement to secure provision of a construction phase and end user phase employment skills and training plan or equivalent financial contribution, provision of a policy compliant level of on-site affordable housing and a carbon off-setting contribution, the proposals fails to adequately contribute to local*

labour and training needs, the housing needs of the Reading Borough and to achieve zero carbon homes standards contrary to Policies CC9, H3 and H5 of the Reading Borough Local Plan 2019, the adopted Employment Skills and Training Supplementary Planning Document 2019, Affordable Housing Supplementary Planning Document 2021, Sustainable Design and Construction Supplementary Planning Document 2019 and Planning Obligations Under Section 106 Supplementary Planning Document 2015.

SUMMARY OF DECISION

The Inspector identified the following main issues:

- Whether the proposal would provide acceptable living conditions for future occupiers, with particular regard to outlook for occupiers of building 1 and the privacy and outlook of occupiers of buildings 2 and 3
- The effect on the character and appearance of the area; and
- The effect on the living conditions of neighbouring occupiers, with particular regard to the outlook from and privacy of nos. 85 and 87 Southampton Street

Future Occupier Living Conditions

The Inspector found that the size and proximity of building 2 to the rear of the proposed terrace of houses would result in it being overbearing to the future occupiers of these houses. This was despite provision of a green wall, obscure glazed windows and the set in of the mansard roof on building 2. He found that it would be a dominant and oppressive presence that would compromise the outlook from the houses and the quality of the rear gardens to the extent that the living conditions of occupiers of the houses would be unacceptable.

The Inspector found that there would be no other harmful impacts on the future living conditions of occupants.

Character and Appearance

The Inspector found that the proposal would not have any harmful impacts on the character and appearance of the area and would be of a high design quality that would meet the requirements of the Local Plan.

Neighbour Living Conditions

The Inspector found that the proposal would not result in unacceptable harm to the living conditions of the occupiers of the existing buildings on Southampton Street.

Absence of a Legal Agreement

A Unilateral Undertaking was agreed during the appeal process, and would have been implemented had the Inspector found the proposals acceptable.

Planning Balance

The Inspector concluded that the benefits of the scheme including the provision of housing, affordable housing, constituted the redevelopment of brownfield land near to the town centre, would provide economic benefits, would be in keeping with the character and appearance of

the area, would improve the appearance of the appeal site and the inclusion of biodiversity and sustainability improvements would carry very substantial weight in favour of the proposal. However, he concluded that the harm arising from the proximity of building 2 to the terrace of houses would outweigh these benefits.

HEAD OF PLANNING, TRANSPORT & PUBLIC PROTECTION SERVICES COMMENT

The Inspector identified that the impact on the future living conditions of residents was so great that the significant benefits that the scheme would bring were outweighed. However, it is disappointing that the Inspector did not find further cause to resist the appeal. This means that the focus on the development important therefore to ensure that the quality of accommodation proposed in future schemes meets very high standards.

A new application has been submitted on the site with some amendments which seek to overcome the Inspector's concerns. At time of writing the application has not yet been validated.

Case Officer: Tom Bradfield

Planning Applications Committee

19 July 2023



Reading
Borough Council
Working better with you

Title	APPLICATIONS FOR PRIOR APPROVAL
Purpose of the report	To note the report for information
Report status	Public report
Report author	Julie Williams, Development Manager (Planning & Building Control)
Lead Councillor	Councillor Micky Leng, Lead Councillor for Planning and Assets
Corporate priority	Inclusive Economy
Recommendations	The Committee is asked: 1. To note the report.

1. Executive Summary

- 1.1. To advise Committee of the types of development that can be submitted for Prior Approval and to provide a summary of the applications received and decisions taken in accordance with the prior-approval process as set out in the Town and Country Planning (General Permitted Development) Order (GPDO 2015) as amended.

2. Prior Approval

- 2.1. There are a range of development types and changes of use that can be carried out as permitted development but are subject to the developer first notifying the planning authority of the proposal, for it to confirm that “prior approval” is not needed before exercising the permitted development rights. The matters for prior approval vary depending on the type of development and these are set out in full in the relevant Parts in Schedule 2 to the General Permitted Development Order. A local planning authority cannot consider any other matters when determining a prior approval application.
- 2.2. If the decision is that approval is required, further information may be requested by the planning authority in order for it to determine whether approval should be given. The granting of prior approval can result in conditions being attached to the approval. Prior approval can also be refused, in which case an appeal can be made
- 2.3. The statutory requirements relating to prior approval are much less prescriptive than those relating to planning applications. This is because seeking prior approval is designed to be a light-touch process given that the principle of the development has already been established in the General Permitted Development Order. The government is clear that a local planning authority should not impose unnecessarily onerous requirements on developers should not seek to replicate the planning application system.
- 2.4. However, this means that large development schemes, often involving changes of use to residential, can proceed without meeting many of the adopted planning policies; such as contributing towards affordable housing, and the application fees for these “light touch” applications are significantly less than the equivalent planning application fee.
- 2.5. For this reason, at the Planning Applications Committee meeting on 29 May 2013, it was agreed that a report be brought to future meetings to provide details of applications received for prior approval, those pending a decision and those applications which have

been decided since the last Committee date. It was also requested that a rolling estimate be provided for the possible loss in planning fee income.

3. Types of Prior Approval Applications

- 4.1 The categories of development requiring prior approval appear in different parts of Schedule 2 of 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. Those that are of most relevance to Reading Borough are summarised as follows:

SCHEDULE 2 - Permitted development rights

PART 1 – Development within the curtilage of a dwelling house

- **Householder development – larger home extensions.** Part 2 Class A1.
- **Householder development – upwards extensions.** Part 2 Class AA.

PART 3 — Changes of use

- **Change of use from A1 shops or A2 financial & professional, betting office, pay day loan shop or casino to A3 restaurants and cafes.** Class C.
- **Change of use from A1 shops or A2 financial & professional, betting office or pay day loan shop to Class D2 assembly & leisure.** 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.** Class M
- **Change of use from an amusement arcade or a casino to C3 dwellinghouse & necessary works.** Class N
- **Change of use from B1 office to C3 dwellinghouse** Class O*.
- **Change of use from B8 storage or distribution to C3 dwellinghouse** Class P
- **Change of use from B1(c) light industrial use to C3 dwellinghouse** 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.** 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.** Class R.
- **Change of use from Agricultural buildings and land to state funded school or registered nursery D1.** 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.** Class T.

PART 4 - Temporary buildings and uses

- **Temporary use of buildings for film making for up to 9 months in any 27 month period.** Class E

PART 11 – Heritage &Demolition

- **Demolition of buildings.** Class B.

PART 16 - Communications

- **Development by telecommunications code system operators.** Class A
- GPDO Part 11.

PART 20 - Construction of New Dwellinghouses

- **New dwellinghouses on detached blocks of flats** Class A
- **Demolition of buildings and construction of new dwellinghouses in their place.** Class ZA

- 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. Estimates of the equivalent planning application fees are provided.
- 4.3 The planning considerations to be taken into account when deciding each of these types of application are specified in more detail in the GDPO. In some cases the LPA first needs 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 appeals on prior-approval decisions will be included elsewhere in the agenda.

4. Contribution to strategic aims

- 4.1. 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 contribute to the strategic aims of the Council.
- 4.2. However, the permitted development prior approval process allows the LPA to consider a limited range of matters in determination of the application. These are: transport and highways impacts of the development, contamination risks on the site, flooding risks on the site, impacts of noise from commercial premises on the intended occupiers of the development and the provision of adequate natural light in all habitable rooms of the dwellinghouses. Officers will refuse to grant approval or will seek conditions in those cases where a proposal fails to satisfy on these matters thereby contributing to the themes of the Corporate Plan.

5. Environmental and Climate Implications

- 5.1. The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).
- 5.2. The Planning Service encourages developers to build and use properties responsibly by making efficient use of land and using sustainable materials and building methods. The Prior Approval process facilitates the re-use of existing buildings and in most cases the refurbishment will be required to comply with current building regulations which seek improved thermal performance of buildings.

6. Community Engagement

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

7. Equality Implications

- 7.1. Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, 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 now estimated to be £1,881,741.

(Class E (formally office) Prior Approvals - £1,699,346:

Householder Prior Approvals - £90,462:

Retail Prior Approvals - £16,840:

Demolition Prior Approval - £5,795:

Storage Prior Approvals - £5716:

Shop to Restaurant/Leisure Prior Approval - £6331;

Light Industrial to Residential - £20,022:

Dwellings on detached block of flats - £2048:

Additional storey on dwellings - £206:

New dwellinghouses on terrace/detached buildings - £17,483.

Demolition of buildings and construction of new dwelling - £128;

Prior approval to mixed use including flats - £2484.

Figures since last report:

Householder Prior Approvals - £220;

Class E (formally office) Prior Approvals - £0.

- 9.2. However, it should be noted that the prior approval application assessment process is simpler than 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. Finally, it should not be assumed that if the prior approval process did not exist that planning applications for the proposed developments would come forward instead.

10. Timetable for Implementation

- 10.1. Not applicable.

11. Background Papers

- 11.1. The Town and Country Planning (General Permitted Development) (England) Order 2015
- 11.2. The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016.

Appendices

Table 1 - Applications received since 8th June 2023 to 5th July 2023

Type:	How many received since last report:	Loss in possible fee income:
Householder Prior Approvals	2	£220
Class E Prior Approvals	0	0
Demolition Prior Approval	0	0
Solar Equipment Prior Approval	1	n/a
Prior Notification	0	n/a
Telecommunications Prior Approval	1	n/a
Dwellings on detached block of flats	0	0
Householder Additional Storey	0	0
New dwellinghouses on terrace/detached buildings	0	0
Demolition of buildings and construction of new dwelling	0	0
Prior approval to mixed use including flats	0	0
TOTAL	0	£220

Table 2 - Applications decided since 8th June 2023 to 5th July 2023

Type:	Approved	Refused	Not Required	Withdrawn	Non Determination
Householder Prior Approvals	1	1	0	0	0
Class E Prior Approvals	0	0	0	0	0
Demolition Prior Approval	0	0	0	0	0
Solar Equipment Prior Approval	0	0	0	0	0
Prior Notification/ Other	1	0	0	0	0
Telecommunications Prior Approval	0	1	0	0	0
Dwellings on detached block of flats	0	0	0	0	0
Householder Additional Storey	0	0	0	0	0
New dwellings on terrace buildings or New dwellings on detached buildings	0	0	0	0	0
Demolition of buildings and construction of new dwelling	0	0	0	0	0
Prior approval to mixed use including flats	0	0	0	0	0
TOTAL	2	2	0	0	0

This page is intentionally left blank

Planning Applications Committee

19 July 2023



Reading
Borough Council

Working better with you

Title	FIRST QUARTER PERFORMANCE REPORT - PLANNING & BUILDING CONTROL
Purpose of the report	To note the report for information
Report status	Public report
Report author	Julie Williams, Development Manager (Planning & Building Control)
Lead councillor	Councillor Micky Leng, Lead Councillor for Planning and Assets
Corporate priority	Inclusive Economy
Recommendations	The Committee is asked: 1. To note the report.

