

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL

ITEM NO. 11

PLANNING APPLICATIONS COMMITTEE: 5th December 2018

Ward: Whitley

App No.: 180698

App Type: FULL

Address: 448a Basingstoke Road

Proposal: Change of Use of 448a Basingstoke Road to a mixed B1 (a) (1735sqm including 72sqm of new mezzanine) /A3 (128sqm) /D1 (1724sqm) use, with glazing to replace roller door (amended)

Applicant: Reading Family Church

Date valid: 26th April 2018

Minor Application: 8 week target decision date: 21st June 2018

Agreed Extension of time date: 21st December 2018

Planning Guarantee: 26 week date: 25th October 2018

RECOMMENDATION

REFUSE full planning permission for the following reason:

1. The proximity of the adjacent five LPG tanks, ethanol tank and finished aerosol products (totalling ca 190 tonnes) at 452 Basingstoke Road (P&G - a COMAH site) would pose a significant and serious risk to the proposed development with respect to public safety contrary to NPPF (Para.95), Sites and Detailed Policies Document (2012, altered 2015) Policy DM20, and National Planning Practice Guidance - Handling Development Proposals around Hazardous Installations.
2. In the absence of a completed legal agreement to secure off-site provision for additional parking it fails to provide adequate parking provision and therefore controls over the development's parking and highway impacts, contrary to policies CS9, CS20, CS24, DM3, and DM12.

Informatives to include:

3. IF1 Positive and Proactive Working - refusal
4. Refused plans

1. FURTHER INFORMATION

- 1.1 The application was originally considered by Planning Applications Committee in September 2018 (original report and update included at Appendix A) and the decision was a resolution to grant subject to a S106 legal agreement, conditions and informatives. However, as the HSE had 'advised against' the proposed scheme there was a requirement for the Council to notify the HSE and to provide 21 days for the HSE to decide whether to submit a formal request to the Secretary of State (SoS) to consider a call-in of the application for SoS determination.
- 1.2 Before the end of that 21 day period (7-28th September 2018) the HSE provided a letter (as included at Appendix B) setting out that they have serious concerns with regard to this proposed scheme and that it meets more than one of the HSE's published criteria which they use to decide whether to request that the SoS call-in an application. HSE consider its role is fully discharged when they consider that the LPA is acting in full understanding of the HSE's advice and of the consequences to public safety that could follow. Having read the previous officer reports they were

unconvinced that the planning committee members “fully understood the seriousness of HSE’s advice given the nature of the proposed development and the risks from a major accident at the neighbouring Gillette UK Ltd Site.”

- 1.3 At that time the HSE had not made a formal request to the SoS, but in the letter strongly advised that officers “remit this planning application back to your planning committee with the added benefit of HSE’s additional advice and information contained in this letter.”
- 1.4 Following receipt of that letter officers from the HSE were invited to provide further information in a face-to-face-meeting and to present the information in a separate meeting with the applicants. These meetings were held on Friday 12th October 2018.
- 1.5 At the meeting the HSE provided further detail on:
 - The types of incidents that occur at COMAH sites;
 - The specific concerns related to:
 - (i) The proximity of the application site to Proctor & Gamble (P&G) located wholly within the HSE’s inner zone, the most hazardous of the three zones, which comprise the HSE’s consultation distance for P&G.
 - (ii) The vulnerability of the proposed users and the number of people who could be on site at any one time in comparison to the existing permitted B1 (a) and (c) use.
- 1.6 The HSE’s policy advice¹ categorises development into one of four sensitivity levels combined with the output of risk assessment of potential major hazards, and provides a set of zones. In the inner zone (as shown in Appendix 1 of Appendix B), there is an allowance for low density commercial development of less than 100 persons at work in a building of two stories or fewer in height. Although risk control measures are in place for COMAH sites the residual risk of a major accident, which remains after all reasonably practicable health and safety measures have been put in place, is what the HSE assesses.
- 1.7 The HSE’s view is that someone who is employed will understand the level of risk, be of working age, fit and healthy, and will practice drills, and that the level of risk to an employee would be less than that for members of the public.
- 1.8 The HSE further explained that the risks from the immediately adjacent five large LPG tanks and an LPG road tanker off-loading area and bulk ethanol tank (also finished aerosol products) ca 190 tonnes in operation, include tank failure as well as spillages, which could occur during filling (further detail is included in the letter in Appendix C).
- 1.9 Proctor and Gamble has advised that the core delivery times for the tankers are between 7:00 and 18:00 Monday to Friday, but there are occasions when a delivery may be necessary in the evening up to 22:00 and also during the daytime of Saturdays and Sundays, due to operational requirements.
- 1.10 In the meeting with the HSE, RBC officers explored whether it would be possible to make changes to the scheme, in addition to the proposed condition controlling the external activities in the car park of the application site, which would make the scheme acceptable. Officer suggestions of amendments included: limiting the numbers/ days/ times of use so that this would restrict the numbers of people during tanker delivery time; linking the alarm system of the application site to that of P&G; and development of protection/ ‘walls’ around the tanks. However, the HSE

¹ <http://www.hse.gov.uk/landuseplanning/methodology.pdf>

reiterated that they would only not 'advise against' the development if it were amended to comply with sensitivity Level 1 uses. The HSE letter in Appendix C below is clear that the uses as proposed would have to be located beyond the middle consultation zone.

- 1.11 Due to the significant issues being raised it was agreed by officers that the application should be brought back to committee to provide further information to councillors and give the opportunity for HSE to present material and be available for questions.
- 1.12 A further letter has been submitted by the HSE, which is attached at Appendix C. This includes details of the layout of the P&G site and its relationship to the application site; the severe consequences of a failure of a COMAH site, and HSE's advice with regard to vulnerable and sensitive groups, who would comprise many of the users of the proposed site.
- 1.13 Officers are of the view that the issues which the HSE have raised are a material consideration and the risks they have identified are considered to be substantial enough to warrant changing the recommendation to refusal.
- 1.14 Councillors are advised that if you are minded to still approve the proposed scheme then the HSE has stated that because it meets more than one of their published criteria, and is therefore of serious public safety concern, they will write to the Ministry of Housing, Communities and Local Government's Planning Case Work Unit to request that the SoS 'calls in' the case. They highlight (in their letter of 22nd November - Appendix C) that *"this is an exceptional course of action for the HSE"* who have *"only requested call in on 7 occasions in the last 35 years"*.

APPENDIX A: SEPTEMBER 2018 COMMITTEE REPORT & UPDATE REPORT

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL

ITEM NO. 17

PLANNING APPLICATIONS COMMITTEE: 5th September 2018

Ward: Whitley

App No.: 180698

App Type: FULL

Address: 448a Basingstoke Road

Proposal: Change of Use of 448a Basingstoke Road to a mixed B1 (a) (1735sqm including 72sqm of new mezzanine) /A3 (128sqm) /D1 (1724sqm) use, with glazing to replace roller door (amended)

Applicant: Reading Family Church

Date valid: 26th April 2018

Minor Application: 8 week target decision date: 21st June 2018

Agreed Extension of time date: 25th October 2018

Planning Guarantee: 26 week date: 25th October 2018

RECOMMENDATIONS

Under Section 9 paragraph 72 of the online Planning Practice Guidance on Hazardous Substances - Handling development proposals around hazardous installations, published by the Department for Communities and Local Government, if the Council is minded to approve the scheme against HSE advise then this requires a local planning authority to give HSE advance notice, and allow 21 days from that notice for HSE to consider whether to request that the Secretary of State for Communities and Local Government, or Welsh Ministers, call-in the application for their own determination.

Subject to no call-in under the above requirement delegate to the Head of Planning, Development and Regulatory Services to

- **GRANT** Planning Permission subject to conditions and informatives and subject to the satisfactory completion of a S.106 legal agreement

or

- **REFUSE** permission should the legal agreement not be completed by the 25th October 2018 unless a later date is agreed by the Head of Planning Development & Regulatory Services.