1. Purpose of report

- 1.1. To advise Committee on the work and performance of the Planning Development Management team and Building Control team for the first quarter of 2023/2024 (April to June) with comparison to previous years.
- 1.2. Unlike the annual reports these quarterly reports are focussed on just planning and building control application processing performance.

2. Planning Development Management team

2.1 Performance Targets

a. For applications for major development: **60 per cent** of an authority's decisions should be made within the statutory determination period or such extended period as has been agreed in writing with the applicant.

b. For applications for non-major development: **70 per cent** of an authority's decisions should be made within the statutory determination period or such extended period as has been agreed in writing with the applicant.

Decisions Issued

2.2 The following Table 1a provides a breakdown on the decisions issued for the 1st quarter of this year compared to the previous year's quarters. Those issued within the statutory timeframe or an agreed extended timeframe for the different types of planning applications handled compared to total applications decided are shown.

2.3 The number of applications decided in this first quarter has dropped for all types of applications, apart from Major applications, when compared to the same quarter last year and the issuing of decisions (management and speed) has greatly improved. One of the team is moving on so another round of recruitment is due to start but the team are confident that performance can remain at this high level for the rest of 2023/2024.

**Table 1a: Planning Application Performance
By quarters in 2022/2023 and in quarter 1 2023/2024**

Description	DLUHC Target	Q1 2022 Apr-Jun	Q2 2022 Jul-Sept	Q3 2022 Oct-Dec	Q4 2023 Jan-Mar	Q1 2023 Apr-Jun
Major	60%	0/1 0%	5/5 100%	3/4 75%	5/5 100%	7/7 100%
Minor	70%	35/57 61%	35/50 70%	37/44 84%	38/45 84%	29/32 90%
Others (including householders)	70%	89/144 62%	60/111 54%	138/156 88%	117/128 91%	110/119 92%
Overall Totals		124/202 61%	100/166 60%	178/204 87%	160/178 90%	146/158 92%

2.4 The following table shows fee income for the same quarters.

Table 1b provides information on fee income.

Fee Income	Q1 2022 Apr-Jun	Q2 2022 Jul-Sept	Q3 2022 Oct-Dec	Q4 2023 Jan-Mar	Q1 2023 Apr-Jun
Applications	£189,196	£219,296	£222,689	£102,522	£203,555
Pre-App	£30,037	£29,074	£27,910	£9,498	£11,720
Miscellaneous	£5,161	£1,717	£4,943	£905	£1,436
Totals	£224,394	£250,087	£255,542	£112,925	£216,711

3. Planning Enforcement

- 3.1 The Planning Enforcement Team are now part of the Public Protection service. Officers within Planning Enforcement continue to have regular weekly meetings with senior planners and support from legal to progress cases.
- 3.2 The new Principal Planning Enforcement Officer (David Lloyd) has now started working with the team and this has enabled an improved case management structure to be implemented. Further to this the service has secured technical support for the team so that officers can focus on undertaking enforcement visits and investigations. There is further recruitment pending for the two vacant positions of senior planning enforcement and enforcement officer roles for the team.

4. Building Control

- 4.1 The team is served of 3 permanently employed technical support officers and the Building Control Team Leader and 2 agency surveyors. The team are about to be joined by 3 trainee building control surveyors and recruitment is underway for more senior surveyors. The aim is to develop the team to provide a competent and effective service providing expert support for corporate projects and private developers. The market share for the past quarter gives Approved Inspectors 60% of applications submitted and we need to change this trend.

4.2 Table 2 shows the case load as submitted for the 1st quarter for this year 23/24 and the previous years' quarters. The approval rates for applications within statutory timeframes remains at a high level even with surveyors being called to attend some complex dangerous structure incidents and dealing with the repercussions.

Table 2: Building Control work.

Indicator	Q1	Q2	Q3	Q4	2022/2023	Q1 2023 Apr-Jun
Dangerous structures attended. Non fee work	5	4	7	11	27	12
Inspections carried out					1629	333
Building Control applications submitted	97	92	140	64	393	70
Applications approved within 5 & 8 weeks Statutory limits	85/97 96%	88/92 96%	137/140 98%	44/44 100%	354/373 95%	68/70 98%
Number of completion certificates issued	24	13	89	108	234	73
Fee income	£70,670	£62,044	£77,487	£69,597	£279,798	£61207.20
Approved Inspectors Initial Notices	131	65	124	43	363	107

5. Contribution to strategic aims

5.1 The processing of planning applications and associated work (trees, conservations areas and listed buildings) and building control activities contribute to creating a healthy environment with thriving communities and helps the economy within the Borough, identified as the themes of the Council's Corporate Plan in Section 2 of this report.

6. Community engagement

6.1 Statutory consultation takes place on most planning applications and appeals. The Council's website also allows the public to view information submitted and comments on planning applications and eventually the decision reached. There is also information on policy matters and the and this can influence the speed with which applications and appeals are decided. Information on development management performance is publicly available.

7. Equality impact assessment

- 7.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, 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 In terms of the key equalities protected characteristics, it is considered that the development management performance set out in this report has no adverse impacts.

8. Environmental and climate implications

- 8.1 The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).
- 8.2 The Planning & Building Control and Planning Policy Services play a key part in mitigating impacts and adapting building techniques using adopted policies to encourage developers to build and use properties responsibly, making efficient use of land, using sustainable materials and building methods.

9. Legal implications

- 9.1 The collection and monitoring of performance indicators is a statutory requirement. In addition, a number of the work targets referred to in this report are mandatory requirements including the determination of planning applications and the preparation of the development plan.

10. Financial Implications

- 10.1 There are no direct financial implications arising from this report although we welcome the commitment in the Levelling Up and Regeneration Bill to increase application fees which will help to better resource the planning service.

Planning Applications Committee

19 July 2023



Reading
Borough Council
Working better with you

Title	PROPOSED TREE WORK TO PROTECTED, COUNCIL TREES ON BERKELEY AVENUE
Purpose of the report	To make a decision
Report status	Public report
Report author	Sarah Hanson, Natural Environment Officer
Lead councillor	Councillor Micky Leng, Lead Councillor for Planning and Assets
Corporate priority	Healthy Environment
Recommendations	The Committee is asked: 1. To approve the proposed tree works

1. Executive summary

- 1.1. To report to Committee proposed work to four London Plane trees on Berkeley Avenue, adjacent to St Pauls Court; those being T12-T15 of TPO 2/05 (copy of TPO plan attached – Appendix 1). Officer photographs are provided in Appendix 2.

2. Policy context

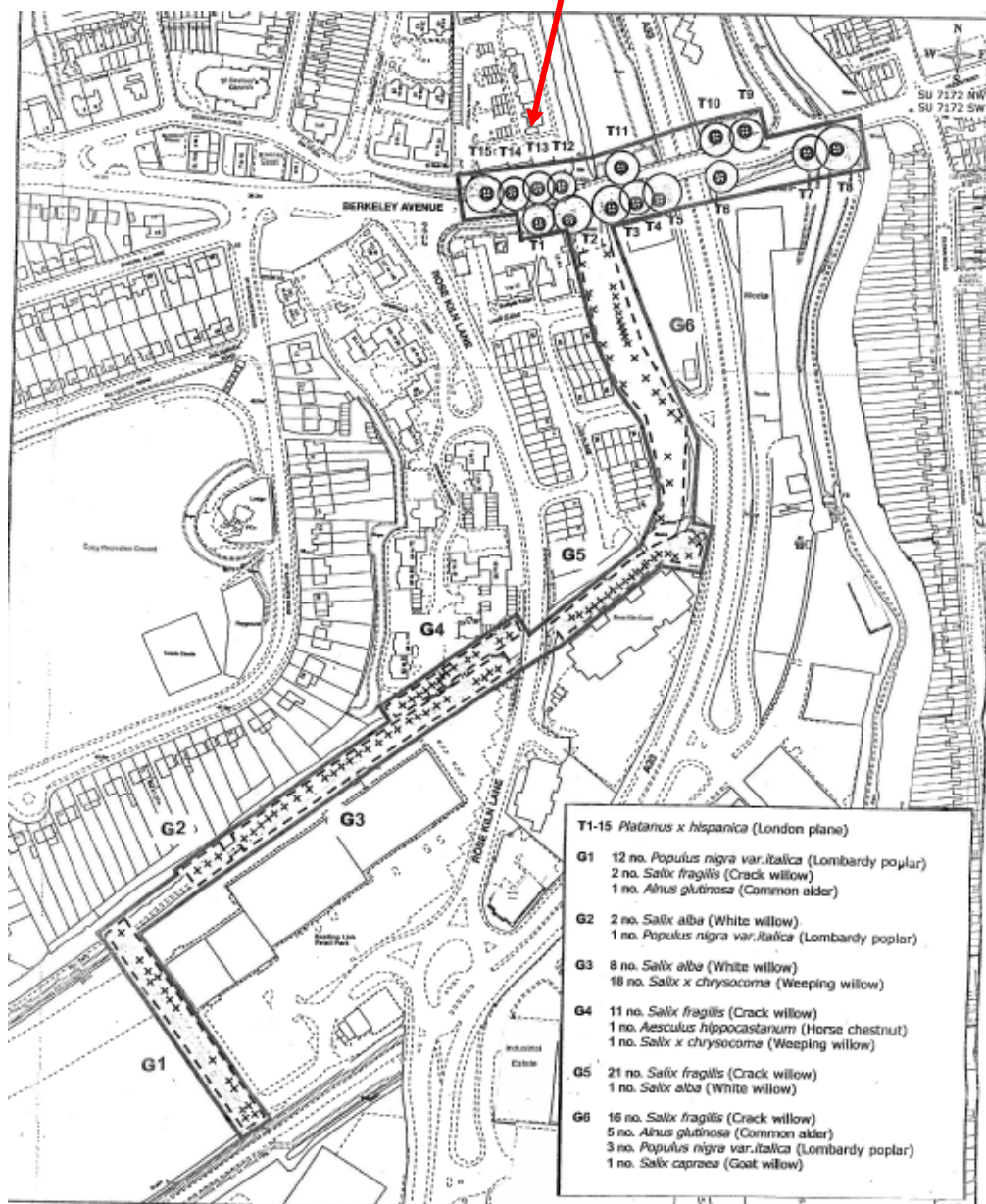
- 2.1. The Council's new Corporate Plan has established three themes for the years 2022/25. These themes are:
- Healthy Environment
 - Thriving Communities
 - Inclusive Economy
- 2.2. These themes are underpinned by “Our Foundations” explaining the ways we work at the Council:
- People first
 - Digital transformation
 - Building self-reliance
 - Getting the best value
 - Collaborating with others
- 2.3. Full details of the Council's Corporate Plan and the projects which will deliver these priorities are published on the [Council's website](#). These priorities and the Corporate Plan demonstrate how the Council meets its legal obligation to be efficient, effective and economical.