THE SECTION 106 LEGAL AGREEMENT TO SECURE THE FOLLOWING:

Transport:

- Off-site provision for additional parking - The applicant has agreed a licence with Ultima Properties Ltd, which provides for the use of up to 266 additional parking spaces on Sundays and on agreed other Christian festival days for a period of 5 years. Upon expiration of this agreement the applicant is required to secure a new agreement or arrange adequate alternative parking facilities, details of which must be submitted and approved by the planning authority.

CONDITIONS TO INCLUDE:

- 1) Standard Time Limit
- 2) Approved Plans

- 3) Materials
- 4) DC1 Vehicle parking space provided in accordance with approved plans
- 5) DC5 Bicycle parking - plans to be approved
- 6) Car Parking Management Plan prior to occupation
- 7) Travel Plan - A full travel plan must be submitted and approved by the Local Planning Authority within 6 months of occupation of the building.
- 8) Travel Plan Implementation - The aims of the approved Travel Plan shall be notified to all existing and new members
- 9) Travel Plan Review - No later than one year following the first occupation of the site (and every year for five years, until the site is established), an annual review of the Travel Plan for a period of 5 years from occupation shall be submitted to and approved in writing by the Local Planning Authority.
- 10) Details of bin storage to be approved prior to occupation.
- 11) The existing landscaping is to be retained.
- 12) Hours of use of the D1 and A3 uses to be 7:00 until 23:00 Monday-Friday, Sunday and public holidays and from 8:00 until 24:00 on Saturdays.
- 13) No amplified sound or music shall be played at the premises outside the following times: 8:00 until 24:00 on Saturdays and 8:00 to 23:00 for the remainder of the week.
- 14) The total area of floor space for B1 (a) use, as shown the approved plans, to be retained for such use at all times.
- 15) ESP - training/ employment outputs delivery document to be prepared with Reading (UK) CIC
- 16) The external parts of the site, within the site area, are to be controlled in the following way:
 - Designated smoking area around the northern side of the building - furthest away from the P&G building
 - No smoking zone within 20metres of the shared fence with P&G
 - No fireworks in the car park
 - No naked flames, or burning of rubbish on site
 - No BBQ's burning wood, charcoal, briquets or anything similar
 - No transfer of petrol or diesel in the car park
 - Gas fired barbeques and hog roasts to be located a minimum of 20m from the shared fence with P&G and portable firefighting equipment to be available for use

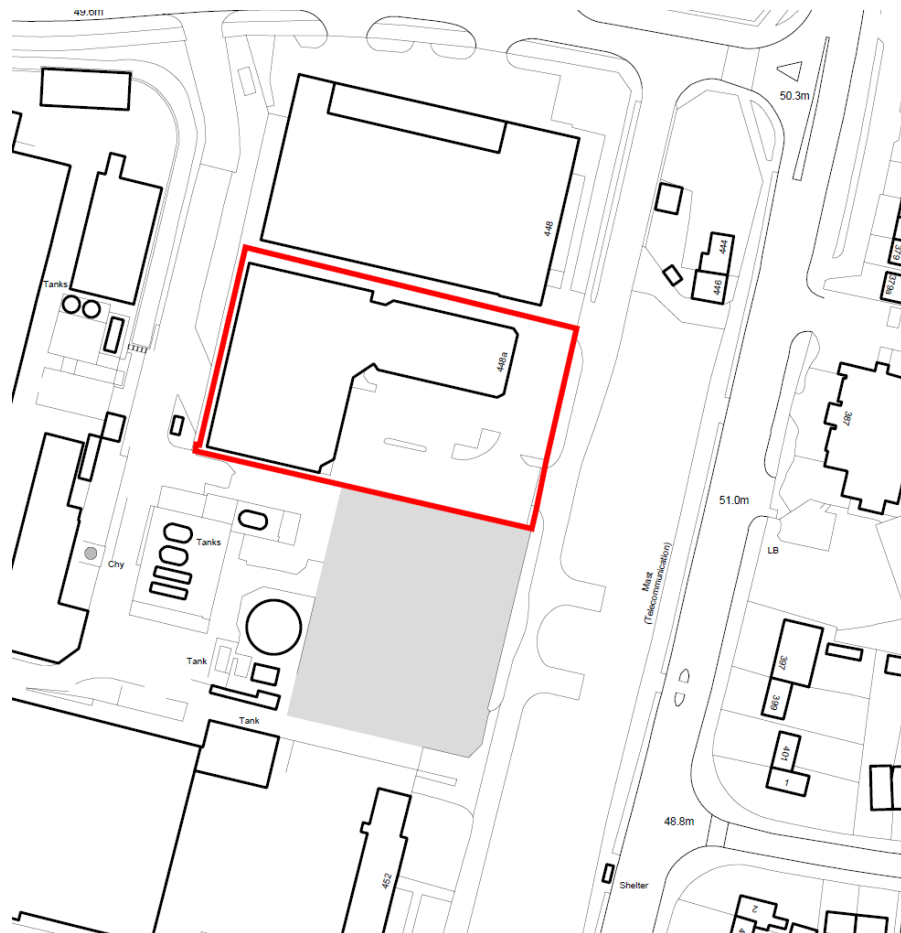
INFORMATIVES TO INCLUDE:

- (ii) Terms and conditions.
- (iii) Building control approval.
- (iv) Pre-Commencement conditions.
- (v) No burning on site
- (vi) The applicant to liaise with Proctor and Gamble regarding appropriate measures to include in the Church's evacuation plan in the event of a gas leak emergency event at the P&G site
- (vii) S106
- (viii) CIL- not chargeable
- (ix) Positive and proactive.

1. INTRODUCTION

- 1.1 The 0.38 ha site is occupied by an l-shaped commercial building and lies on the west side of Basingstoke Road. The former use was open plan offices within the front wing and assembly/ R&D/offices and ancillary storage (totalling ca2500sqm) within the rear. It is over 2 floors, but with a void above the assembly area. It was built in the late 1980s, with 50 no. car parking spaces. For the last 20 years it has been used by Ultima Business Solutions Ltd for office, research and development and assembly with ancillary storage (within B1 use class (a-c)). At present Reading Family Church is leasing some of the building for office and meeting space.

1.2 The site is located immediately north of the Proctor and Gamble site (former Gillette) which is a COMAH² site, and to the south of a two storey building (Fiscal Technologies - software development company). To the west are commercial buildings, part of the South Basingstoke Road industrial area. The nearest residential properties are 444 and 446 Basingstoke Road on the west side of Basingstoke Road with the residential areas of Whitley further east. . The site is reached directly off an access road, which is parallel to Basingstoke Road, and runs off Manor Farm Road to the north. There is no access from the south along the access road in front of the building.



Location Plan

- 1.3 The site lies within the Core Employment Area (Policy SA12), is within an Air Quality Management Area (Policy DM19), and an area of potential contamination.
- 1.4 Pre-application advice was sought and the applicant was advised that the loss of employment floorspace would not comply with policy as it would dilute the employment area and could lead to difficulties in letting other neighbouring employment premises. They were also advised that consideration should be given to whether the employment related church activities could be operated from this site and the place of worship elsewhere.

² COMAH= Control of Major Accidents and Hazards – regulated by EA and HSE - P&G have LPG tanks just south of the boundary with the application site.

- 1.5 The proposal is a development comprising a material change of use of floor area in excess of 1000sq.m so is a Major application as defined by the General Development Management Order (2015).

2.0 PROPOSAL AND SUPPORTING INFORMATION

- 2.1 The proposal is for the change of use of the B1 premises to a mix of B1 (a) (offices), D1 and A3, for the Reading Family Church, which has in the region of 500-600 regular participants and is a well-established local Charity and Christian faith organisation. The proposal is to bring all the Church activities together onto one main site with the addition of a 72sqm mezzanine:

Ground Floor:

B1(a) - 888sqm

D1 - 724sqm (worship space/ events/ community space/ rehearsal space/ private meeting space and a youth hall)

A3 - 128sqm (community café)

First Floor:

B1(a) - 847sqm (small business units, church administration offices, including 72sqm new mezzanine office above the proposed café)