2. Background

- 2.1 On 4 May 2023 an application was received from Reading Borough Council's Arboricultural Manager in Streetscene seeking consent for works to four London Plane trees on Berkeley Avenue (application reference 230601). The works proposed are:
- Crown lift to 3m above ground level on the St Pauls Court side & 6 m on the roadside,

- Prune to provide 3-4m clearance from St Pauls Court
- 2.2 As the Council-maintained trees in question are subject to a Tree Preservation Order, a formal tree works application is required for these works to be approved.
- 2.3 The Town and Country Planning Act 1990 requires applications for works to protected Council owned or maintained trees to be decided by a Committee of the Council which is not responsible for managing the land to which the application relates.
- 2.4 The law also requires a public notice to be displayed for at least 21 days giving details of the proposed works and contact details for any comments to be sent. A site Notice was attached to the railings on Berkeley Avenue in front of the trees on 22 May 2023 and left for the required period.
- 3. Result of consultation**
- 3.1 No objections or comments were received.
- 4. Conclusion and recommendation**
- 4.1 The works proposed are not considered to be harmful to the trees' appearance or future health and are reasonable works in order to appropriately manage the trees for highway clearance and to avoid conflict with St Pauls Court. No objections or comments were received as a result of the public notice. It is therefore recommended that the works be approved.
- 5. Legal implications**
- 5.1 Preparing, serving confirmation and contravention of TPO's are services dealt with by the Council's Legal Section.
- 6. Financial implications**
- 6.1 None.
- 7. Equality impact assessment**
- 7.1 None required.
- 8. Contribution to strategic aims**
- 8.1 The aim of the TPO's is to secure trees of high amenity value for present and future generations to enjoy. Trees have multiple environmental benefits creating cleaner, greener and more attractive places to live. This contributes to creating a healthy environment as identified as one of the themes of the Council's Corporate Plan. See Section 2 of this report for more information.
- 9. Environmental & Climate implications**
- 9.1 The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers). Trees have multiple environmental benefits that include flood alleviation, wildlife benefits, air pollution mitigation and air cooling. The proposed works are not expected to substantially impact the trees' contribution to these multiple environmental benefits
- 10. BACKGROUND DOCUMENTS**
- 10.1 Register of Tree Preservation Orders

Appendix 1 - TPO 2/05 (plan)



Title: Tree Preservation Order: Land adjacent to Holy Brook rear of Reading Link Retail Park and Rose Kiln Court; Rose Kiln Lane and land between Rose Kiln Lane and Elgar Road, Berkeley Avenue, Reading

Drg.No.: D1823 Date: OCT 2004

Scale at A3 1:500

Produced by GIS & Mapping Services Ref: 31419\



© Crown Copyright. All rights reserved. Reading Borough Council. Account No. 100019672. 2004

Appendix 2 - Officer photographs



Planning Applications Committee

19 July 2023



Reading
Borough Council
Working better with you

Title	PLANNING APPLICATION REPORT
Ward	Abbey
Planning Application Reference:	230228/FUL & 230381/LBC
Site Address:	St Mary's Service Yard, St Mary's Butts, Reading RG1 2HX
Proposed Development	Erection of a new half brick wall and railings fence and gates
Applicant	Reading Central and Abbey Quarter BIDS
Report author	Marcie Rejwerska
Deadline:	21 July 2023 (agreed extended timescale)
Recommendations	Grant planning permission and grant listed building consent, subject to conditions as follows:
Conditions	<p>230228/FUL:</p> <ol style="list-style-type: none"> 1. Time Limit 2. Approved Plans 3. Materials As Specified 4. Arboricultural Method Statement (As Specified) 5. Vehicular Access (As Specified) 6. Archaeology <p>230381/LBC:</p> <ol style="list-style-type: none"> 1. Time Limit Listed Buildings 2. Listed Building Works Specification 3. Listed Building Materials (To Match)
Informatives	<ol style="list-style-type: none"> 1. Terms and conditions 2. Building Control 3. Complaints about construction 4. Encroachment 5. Advice about TPO trees and trees in Conservation Areas 6. Advice to adhere to the approved Arboricultural Method Statement 7. Positive and Proactive – Approval

1. Executive summary

- 1.1. This report explains the proposal submitted by the Reading BIDS Team to improve the security of St Mary's Service Yard adjacent to St Mary's Church by extending the existing brick wall along historic foundations, addition of railings and electric vehicle and pedestrian gates secured with a keypad. It is considered that this proposal is suitable in terms of design, being relatively unobtrusive to the setting and layout of the existing Church and its churchyard. The report explains that the proposal would make a positive contribution to the appearance of the St Mary's Butts/Castle Street Conservation Area.

2. Introduction and site description

- 2.1. The existing service yard is accessed from St Mary's Butts with an access road running between St Mary's Churchyard and 53 St Mary's Butts. The service yard is used for parking/servicing and refuse by properties on Broad Street and St Mary's Butts which back onto this service yard. There is a mature Plane tree within the application site, in the service yard. The tree is not individually protected but is within the St Mary's Butts/Castle Street Conservation Area and is therefore protected under conservation area status.
- 2.2. The surrounding area is predominately commercial and is within the St Mary's Butts/Castle Street Conservation Area. The service yard abuts the churchyard and there are a number of graves and tombstones adjacent to the application site.
- 2.3. The graves and tombstones are Grade II listed and the listing reads as follows:
 - 2.3.1. *ST MARY'S CHURCHYARD 1. 5128 Group of 4 Churchyard SU 7173 SW 2/235B Tombs: north of St Mary 's Church II GV 2. 1. Circa 1732 large carved chest tomb with set back corner pilasters and carved side panels (angels to west). Retains cast iron palisade. 2. John Martin tomb. Circa 1790s, a Martin family vault. Stone with panelled sides. 3. 1830, John Tappenden tomb. Stone with downwards tapered corners which have banded angle piers. Cross gabled capping. 4. Circa 1820 stone with moulded top and reeded side piers. Wide surround for railings, (removed).*
- 2.4. The proposal is within the graveyard of St Mary's Church which is Grade I listed and the listing reads as follows:
 - 2.4.1. *Architectural interest: containing fabric of many periods including C11 Romanesque and C14 material, to which an impressive tower was added in 1551-1555 which includes stone from the medieval abbey church, and which is a notable example of stone and flint chequerboard flushwork; * including work by several prominent Reading architects including JB Clacy, W Clacy and Joseph Morris and the nationally recognised architect, Sir Charles Nicholson, who created the Lady Chapel and the Chapel of St Edmund.*
 - 2.4.2. *Historic interest: a large and ancient church at the centre of the town, whose foundation pre-dates the Norman conquest, the building includes material from Reading Abbey brought to site following the dissolution including parts of the nave roof, material for the tower and possibly the southern nave arcade.*
- 2.5. Site location plan:



3. The proposal

- 3.1. These applications propose addition of railings to the existing dwarf brick wall adjacent to St Mary's Church House, extension of the wall towards St Mary's Butts, addition of an electric gate for vehicle access and electric gate to replace the existing pedestrian access point to enclose the service yard. Both gates will have a security keypad.
- 3.2. The submitted planning statement explains that the service yard requires additional security to prevent anti-social behaviour.
- 3.3. The proposal includes removal of an area of hardstanding currently used for informal parking in the service yard, to be replaced with topsoil and planted with grass.
- 3.4. The application is being referred to the Committee owing to the proposal being submitted by the Reading Central and Abbey Quarter BIDS Team and affecting the St Mary's Church Service Yard which is land owned by Reading Borough Council.
- 3.5. Submitted plans and documentation:

Planning, Design and Access Statement, dated 9 January 2023, received 27 February 2023

Heritage Statement, dated 19 December 2022, received 27 February 2023

3865/101 Rev. B, Existing Site Plan, dated October 2022, received 27 February 2023

3865/200 Rev. F, Block and Location Plan, dated October 2022, received 5 July 2023

3865/201 Rev. J, Proposed Site Plan, dated October 2022, received 7 July 2023

3865/202 Rev. D, Elevations and Details, dated October 2022, received 5 July 2023

3865/203 Rev. C, Access Gate Details, dated October 2022, received 5 July 2023

3865/205 Rev. C, Vehicle Tracking Plan, dated October 2022, received 5 July 2023

Archaeological Desk-based Assessment produced by Thames Valley Archaeological Services, dated December 2022, received 27 February 2023

Project specification for an archaeological watching brief produced by Thames Valley Archaeological Services, dated 6 June 2023, received 16 June 2023

4. Planning history

- 4.1. 130522 – Boundary wall repair to Reading Minster St Mary-the-Virgin – Application permitted (Committee decision)
- 4.2. 130853 – Boundary wall repair to Reading Minster St Mary-the-Virgin – Application permitted (Secretary of State)
- 4.3. 131622 – Application for approval of details reserved by conditions 3 and 4 of Planning Permission ref. 130522/REG3 and condition 3 of Listed Building Consent ref. 130853/LBC (NPCU/LBC/E0345/72919) – Conditions discharged
- 4.4. 221520 – Listed Building Consent for works including repairs and cleaning to Zinzan Chest Tomb, Jubilee Cross, Simeon Monument and Victoria Statue – Application permitted (Committee decision)

5. Consultations

- 5.1. Statutory:
 - 5.1.1. Historic England – no comments received.
- 5.2. Non-Statutory
 - 5.2.1. **RBC Natural Environment** – Initial request for clarification addressed by the applicant and within the report. No objections to amended Arboricultural Methods Statement.
 - 5.2.2. **RBC Transport Development** – Initial clarification requested to confirm the operation of the electrical access gate, tracking diagrams, and refuse storage; addressed by the applicant and within this report. No objections to amended plans.
 - 5.2.3. **RBC Conservation and Urban Design Officer** – No objections.
 - 5.2.4. **Berkshire Archaeology** – Initial comments requested a watching brief to be submitted to supplement the submitted desk study. The applicant has submitted the watching brief which has been considered acceptable by the consultee.
 - 5.2.5. **Reading Conservation Area Advisory Committee (CAAC)** – No objections; observations submitted regarding impact on the archaeologically significant flint wall at 53 St Mary's Butts, management of the site, and the impact on the amenity of the outdoor seating area of C.U.P. Café from idling vehicles.
- 5.3. Public
 - 5.3.1. The following neighbouring properties were consulted by letter for both applications:
 - St Mary's Church House, Chain Street, Reading RG1 2HX
 - 1 St Mary's Gate, Chain Street, Reading RG1 2HX
 - 55 St Mary's Butts, Reading RG1 2LG
 - Flat, 55 St Mary's Butts, Reading RG1 2LG
 - 53 St Mary's Butts, Reading RG1 2LG
 - Flat 1, 54 St Mary's Butts, Reading RG1 2LG
 - Flat 2, 54 St Mary's Butts, Reading RG1 2LG

5.3.2. No letters of representation received.

6. Legal context

- 6.1. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.
- 6.2. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 6.3. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).
- 6.4. In this regard, the NPPF states that due weight should be given to the adopted policies of the Local Plan 2019 according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given). Planning permission is required, due to the works constituting 'development'. An application for Listed Building Consent has also been submitted, given that the proposals affect foundations/footings of the original Listed building curtilage wall and are adjacent to (attached to) listed tombs.
- 6.5. Accordingly, the latest NPPF and the following development plan policies and supplementary planning guidance are relevant:

Reading Borough Local Plan 2019

Policies:

- CC1 Presumption in Favour of Sustainable Development
- CC7 Design and the Public Realm
- EN1 Protection and Enhancement of the Historic Environment
- EN2 Areas of Archaeological Significance
- EN3 Enhancement of Conservation Areas
- EN7 Local Green Space and Public Open Space
- EN14 Trees, Hedges and Woodland
- TR3 Access, Traffic and Highway-Related Matters
- CR2 Design in Central Reading

St Mary's Butts/Castle Street Conservation Area Appraisal (2008)

Other relevant heritage documents:

- Conservation Principles, Policy and Guidance (Historic England, 2008)
- The Setting of Heritage Assets (Historic England, 2017)
- BS7913:2013 Guide to the Conservation of Historic Buildings

7. Appraisal

- 7.1. The main considerations are:
 - I. Principle
 - II. Design
 - III. Detailed Heritage Considerations

IV. Other matters

I) Principles

- 7.2. The combined need for the works stem from unauthorised public access and anti social behaviour in the service yard as described in the application material. The proposed works seek to enclose the existing service yard to improve security and therefore improve the appearance of the service yard. In turn, the works described in this report will also repair and provide an enhanced and sympathetic curtilage to the Minster. Subject to the details discussed below, the principle of the proposal is considered acceptable.

II) Design

- 7.3. The existing dwarf wall adjoins St Mary's Church House (now Bill's restaurant) with an opening to provide a pedestrian access point into the service yard. There is an existing brick pillar at the end of the wall, beyond which there are historic brick foundations, marking the original line of the curtilage wall which collapsed some years ago and the materials removed from site.
- 7.4. The existing pedestrian entrance on the east side of the service yard would be replaced and the bollard in front removed. The new metal gate to the pedestrian access point would have a keypad for security.
- 7.5. The existing brick wall adjacent to the St Mary's Church House will remain with the addition of black metal railings on top, adding 0.9m in height.
- 7.6. The existing wall will be extended along the historic foundations with matching railings. The proposed bricks would be red bricks with Flemish brick bond, matching the existing as closely as possible with bullnosed bricks to be set on the top of the wall.
- 7.7. The proposal includes addition of a new pyramid cap stone to the existing brick pillar which is located at the end of the existing brick wall.
- 7.8. The proposed new electric gate to access the service yard would be 5.5m wide and 1.7m tall, between two new metal pillars with a similar pyramid cap finish on top. The electric gate would be controlled by a keypad. The gate would be in a similar black iron style to the new railings and pedestrian gate.
- 7.9. The area between the proposed gate and no.53 St Mary's Butts (C.U.P. Café) will be closed off with a metal railing fence at the same height as the gate. Removal of existing hardstanding used for informal parking would further improve the appearance of the service yard and improve the root conditions for the large mature Plane tree on site, and this is a positive aspect of the planning application which complies with Policy EN14. The submitted Arboricultural Method Statement and Tree Protection Plan are considered suitable and acceptable to protect the Plane tree from the construction works
- 7.10. Overall, the design of the proposal is considered visually acceptable, in accordance with policies CC7, EN1 and CR2.

III) Detailed Heritage Considerations

- 7.11. The proposal is located within the churchyard of St Mary's Church (the Minster), which is Grade I listed, and therefore affects how the Church is experienced (its setting) and views within the conservation area. The churchyard itself also functions as an important publicly accessible green open space in this part of the town centre. The enclosure of the service yard is not considered to negatively impact the character of the churchyard, nor enclose it to prevent public enjoyment, but would rather improve the appearance of the conservation area. Whilst the materials to be employed are not proposed to match the Church (stone, flint) the brick, mortar and iron will match the existing wall and St.

Mary's Church House. The proposal will therefore have a minor positive impact on the special features of these heritage assets.

- 7.12. The proposed extension of the wall follows the foundations present on site. It is assumed that in the past a wall similar to the existing brick wall already existed along the same line as the proposed new half brick wall. The proposal will use matching brick and mortar and railing to that which exists, which will provide a suitable design and continuity to the enclosure of service yard and the churchyard and provide a suitable boundary delineation.

Archaeology

- 7.13. Previous planning application at 55 St Mary's Butts (ref. 101752) identifies the ground floor side wall of no. 53 St Mary's Butts (C.U.P. Café) as 'archaeologically significant'. The flint wall should remain in situ and not be damaged by the proposed railing to be erected in this area.
- 7.14. The applicant has amended the proposal to confirm that no railing will be physically attached to the flint wall. This is considered sufficient to maintain this heritage asset.
- 7.15. The proposal includes a desk based archaeological study and a watching brief which outlines the procedures that the applicant will follow to mitigate the impact of groundwork on heritage assets and procedures for excavation and recording any findings. The submitted desk study and watching brief have both been reviewed by Berkshire Archaeology and are considered suitable.
- 7.16. Overall, the proposal is considered in accordance with Policies EN1, EN2 and EN3.

IV) Other matters

- 7.17. Concerns were raised by CAAC for the amenity impact on the outdoor seating area of the C.U.P. Café from vehicles idling at the proposed gate entrance. This has been reviewed and it is not considered that the air pollution would be significantly increased.
- 7.18. The Officer has sought advice from the Environmental Health team and requested the applicant to address the impact of air pollution for both the Café and the residential flats at 54 St Mary's Butts.
- 7.19. The applicant has included in their proposal to erect signage at the vehicle access gate instructing drivers to turn off their engine while waiting for the gate to open. This is considered sufficient to address the above concern.

8. Equality implications

- 8.1. Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, 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.
- 8.2. 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

9. Conclusion & planning balance

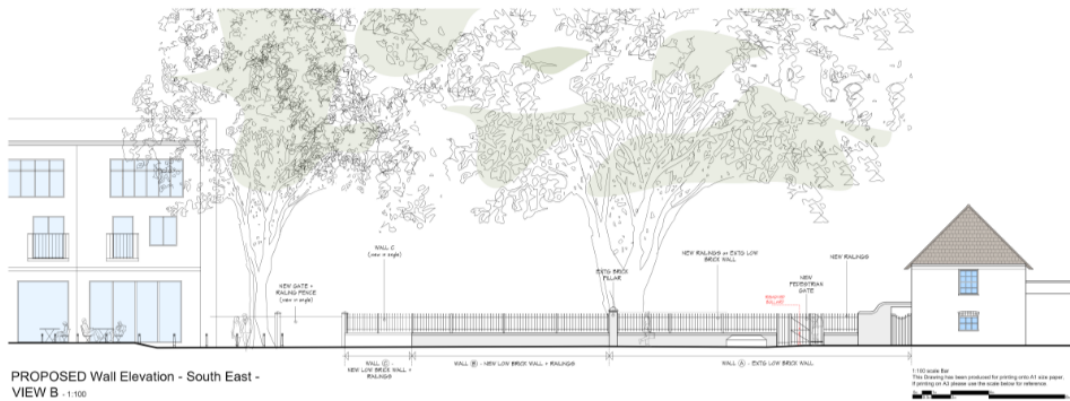
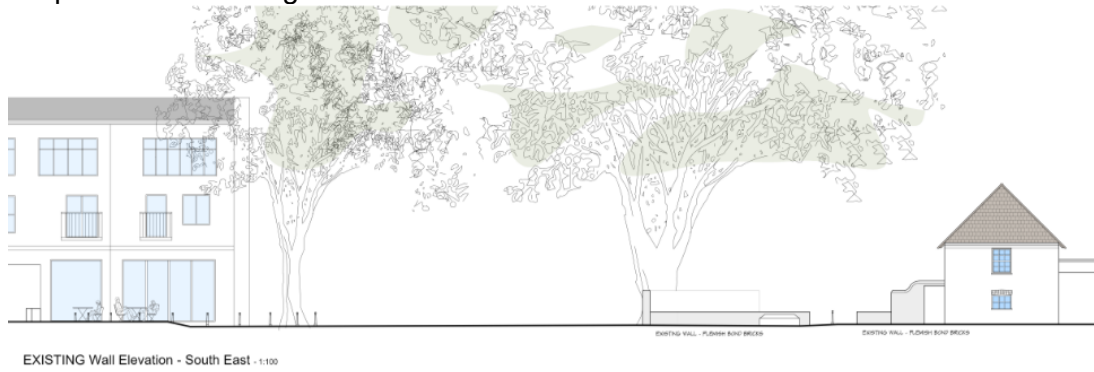
- 9.1 As with all applications considered by the Local Planning Authority, the application is required to be determined in accordance with the development plan unless material

considerations indicate otherwise, as per Section 38(6) of the Planning and Compulsory Purchase Act 2004.