- 2.2 The application form refers to a proposed estimated maximum of 60 no. full-time employees comprising the following:
- Ca 40 workstations on the first floor for the small business let
 - 10-12 people employed by the Church - Church leadership and management, buildings facilities manager, caretaker, administrator, graphic designer, youth worker, kids worker, events manager, 2x interns, group leaders and trainers)
 - Ca 2-3 staff in the A3 café
- 2.3 The following plans and supporting information have been considered:

Received 26th April 2018:

- Location Plan - Drawing no: 899/01LOC Rev A
- Block Plan - Drawing no: 899/02 Rev C
- Existing Ground Floor Plan - Drawing no: 899/03 Rev B
- Existing First Floor Plan - Drawing no: 899/04 Rev A
- Proposed Ground Floor Plan - Drawing no: 899/05 Rev B
- Proposed First Floor Plan - Drawing no: 899/06 Rev B
- Proposed Visual Impressions - Drawing no: 899/07 Rev A
- Existing and Proposed Area for each use - [unnumbered and unlabelled drawing]

Other documentation:

- Design, Access and Planning Statement (and appendices - including Outline Travel Plan), prepared by Red Kite Development Consultancy, April 2018
- Other Building Options Considered by the Church
- Sales Details (marketing information) for 448A Basingstoke Road
- Letter from Sharps Commercial dated 22nd November 2017
- Brochure about Reading Family Church
- CIL Additional Information Requirement Form

Received 15th June 2018:

- Existing Entrance [Plan and Elevation] - Drawing no: 899/10

- Proposed Entrance (Plan and Elevation] - Drawing no: 899/11

Received 7th August 2018:

- Fire Evacuation Plan
- Transport Plan
- Example weekly timetable of use and numbers

Received 9th August 2018:

- Application of Adopted Parking Standards to Proposed Scheme at 448A Basingstoke Road, prepared by Red Kite Development consultancy
- Response to RBC Transport's initial comments
- Plan of off-site car parking

3. PLANNING HISTORY

- 83/TP/707 - Erection of a light industrial building with ancillary offices - Approved 20th February 1984. This included the condition that *“the total floor area for office or research and development purposes shall not exceed 5000sqft for each use and any such use shall at all times be ancillary to the use of the remainder of the site for light industrial purposes.”*

4. CONSULTATIONS

(i) Statutory

COMAH (EA and HSE)

- 4.1 The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and also within at least one Consultation Distance, has been considered using HSE's Land Use Planning Methodology. The assessment indicates that the risk of harm to people at the proposed development is such that HSE's advice is that there are sufficient reasons, on safety grounds, for advising against the granting of planning permission in this case.
- 4.2 Major hazard sites/pipelines are subject to the requirements of the Health and Safety at Work etc. Act 1974, which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity. Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation. Where hazardous substances consent has been granted (by the Hazardous Substances Authority), then the maximum quantity of hazardous substance that is permitted to be on site is used as the basis of HSE's assessment.
- 4.3 *Planning Officer note:* The Officer sought clarification as to whether the 'advise against' response related to the nature of the proposed scheme, the proposed numbers of people who might use the site or both. Clarity was sought as to why the existing/ previous use of the site for B1, with up to 150 employees, would be considered differently to the proposal with regard to risk. The HSE responded as follows:

“HSE's advice was determined by a combination of the consultation zone where the development was located and the sensitivity level of the proposed development. This is assessed for each individual development type. An 'Advise Against' response for any single development type will dominate HSE's overall consultation.

Development type:

*Workplace - Sensitivity Level (SL) 2 within an Inner Zone = Advise Against
Indoor Use by Public - SL 2 within an Inner Zone = Advise Against
Institutional Accommodation and Education - SL 3 within an Inner Zone = Advise Against.*

In determining its advice, HSE does not take into account any existing use which a site may have, or any existing developments in the surrounding area. Although originally, HSE (through PADHI+) did take the existing use of a site into account when providing advice on a proposed development, this was removed in March 2008 following a review of HSE's land use planning methodology. That review identified that taking the existing use of a site into account could result in HSE not advising against developments which were clearly incompatible with the residual risks posed by a major hazard site.”