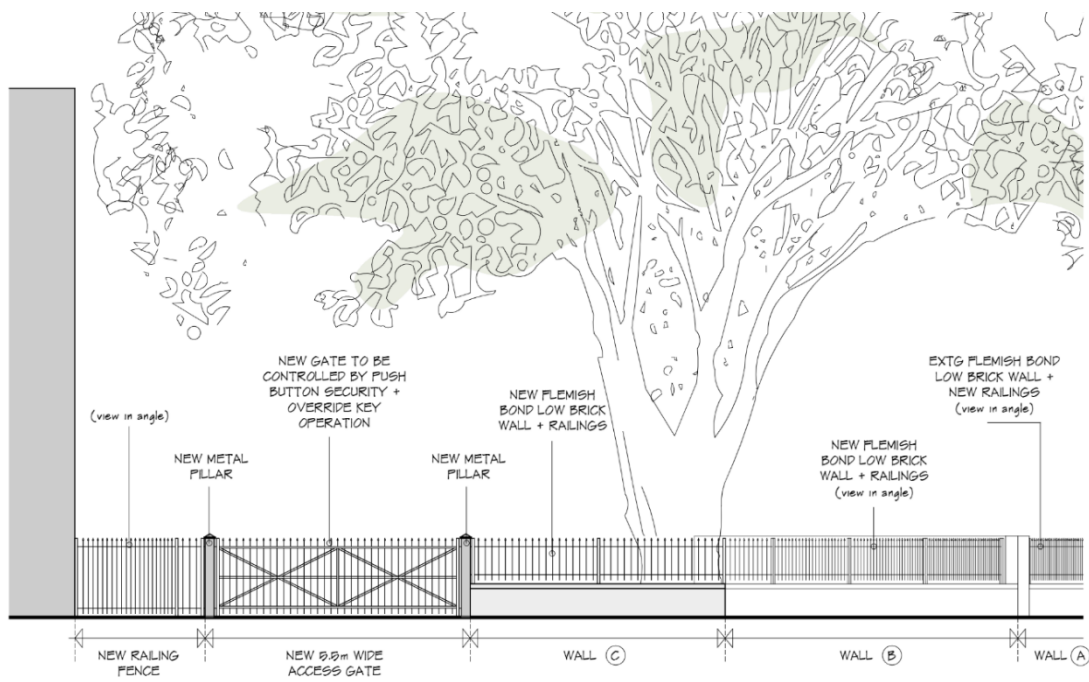
- 9.2 It is considered that the proposed works are acceptable both in terms of design and the impact on the conservation area.
- 9.3 It is considered that officers have applied a suitable planning balance when reaching this conclusion. As such, this application is recommended for approval for both Planning Permission and Listed Building Consent subject to the recommended conditions.

Plans & Appendices

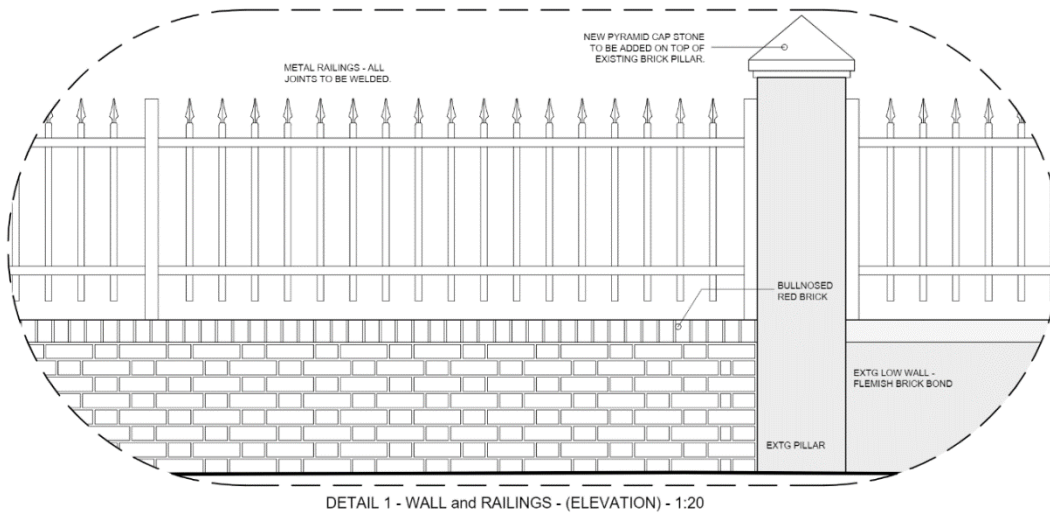
1. Proposed and existing elevations



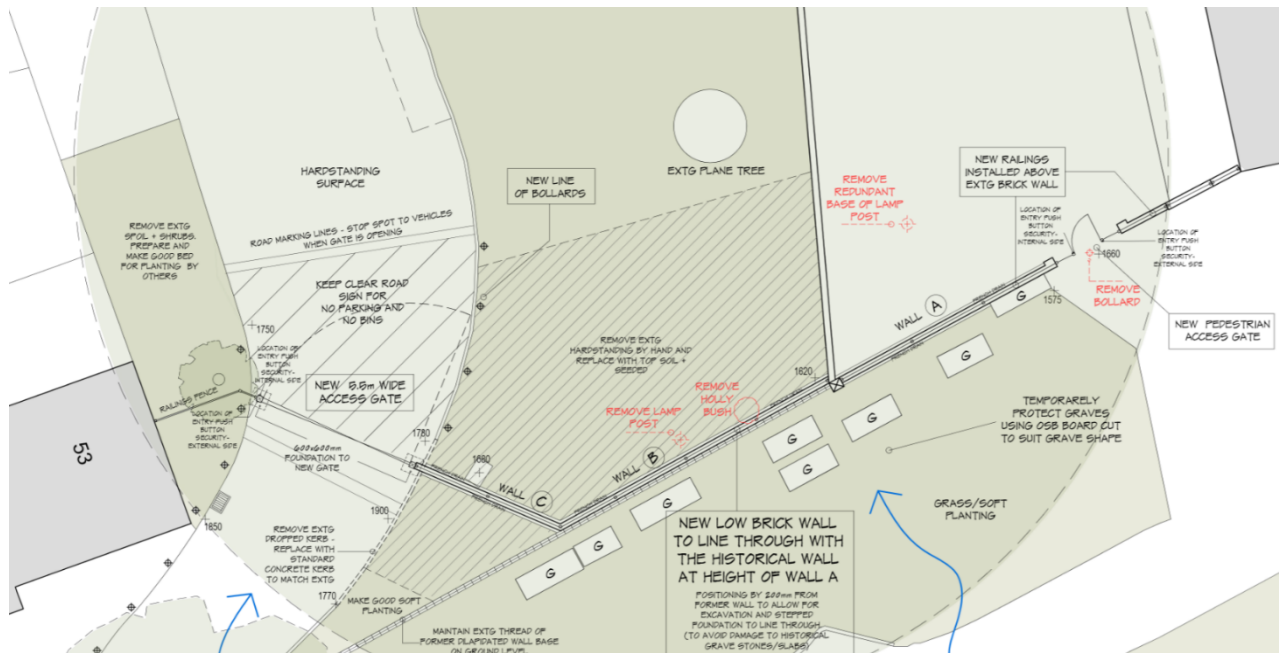
2. Proposed elevations (access gate)



3. Proposed railing details



4. Proposed site plan



5. Photograph of existing historic wall foundations



6. Photograph of existing half brick wall adjacent to St Mary's Church House



Planning Applications Committee

19 July 2023



Reading
Borough Council
Working better with you

Title	PLANNING APPLICATION REPORT
Ward	Katesgrove
Planning Application Reference:	221364
Site Address:	Central Club, 36-42 London Street, Reading, RG1 4SQ
Proposed Development	Partial demolition of existing building, construction of new building to accommodate a community hall (Use Class F2) and 17 no. residential flats (Use Class C3), with associated works and landscaping
Applicant	Red Line Land Ltd
Report author	Tom Bradfield
Deadline:	19/07/2023
Recommendations	Grant planning permission, subject to S106 (terms as follows) & conditions as follows
S106 Terms	<p>To secure affordable housing on site consisting of two units (11.8% provision), to be 1 no. one-bedroom unit and 1 no. 3 bedroom units. Both would be Reading Affordable Rent (RAR) tenure, capped at 70% of market rent as per published RAR levels.</p> <p>A (1) pre-implementation review and (2) a late stage review to be included, to re-visit the viability assessment [further details to be confirmed in the Update Report].</p> <p>In the event that a Registered (affordable housing) Provider is not secured for the provision of the Affordable Housing on site, the units to be offered to the Council to be provided by the Council as Affordable Housing. In the event that neither a Registered Provider or the Council can come forward to provide Affordable Housing on-site, the developer to pay to the Council a default sum equivalent to 12.5% of the Gross Development Value of the development for provision of Affordable Housing elsewhere in the Borough. To be calculated (the mean average) from two independent RICS valuations to be submitted and agreed by the Council prior to first occupation of any market housing unit. In this event, the sum to be paid prior to first occupation of any market housing unit and index-linked from the date of valuation.</p> <p>To secure a Zero Carbon Offset contribution to be confirmed in the update report as per the Sustainable Design and Construction SPD 2019 a minimum of 35% improvement in regulated emissions over the Target Emissions Rate in the 2013 Building Regulations, plus a contribution of £1,800 per remaining tonne towards carbon offsetting within the Borough (calculated as £60/tonne over a 30-year period). As per formula in the Sustainable Design and</p>

	<p>Construction SPD. Payment would be triggered on commencement of development and would be index-linked.</p> <p>Secure an employment and skills contribution of £2,192.60. As calculated in the Council's Employment Skills and Training SPD (2013) – payable on commencement of the development.</p> <p>The rental charge for the community facility to be capped at a 'peppercorn rent' per annum for at least 25 years.</p>
<p>Conditions</p>	<ol style="list-style-type: none"> 1. TL1 - Full - time limit - three years 2. Approved Plans 3. Materials (samples to be approved) 4. Historic England – Mural Conservation and Restoration 5. Cycle Parking (pre-commencement) 6. Refuse Storage 7. Refuse Collection (to be approved) 8. Parking Permits 1 (notification to LPA) 9. Parking Permits 2 (notification to occupants) 10. Construction Method Statement (pre-commencement) 11. Noise Assessment & Mitigation 12. Noise Mitigation Scheme (as specified) 13. Mechanical Plant (Noise Assessment required) 14. Noise Mitigation Scheme (Internal) 15. Air Quality Mechanical Ventilation (as specified) 16. Hours of construction/demolition 17. No burning on site 18. Contaminated Land Remediation Scheme (pre-commencement) 19. Contaminated Land Remediation Scheme (implement and verification) 20. Unidentified Contamination 21. Archaeological Investigation (pre-commencement) 22. Biodiversity Enhancements (Swift Bricks) 23. Sustainable Drainage (pre-commencement) 24. Sustainable Drainage (as specified) 25. Submission and approval of hard and soft landscaping (pre-commencement) 26. Landscaping Implementation 27. SAP Assessment – Major - design stage 28. SAP Assessment – Major – As Built 29. Community use control 30. Obscure Glazing
<p>Informatives</p>	<ul style="list-style-type: none"> • Positive and Proactive • Pre-commencement conditions • Highways • S106 • Terms and Conditions • Building Regulations • Complaints about construction • Encroachment • Contamination • Noise between residential properties • CIL • Parking Permits • Thames Water

--	--

1. Executive summary

- 1.1. The proposal is recommended for approval subject to a legal agreement and conditions as set out above.
- 1.2. The proposal would successfully redevelop an allocated Local Plan site within the town centre which has been vacant for fifteen years. It would provide housing, a community facility and restore and preserve the Black History Mural. The proposals would have an appropriate design, ensure that there would be no unacceptable impact on neighbouring properties and provide suitable accommodation for future residents. The proposal would have no adverse transport impacts, be acceptable in terms of ecology, biodiversity and sustainability. The minor adverse impact on the setting of heritage assets would be mitigated by the significant public benefits as outlined above. The application is therefore recommended to you for approval.

2. Introduction and Site Description

- 2.1. The site is on the corner of London Street and Mill Lane. It currently comprises a part single, part two storey building which has been vacant for over 15 years. The previous use of the site was as a community facility (the Central Club, a community hall). There is a locally significant Black History Mural on the northern elevation of the site which runs the length of the site and has been identified as an Asset of Community Value.
- 2.2. The front elevation faces east onto London Street and comprises of the historic element of the Central Club. The southern elevation adjoins number 44 London Street, the western elevation faces onto Crosslands Road. The northern elevation comprises of the Black History Mural, and faces onto Mill Lane, with the A329 beyond and the Oracle shopping centre on the opposite side of the road.
- 2.3. The site is within the Market Place/London Street Conservation Area, and there are numerous Listed Buildings nearby, although the site itself does not contain any Listed or Locally Listed Buildings. Immediately to the south of the site on the western side of London Street is a row of Listed Buildings which extends up to the junction with London Road (approximately 275m away). The closest Listed Buildings on this side of London Street are 44 and 46 London Street, 48-52 London Street, 54-58 London Street and 62-66 London Street, which are all Grade II Listed. Opposite the site there are several further Grade II Listed Buildings – 33 London Street, 35 London Street, 37 and 39 London Street, 41 London Street and 49-53 London Street.
- 2.4. The site is within the Air Quality Management Area and an Area of Archaeological Potential.
- 2.5. The site is allocated in the Local Plan as site CR14h:

CR14h CENTRAL CLUB, LONDON STREET

Development for residential with potential for ground floor community provision.

Development should:

- ***Make a positive contribution to the Conservation Area and the setting of nearby listed buildings;***
- ***Retain the iconic mural on the northern frontage;***
- ***Take account of potential archaeological significance;***
- ***Address noise impacts on residential use; and***
- ***Address air quality impacts on residential use.***

Site size: 0.05 ha 8-12 dwellings with community use provision

2.6. The site location plan is below:



3. The proposal

- 3.1. This application seeks to partially demolish the existing building and construct a four storey building which would contain a community facility and 17 residential units. The Black History Mural on the southern elevation of the building would be retained and restored as part of the proposals. The front section of the existing Central Club building facing onto London Street would also be retained.
- 3.2. The proposal would include a landscaped residents' courtyard on the southern side of the site and an arrival courtyard on the north-eastern corner. The community space would be towards the London Street frontage and would be 134sqm in area. Cycle and bin storage would be within the central core of the site, with visitor cycle parking in the arrival courtyard. No car parking is proposed.
- 3.3. The proposed residential unit mix would be as follows:

Type	Market	Affordable	Total
1 bedroom flat	6	1	7
2 bedroom flat	7	0	7
3 bedroom flat	2	1	3
Total	15	2	17

- 3.4. Community Infrastructure Levy (CIL): the applicant has duly completed a CIL liability form with the submission. The proposed C3 use is CIL liable and the estimated amount of CIL chargeable from the proposed scheme would be £99,743.62 based on £156.24 (2022 indexed figure) per sqm of Gross Internal Area (GIA).
- 3.5. The applicant has submitted the following documents for consideration:

- Affordable Housing Statement
- Air Quality Assessment
- Contaminated Land Statement
- Ecology Statement
- Noise Assessment
- Acoustic Design Review
- SUDS Strategy
- Energy Statement
- Mural Risk Assessment
- Heritage Impact Assessment
- Art Condition Survey
- Art Protection Proposal
- Planning Statement
- Daylight/Sunlight Assessment
- Viability Report
- Design & Access Statement
- Existing Plans and Elevations
- Proposed Plans and Elevations

4. Planning history

- 4.1. There have been no relevant planning applications made at the site, although pre-application advice has been supplied before submission of this planning application.

5. Consultations

- 5.1. The following consultation responses were received:

Historic England

- 5.2. Historic England is a Statutory Consultee where a major proposal involves demolition on land owned by a Local Authority in a conservation area. Historic England welcomes the retention of the mural and façade of the existing building. Several conditions were suggested to ensure that the conservation and restoration of the mural is undertaken appropriately. No objections to the built form of the proposed building or its impact on the setting of the nearby Listed Buildings or the Conservation Area. A response was not received from the Council's Conservation Officer.

Thames Water

- 5.3. Thames Water raised no objections and suggested an informative related to nearby waste water assets.

RBC Transport

- 5.4. The Transport team raised no objection to the proposals. The car free nature of the scheme is considered acceptable given the accessible location. Further information relating to waste and recycling, cycle parking and access rights was requested and received. Conditions relating to the restriction of residents parking permits, servicing, waste and recycling collection and a construction management plan were suggested.

RBC Housing Development

The Housing Development Team appreciate the complicated nature of the site and that viability constraints result in an 11% affordable housing offer. A larger unit than the studio being offered would be preferable, but given the complex nature of the site and development, it would be acceptable. It is unlikely that a Registered Provider would take the two units on, so a cascade clause should be included in the legal agreement to ensure that the units are first offered to the Council for purchase before seeking the financial contribution agreed as a last resort.

RBC Waste & Recycling

- 5.5. Further information was requested relating to the collection of waste and recycling, which was provided. Waste management would be secured by suggested condition.

RBC Environmental Protection

- 5.6. Additional information relating to noise and air pollution was required and has been provided. A variety of conditions relating to noise, air quality, land contamination, bin storage, hours of construction and a CMS were suggested.

RBC Ecology

- 5.7. The proposals would have no impact on protected species or priority habitats, therefore no objection to the proposals. Conditions relating to landscaping and biodiversity enhancements was suggested.

Berkshire Archaeology

- 5.8. No objection subject to condition relating to archaeological investigations.