4.4 EA - Consulted, but no response received at the time of writing

(ii) Non-Statutory

Environmental Protection and Nuisance

4.5 The applicants indicate that noise nuisance is unlikely and from looking at the proximity of the site to residents, nuisance does indeed appear unlikely. Additionally, the applicant proposes measures to prevent disturbance to local residents (6.19 of the D&A Statement). I therefore have no objections to the proposed change of use.

Emergency Planning - RBC

4.6 No comments/ issues.

ONR

4.7 I have consulted with the emergency planners within West Berkshire Council, which is responsible for the preparation of the Burghfield off-site emergency plan required by the Radiation Emergency Preparedness and Public Information Regulations (REPPiR) 2001. They have provided adequate assurance that the proposed development can be accommodated within their off-site emergency planning arrangements. The proposed development does not present a significant external hazard to the safety of the nuclear site. Therefore, ONR does not advise against this development.

Reading UK CIC

4.8 Thank you for asking for my comments on the change of use application, which I note is from an existing employment site (B1 use including office, light industrial and R&D) to a mix of B1 office, D1 (church, community) and A3 (community café).

4.9 While the loss of employment space is always of concern (particularly in south Reading where there is a real need for good quality, permanent job opportunities) I note that this change of use could potentially bring additional benefits to the community. This would be in terms not just of community spaces, but also Reading Family Church's expressed interest in delivering training, supported employment projects and creating a variety of new jobs on the site - as well as much needed start-up work spaces.

- 4.10 If the Borough Council is minded to support the application I would suggest, to ensure these good intentions are given every chance of success, that a formal agreement is developed with Reading Family Church. This could provide a framework for the delivery of training and employment support. Ideally this would cover content and timescale, and link the Family Church with other community organisations and agencies already delivering programmes in south Reading. I believe this would provide a good basis for delivering *sustainable and worthwhile* projects for the benefit local residents.
- 4.11 As the Borough's delivery partner for Employment and Skills Plans, Reading UK would of course be happy to provide any necessary guidance and information to Reading Family Church if required.

Transport -RBC

- 4.12 Transport initially commented and requested additional information as follows to support the parking provision for the weekday/evening and Saturday uses:
- Information regarding the maximum number of participates/users must be submitted for each of the intended uses at the proposed site.
 - A timetable for the proposed use should also be included to determine the number of users on-site at any one time
 - How the parking spaces will be allocated for the users of the site.
 - Details of how the users would travel to the site. i.e, walk, cycle, public transport, private car. Surveys can be undertaken from existing users (where data is available).
- 4.13 Further to the receipt of additional information Transport's comments were as follows:
- 4.14 "This application is for a change of use to a mixed B1/A3/D1 use to accommodate the Reading Family Church (TRFC) at the former Ultima building at 448a Basingstoke Road. The Reading Family Church (TRFC) is a registered charity and has now grown to a faith community of around 500 people.
- 4.15 To date the varied church activities have been undertaken from a variety of sites in Reading. The applicant requires a single site to create a permanent place of worship, administration and activity centre. The total floorspace is to be enlarged by the addition of a 72m² mezzanine (1735m² of B1 included).
- 4.16 The proposed worship/community/small office use proposed will directly serve the local community and Reading as a whole. It is also stated that the proposed use will continue to provide office floorspace for small firms as well as rooms for groups such as Community Toddler Group, Youth Group, Job Club and a community café.
- 4.17 The site is located within Zone 3, Secondary Core Area, of the Council's adopted Parking Standards and Design SPD. In accordance with the adopted SPD, the development would be required to provide;
- 1 space per 8 fixed seats and/or 1 space per 16msqm open hall
 - 1 space per 50sqm of B1(a) use
 - 1 space per 5sqm of A3 use
- 4.18 However, the Council's adopted Parking Standards and Design SPD also states that;

“Where comprehensive and mixed-use development schemes are likely, developers are encouraged to provide shared parking facilities which are likely to generate peak parking levels during different periods of the day”.