Resident Groups

- 5.9. The Reading Conservation Area Advisory Committee objects to the proposal as follows:
- Design of the residential accommodation
 - Unacceptable amenity for future occupiers
 - Useability of the community hall and arrival courtyard

Public/local consultation and comments received

- 5.10. 40 neighbouring properties were consulted by letter and two site notices were displayed at the application site.
- 5.11. Although no letters of objection were received, a petition from neighbouring properties was received, with eight signatures attached. It highlighted the below concerns:
- Impact on heritage assets is unacceptable
 - Impact on the street scene is unacceptable
 - Loss of privacy to 44 and 46 London Street
 - Unacceptable design
 - Lack of information relating to final use of community space

6. Legal context

- 6.1. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 6.2. 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'. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).
- 6.3. In this regard, the NPPF states that due weight should be given to the adopted policies of the Local Plan 2019 according to their degree of consistency with the NPPF (the

closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

- 6.4. Accordingly, the latest NPPF and the following development plan policies and supplementary planning guidance are relevant:

National Policy – National Planning Policy Framework (NPPF) 2021

Section 2 – Achieving Sustainable Development

Section 4 – Decision Making

Section 5 – Delivering a sufficient supply of homes

Section 6 – Building a strong, competitive economy

Section 7 – Ensuring the vitality of town centres

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting sustainable transport

Section 11 – Making Effective Use of Land

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Section 15 - Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

Reading Borough Local Plan 2019

Policies:

CC1: Presumption in Favour of Sustainable Development

CC2: Sustainable Design and Construction

CC3: Adaptation to Climate Change

CC5: Waste Minimisation and Storage

CC6: Accessibility and the Intensity of Development

CC7: Design and the Public Realm

CC8: Safeguarding Amenity

EN1: Protection and Enhancement of the Historic Environment

EN2: Areas of Archaeological Significance

EN3: Enhancement of Conservation Areas

EN4: Locally Important Heritage Assets

EN5: Protection of Significant Views with Heritage Interest

EN6: New Development in a Historic Context

EN7: Local Green Space and Public Open Space

EN9: Provision of Open Space

EN10: Access to Open Space

EN12: Biodiversity and the Green Network

EN15: Air Quality

EN16: Pollution and Water Resources

EN17: Noise Generating Equipment

H1: Provision of Housing

H2: Density and Mix

H3: Affordable Housing

H5: Standards for New Housing

H10: Private and Communal Outdoor Space

TR1 Achieving the Transport Strategy

TR3: Access, Traffic and Highway-Related Matters

TR5: Car and Cycle Parking and Electric Vehicle Charging

OU1: New and Existing Community Facilities

CR1: Definition of Central Reading

CR2: Design in Central Reading

CR3: Public Realm in Central Reading

CR14: Other Sites for Development in Central Reading

Supplementary Planning Documents

Affordable Housing (2021)
Planning Obligations under S106 (April 2015)
Sustainable Design and Construction (Dec 2019)
Employment, Skills and Training (2013)
Parking Standards and Design (2011)

Other relevant documents:

Conservation Area Appraisal – Market Place/London Street

7. Appraisal

7.1. The main considerations are:

- Principle of Development
- Design, Heritage and Archaeology
- Affordable Housing
- Unit Mix, Housing Quality and Future Residents Amenity
- Neighbour Amenity
- Transport
- Ecology
- Sustainability
- S106 Legal Agreement

Principle of Development

7.2. Local Plan Policy OU1 seeks to protect community facilities. New facilities should be located where there is a choice of travel options, and proposals involving the redevelopment of existing facilities should re-provide community use on site where possible.

7.3. Local Plan Policy H1 sets out the pressing need for housing in Reading and the surrounding area. It goes on to identify that the appropriate use of previously developed land is an important way of meeting the housing needs in Reading.

7.4. The site is allocated in the Local Plan as CR14h. It is described as a site with potential for development for residential with ground floor community provision. It identifies that 8-12 residential units on site would be suitable.

7.5. The proposals would replace the majority of the existing building with a new building containing 17 flats and a community facility. The proposal exceeds the allocation suggestion, however, providing this is achieved in a manner that would not result in any unacceptable impact on other material considerations, this is considered acceptable.

7.6. Although the community floorspace would be reduced from the current 596sqm to 134sqm. The applicant has demonstrated that the facility in its current state is not fit for purpose and that the proposal would restore a useable community facility to a site which has not offered this for over 15 years. The use falls within use class F2 and opening hours would be secured by condition. Provision of community floorspace on site would meet the requirements of Policy OU1 and would be in accordance with the site allocation.

7.7. The site constitutes an underused brownfield site in Central Reading. The allocation in the Local Plan identifies it as an appropriate location for residential development, providing any proposal:

- Makes a positive contribution to the Conservation Area and the setting of nearby Listed Buildings
- Retains the iconic mural on the northern frontage
- Takes account of potential archaeological significance
- Addresses noise impacts on residential use
- Addresses air quality impacts on residential use

- 7.8. The following sections will discuss these criteria, and, providing the proposals meet them, development of the site for residential use is considered acceptable in principle.

Design, Heritage and Archaeology

- 7.9. Policy EN1 of the Local Plan seeks to protect heritage assets and their settings and where possible, enhance them. Proposals which affect heritage assets and their settings should seek to avoid harm in the first instance. Any harm identified requires clear and convincing justification, usually in the form of public benefits. Policies EN3 and EN6 of the Local Plan seek to ensure that the special interest, character and architecture of Conservation Areas is conserved and enhanced. Development proposals in conservation areas should make a positive contribution to the historic townscape and be sensitive to the historic context.
- 7.10. Policy EN2 of the Local Plan requires development to carry out appropriate assessments of archaeological impacts to ensure that adequate identification and investigation takes place.
- 7.11. Policy CC7 states that “all development must be of high design quality that maintains and enhances the character and appearance of the area”. The NPPF in paragraph 130 c) states that planning policies and decisions should ensure that developments “are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)”.
- 7.12. The site is in an area of significant heritage value, given the number of nearby Listed Buildings and its position within the Market Square/London Street Conservation Area. The Conservation Area Character Appraisal identifies London Street as one of four character areas within the Conservation Area. The Appraisal identifies a variety of features which have a positive and negative impact on the historic character of the area. The positive features include the width of the street, the high concentration of historic buildings, the mix of architectural styles, the well proportioned relationship between taller buildings and the wide street, the predominance of brick and the strong vertical rhythm created by aligned windows and doors. Negative features include the proximity to the IDR, noise and fumes, lack of enclosure at the northern end of London Street, garish shopfronts and modern developments which detract from the historic appearance of the area.
- 7.13. The proposal would retain the existing building on the eastern elevation which faces onto London Street, where the majority of heritage assets are located and the views within the Conservation Area are most important. The retention of this part of the existing building would ensure continuity at street scene level, and a human scale retained. In particular, the existing façade is well constructed of brick, with Flemish bond, chamfered edges and a stone fascia, all of which is being retained. This is identified as a positive contributor to the historic character of the Conservation Area.



- 7.14. The new building would be set back from the front elevation of the retained ground floor façade by 3.5m. The setback would ensure that the gable end of the adjacent Grade II Listed number 44 London Street would remain visible in views looking southwards. The set back from the street frontage serves to disconnect the new building from the historic aspects of the street, and it would read as a separate entity in the street scene. Furthermore, the Character Appraisal discusses the lack of enclosure at the northern end of London Street as a negative feature. The proposal would help to create an enclosed end point to this section of the Conservation Area, shielding it somewhat from the impacts of the IDR and larger scale Oracle shopping centre beyond.
- 7.15. The scale of the building would be larger than most buildings on the western side of London Street, but would be of a similar scale to those on the eastern side. The Character Appraisal identifies that well-proportioned taller buildings and their relationship with the wide London Street constitutes a positive feature of this part of the Conservation Area. The Appraisal also discusses the importance of brick as a material in this location and the strong vertical rhythm of the street. The proposal would be of brick construction and would maintain a pronounced verticality which would be juxtaposed with the existing horizontal appearance of the retained mural and façade of the Central Club. The proposed building would be similar in scale to many of the larger buildings on London Street, in particular on the eastern side. The scale of the building, combined with its set back from the front elevation, materials and design would ensure that the character of the Conservation Area is preserved.
- 7.16. The proposed building would be visible in the setting of many of the Listed Buildings, especially when looking north towards the IDR. When viewing the Listed Buildings on the western side of London Street in their current context, the Oracle shopping centre is highly visible behind them. The proposal would sit between the Listed Buildings and the Oracle and would be a more appropriate backdrop when viewing the setting of these Listed Buildings given the proposed materials (brick) when compared to the grey cladding of the shopping centre. Whilst the proposal would have an impact on the setting of several Listed Buildings, as well as the Conservation Area, it is considered that this impact would be moderate, and would result in less than substantial harm.
- 7.17. The Local Plan requires proposals which cause harm to heritage assets to provide adequate justification to overcome this harm, usually through public benefits. The proposal would restore and preserve the Black History Mural on the northern side of the site. Whilst not Listed, the mural is of significant interest and its retention, restoration and preservation would be beneficial to Reading. Several conditions are proposed to ensure that the preservation of the mural is appropriate and secured. Other benefits of the scheme include the provision of housing including affordable housing, the re-use of a long-vacant town centre site and the reintroduction of a community use.
- 7.18. Berkshire Archaeology were consulted as part of the application, who identifies the site as of archaeological interest. A condition for site investigation has been recommended.
- 7.19. Overall, it is considered that the proposal would provide adequate mitigation to overcome the less than substantial harm to the heritage assets, and would be of a design that would ensure that the character of the Conservation Area is preserved. The proposal would therefore comply with Local Plan policies.

Affordable Housing

- 7.20. Local Plan Policy H3 requires development to make an appropriate contribution towards affordable housing to meet the needs of Reading Borough. For a development of this size, 30% of the total dwellings are expected to be provided as affordable housing. If proposals fall short of the policy, then the developer should clearly demonstrate the circumstances justifying a lower contribution through an open-book viability assessment.

- 7.21. The proposal would provide two affordable housing units on site, a one bedroom unit and a three bedroom unit, which equates to 11.8%. They would both be Affordable Rented units. This % falls short of the policy requirement, and so the applicants have submitted a viability assessment to justify the shortfall.
- 7.22. The viability assessment has been reviewed by BPS Surveyors on behalf of RBC Valuation, and found to be robust, and Valuation accepts that no additional on-site provision or financial contribution could be justified at this point. However, the applicant has further agreed to both a pre-implementation and late stage review to re-check the viability of the scheme. This would ensure that at these future points, if any positive gains were made in viability due to lower construction costs and/or an expected uplift in values, the developer would pay an enhanced further contribution. The Update Report shall set out the precise points for these reassessments and the nature of calculation of the costings and therefore how any additional contribution(s), as relevant, would be achieved. The 'cap' for these contributions would be equivalent to the Gross Development Value derived maximum contribution for the development which could mean that the equivalent financial contribution of 30% affordable housing could be achieved. The mechanism for this will be set out in the legal agreement to ensure that the viability can be re-assessed at these stages.
- 7.23. The Housing Development team were consulted as part of the application and have identified that given the complex nature of the site the offer above is acceptable. It is suggested by Housing Development that it may be difficult to secure a Registered Provider who would take on two units, so a robust 'cascade' clause is proposed to be included within the legal agreement to ensure that if Registered Providers are not interested in managing them, the units would be offered to the Council in the first instance, with a further option of a commuted sum in lieu of on-site provision.
- 7.24. Given the above package, the proposal is considered to be acceptable and complies with policies H3, CC9 and the Affordable Housing SPD.

Unit Mix, Housing Quality and Future Residents' Amenity

- 7.25. Local Plan Policy H2 states that wherever possible, residential development should contribute towards meeting the needs for the mix of housing set out in figure 4.6 of the Local Plan, in particular for family homes.
- 7.26. Local Plan Policy H5 states that new build housing will need to comply with the nationally prescribed space standards. Policy H10 requires dwellings to be provide with functional private or communal open space where possible. Homes should also have adequate natural light, outlook and privacy.
- 7.27. The proposal would provide 17 units at the following mix:

Type	Market	Affordable	Total
1 bedroom flat	6	1	7
2 bedroom flat	7	0	7
3 bedroom flat	2	1	3
Total	15	2	17

- 7.28. Ten family sized units would be provided (59%), with the remainder of the mix being one bedroom units. Provision of this level of family housing significantly exceeds the policy requirements.
- 7.29. Each new unit would meet or exceed the relevant internal space standards. Some of the units would be single aspect, mainly due to the need to retain the mural on the northern elevation. Two of the units benefit from private balconies, and a communal courtyard

space is provided at ground floor level. Given the constrained nature of the site and its central location, this arrangement is considered acceptable.

- 7.30. Within the site, there would be no overlooking between flats, and the orientation of the windows, introduction of the courtyard and position in relation to number 44 London Street would ensure that there would be no direct overlooking. The ground floor units would have frosted windows to 1.5m in height to ensure that their privacy is retained (to be the subject of a condition). Every unit within the scheme would achieve daylight and sunlight levels in excess of the British Standards recommendations.
- 7.31. The proposal would include adequate mitigation, with regard to air quality, through the implementation of an appropriate ventilation arrangement. Conditions are recommended to ensure that this is secured.
- 7.32. The proposal includes adequate noise mitigation to ensure that there would be no impact on future residents from external noise. Further mitigation is proposed to ensure that there would be no adverse impact as a result of noise between the two uses or from mechanical plant. Conditions securing these are recommended.
- 7.33. Overall, officers consider that the proposal would provide suitable future living conditions for residents on a constrained site in the town centre and is therefore considered to comply with the Local Plan policies above.

Neighbour Amenity

- 7.34. Policy CC8 (Safeguarding Amenity) of the Reading Borough Local Plan states that development will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties.
- 7.35. The closest residential use is at first floor level at number 44 London Street. Given the existing relationship between the two buildings, the set off from the boundary and the inclusion of the courtyard, the proposal would not have any increased impact on the living conditions at this property. There would be no direct overlooking between the two sites due to the position of windows. Furthermore, the site is located to the north which ensures that there would be no unacceptable loss of sunlight, as identified within the submitted daylight and sunlight report. No other properties are considered to be adversely affected.

Transport

- 7.36. Policy TR1 of the Local Plan requires developments to promote and improve sustainable transport. Policy TR3 states that consideration will be given to the effect of a new development on safety, congestion and the environment. Proposals should provide acceptable access to the site and ensure that there would not be a detrimental impact on the functioning and safety of the transport network.
- 7.37. The proposed development would be car free, which falls below the Council's car parking standards. Given the sustainable location of the site as well as its constrained nature, the proposed change of use would not have a significant impact on trips generated. Parking nearby is restricted, therefore any increase in parking demand would not be accommodated on street. Parking permits would be restricted for future residents. Given the excellent pedestrian, cycling and bus routes nearby, a car free development is considered acceptable in this instance.
- 7.38. Adequate levels of cycle parking have been provided, both for the residential units and the community facility, with visitor spaces being provided in the arrival courtyard.
- 7.39. Waste and recycling storage has been provided in an appropriate location, but would need to be brought to the kerb on collection day. A condition requiring a waste management plan to secure this has been recommended.
- 7.40. Overall, the proposals would represent an appropriate development in transport terms, and it would comply with the Local Plan.

Ecology

- 7.41. Policy EN12 seeks to protect existing green space, ensure that there would be no net loss of biodiversity, and where possible to demonstrate that there is a net gain for biodiversity.
- 7.42. The proposal is accompanied by an ecological survey which demonstrates that there would be no impact on existing species at the site. Several conditions are recommended to ensure that the proposals would provide landscaping details and the installation of swift bricks is carried out to ensure adequate biodiversity net gain on site.

Sustainability

- 7.43. Local Plan Policy H5 'Standards for New Housing' seeks that all new-build housing is built to high design standards. In particular, new housing should adhere to, water efficiency standards in excess of the Building Regulations, zero carbon homes standards (for major schemes), and provide at least 5% of dwellings as wheelchair user units. Policy CC2 (Sustainable Design and Construction) and Policy CC3 (Adaption to Climate Change) seeks that development proposals incorporate measures which take account of climate change.
- 7.44. An energy and sustainability statement was submitted as part of the application. This demonstrates that the proposal would not meet zero carbon targets, but would achieve circa 35% carbon reduction through higher fabric standards and the low carbon and renewable energy systems, namely photovoltaic panels and air source heat pumps. These would be positioned behind the parapet at roof level and would not be readily visible from views within the Conservation Area.
- 7.45. The Council's Sustainable Design and Construction SPD states in paragraph 3.11 that "in achieving Zero Carbon Homes for major residential developments, the preference is that new build residential of ten or more dwellings will achieve a true carbon neutral development on-site. If this is not achievable, it must achieve a minimum of 35% improvement in regulated emissions over the Target Emissions Rate in the 2013 Building Regulations, plus a Section 106 contribution of £1,800 per remaining tonne towards carbon offsetting within the Borough (calculated as £60/tonne over a 30 year period."
- 7.46. Residual emissions would be offset with a carbon offset payment of £1,800 per tonne, in accordance with Policy H5 and the SPD. This contribution will be confirmed in the update report, and would be secured in the legal agreement.
- 7.47. Given the significant parts of the building which are being retained, achieving zero carbon on this site would be difficult. The retention of existing building fabric at the front of the site and along the northern side would be a positive benefit in terms of waste minimisation (Policy CC5 is relevant). Although it is unfortunate that the proposed development cannot achieve Zero Carbon, the submitted Sustainability Statement demonstrates that the development achieves a 35% improvement along with a carbon offsetting in the form of a financial contribution, which will be secured through a S106 legal agreement. Officers are therefore satisfied that the development would be policy compliant in this regard.
- 7.48. Policy EN18 requires all major developments to incorporate Sustainable Urban Drainage Systems (SUDS) with runoff rates aiming to reflect greenfield conditions and, in any case, must be no greater than the existing conditions of the site. The applicant has submitted a Surface Water Drainage Strategy which demonstrates that the proposed drainage rate would be a reduction when compared against the Brownfield runoff rate and provides a pipes' network to the attenuation tank. As such, the proposal complies with Policy EN18 and is considered acceptable subject to the conditions recommended above.

Legal Agreement

7.49. The overarching infrastructure Policy CC9 (Securing Infrastructure) allows for necessary contributions to be secured to ensure that the impacts of a scheme are properly mitigated. The following obligations would be sought and as set out in the recommendation above:

- To secure affordable housing on site consisting of two units (11.8% provision) on site, to be 1 no. one-bedroom unit and 1 no. 3 bedroom units. Both would be Reading Affordable Rent (RAR) tenure, capped at 70% of market rent as per published RAR levels. Although the offer is below the policy requirements, this has been confirmed as the maximum offer achievable through assessing the viability information submitted. The Housing Development team have confirmed that the offer is acceptable.
- In the event that a Registered (affordable housing) Provider is not secured for the provision of the Affordable Housing on site, the units to be offered to the Council to be provided by the Council as Affordable Housing. In the event that neither a Registered Provider or the Council can come forward to provide Affordable Housing on-site, the developer to pay to the Council a default sum equivalent to 12.5% of the Gross Development Value of the development for provision of Affordable Housing elsewhere in the Borough. To be calculated (the mean average) from two independent RICS valuations to be submitted and agreed by the Council prior to first occupation of any market housing unit. In this event, the sum to be paid prior to first occupation of any market housing unit and index-linked from the date of valuation.
- A pre-implementation review and a late stage review would be included to ensure that the viability can be assessed as the development moves forwards to ensure that a maximum amount of affordable housing is provided as part of the proposals.
- Zero carbon offset financial contribution will be calculated and reported in the update report based on the Sustainable Design and Construction SPD formula
- Employment, Skills and Training and Construction financial contribution of £2,192.60.
- A clause to ensure that the rent of the community facility would not exceed a peppercorn rent per annum for at least 25 years. This would ensure that the community use is retained as such, at minimal cost to future users.

8. Equality implications

8.1. Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, 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.

8.2. 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

9. Conclusion & planning balance

- 9.1 As with all applications considered by the Local Planning Authority, the application is required to be determined in accordance with the development plan unless material considerations indicate otherwise, as per Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 9.2 Any harmful impacts of the proposed development are required to be weighed against the benefits in the context of national and local planning policies, as detailed in the appraisal above. Having gone through this process officers consider that the impacts of the scheme on the heritage assets nearby would be outweighed by the benefits of the scheme in providing housing, affordable housing, restoring the mural and providing a community facility on a vacant brownfield site.
- 9.3 It is considered that officers have applied a suitable planning balance when reaching this conclusion. As such, this application is recommended for Approval subject to completion of a legal agreement and relevant conditions.

Ground floor plan



Proposed north elevation

Page Navigation
show/hide
view
Current Zoom
Orientation
Stamp
Overview

PROPOSED NORTHERN ELEVATION

<p style="font-size: 8px; margin: 0;"> COLONY ARCHITECTURE LLC 800 LINDEN AVENUE CHESTERFIELD, MISSOURI 63015 </p>	<p style="font-size: 8px; margin: 0;"> PROJECT: PROJECT NO.: DRAWING NO.: DATE: </p>	<p style="font-size: 8px; margin: 0;"> RIBA # REGISTERED ARCHITECTS COLONY ARCHITECTS LLC 800 LINDEN AVENUE CHESTERFIELD, MISSOURI 63015 TEL: 636.861.8888 WWW.COLONYARCHITECTS.COM </p>
--	---	--