- 4.19 The site provides 50 parking spaces which are illustrated on the block plan (Drwg no. 899/02 Rev C). The applicant confirms that the whole site will form a single planning unit and be under a single management, coordinating and controlling parking, safety and out of hours use. Therefore, shared parking facilities are considered acceptable in the context of the proposed uses and peak parking levels on the site.
- 4.20 A comprehensive statement has been produced on behalf of the applicant which assesses the floor area of the proposed uses in detail. The D1 area consists of an open hall of 460sqm with the remainder ancillary small rooms storing furniture and equipment for playgroup, staff kitchen and youth sports. The D1 element of the site will be used for Reading Family Church meetings and services which are mainly undertaken at the weekends and evenings which will generate the largest number of people on the site and the most demand for on-site parking.
- 4.21 The typical Sunday morning church attendance attracts approximately 400 people [Adults 275 and 125 children]. At times when high numbers are on-site (weekend services), all 50 on-site parking spaces will be available. However, it is evident from the congregation size that the demand for parking will outstrip the availability of on-site parking. Therefore, the applicant has agreed a licence with Ultima Properties Ltd which provides for use of up to 266 additional nearby parking spaces on Sundays and on agreed other Christian festival days (Christmas day, Good Friday, Pentecost etc) for a period of 5 years. It is anticipated that this will be extended/renewed when necessary. The applicant is happy to accept a condition that requires them to submit details to confirm that arrangements have been made in a similar way in future years. In principle, this is acceptable but it should form part of the S106 agreement.
- 4.22 The proposed B1 use floor area equates to 1735sqm which is to be divided between church activities, job and other training and advice groups and local small employers/associated charities. It is stated that nearly 75% of the 1735sqm is for training and advice groups which will generate a lower parking demand than typical B1 office use. Therefore, the applicant proposes to allocate 25 parking spaces to the small office suites and 5 spaces to the ground floor classroom area in addition to 5 spaces to the staff/management team.
- 4.23 The hall will also be used for Parent and Toddler groups and after school/holiday clubs which will be run Monday-Friday during the day and will not coincide with the Reading Family Church meetings and services. 20 unallocated parking spaces will be available for the community uses on the site during the daytime period. Given that the community uses will serve the local area, it is expected that these uses provide the best opportunity to promote sustainable travel which should be promoted through the Travel Plan (discussed later in the report).
- 4.24 In terms of the A3 use, the café will be open to passing trade but is more likely to be used by those already on the site for other activities. In view of this, no parking spaces will be allocated to the A3 use and any demand generated by passing trade will need to be accommodated within the 20 unallocated parking spaces. I am happy with this arrangement given the proposed uses on the site.
- 4.25 It should be noted that the B3031 Basingstoke Road and the surrounding highway network all have ‘No Waiting’ (DYL) parking restrictions preventing on-street parking. The access road serving the site is also restricted with ‘No Waiting’ (DYL)

parking restrictions. Penalty Charge Notices are issued by the Council's Civil Enforcement Officers if vehicles are parked illegally, therefore, there is limited opportunity for overspill parking in the local area. However, the applicant must ensure that the parking spaces within the site are appropriately managed and measures are in place during peak time to prevent vehicles travelling directly to the site without a secured parking space. Therefore, it is suggested that a car park management plan is secured by condition which includes a parking allocation plan for the daytime uses.

- 4.26 The applicant is required to produce a Travel Plan which covers all the proposed uses to initiate modal shift away from the private car and towards more sustainable modes. A Travel Plan has been submitted which details all travel modes to and from the site. This does not however include an assessment of how people currently travel to the site, does not include measures to promote alternative modes including car sharing amongst its congregation and does not provide incentives to encourage visitors to travel by foot, cycle and public transport where it is reasonable and practicable to do so. In addition, in order for a Travel Plan to work successfully, a Travel Plan Coordinator should be appointed. They will be the person responsible for the effective implementation of the Travel Plan and the measures it contains, as well updated the Travel Plan as necessary. However, I am happy for this to be dealt with by way of a condition.
- 4.27 In line with promotion of sustainable modes, the development must make provision for secure cycle parking within site. In accordance within the adopted Parking Standards, 1 space per 50sqm should be provided for D1 Places of worship/Church Hall and 1 space per 200m² for B1(a) office use.
- 4.28 The applicant has indicated that 18 cycle parking spaces are available within the site. Short stay spaces are available at the front of the site and staff cycle parking spaces are located at the rear of the building but additional information is required to ensure the provision comply with the Council's standards. However, I am happy to deal with this by condition."
- 4.29 *Planning Officer note:* Transport had no objections subject to conditions, S106 obligations and informatives as set out in the recommendations above.

(iii) Public Consultation

- 4.30 Nos 373-379a (odd), 387 and 397-401 (odd) 444, 446, 448 and 452 Basingstoke Road were consulted and a site notice was displayed. 180 no. support responses were received summarised as follows:
- Support the work of the church and the range of outreach projects that the church offer
 - Excellent track record of Reading Family Church in running, promoting and supporting innovative and much-needed initiatives across a range of groups of people with particular needs e.g. Starting Point (providing mentoring for young people who struggle to gain access to employment).
 - Provide a great community hub and a hub for small business and charities which is needed in this area
 - As council funding for these services are reduced because of government restraints, a community church dedicated to serving the local community and beyond, will be of great benefit to Reading. The community groups offered provide a much needed gap in society with the withdrawal of public services;
 - Would have a positive effect on the local community where there is an increasing need for community space and support in this area.

- There is at present no church easily available for the residents of Green Park, Reading Gateway and Kennet Island and RFC would be accessible for all adults and children from these developments to make use of or be a part of.
- Having a community centre on the doorstep of Kennet Island would be a real asset in terms of distributing emergency food parcels to local people in need
- The purpose of the building would not just be a place of worship, but a place of resource, rest, recovery and transformation for some of the most vulnerable people in our society.
- This church is doing a considerable amount to encourage community cohesion and serving the underprivileged of the local area.
- “In my opinion providing Reading Family Church with change of use is a no brainer. Given that much provision into Whitley, an area of deprivation, is being stopped by the council because of their enforced budget cuts, a change of use provides the church with the ideal opportunity to plug the gaps & give the local community the support it needs and deserves. RFC boasts over 400 members who are committed financially and practically to make a positive impact on the people living in the local area. The possibilities are endless, especially with the church eldership pledging to members who can create and implement innovative ways to support the local community. What’s not to like!”
- “I am particularly excited that this site proposed by the church for their Sunday meeting and mid-week activities will serve a massive number of new houses recently build/being built in the immediate area. With new homes at Kennet Island(1,300), Green Park Village(737), Royal Elm(618) and Reading Gateway(175) not to mention plans to grow Reading South of the M4. I firmly believe that Reading needs more community facilities precisely in this area and Reading Family Church is offering this to the town under this change of use application. Regardless of religion, the church also already serves the town in so many ways.....”

Response from Cllr Ennis: “The Church are inclusive and supportive of working with communities throughout the Reading area and they have been particularly supportive with vulnerable people who need assistance and help. If they were to succeed in their application then this would enhance their work further and help communities which I represent.”

Response from Cllr James: “I would like to support this application by the Reading Family Church to convert the usage of this building. I believe that the use of the building is suitable for the area and will provide benefits to the community, faith group and local businesses. That particular area, close to Kennett Island is not well served by community facilities.

I believe the group will comply with the conditions placed upon them and will be responsible owners of the building. As many of their members live in my ward, I would like to support their application.”

Response from Alok Sharma MP: “I have recently met with Mr Sean Green, founding Pastor of Reading Family Church. At our meeting, Pastor Green informed me of the above planning application submitted by RFC for Change of Use of the building at 448a Basingstoke Road, Reading, based in my constituency. Pastor Green informed me that RFC has been provided with 160 bays for parking which should mitigate any congestion issues at this site. Pastor Green also explained that RFC has projected that the community centre will generate a profit through a coffee shop, with 45 per cent of the profit being used for the community and the remaining 55 per cent being used for office purposes, including a proposed school business centre.

During my time as an MP, I have been impressed with the outreach work the church undertakes and I welcome their aim to invest these profits back into the local community. Also, given that there is a plan to mitigate potential congestion, I am supportive of this planning application.”

4.31 One letter of objection from Procter and Gamble:

“We write on behalf of our client, Procter & Gamble (‘P&G’), to submit representations in relation to the planning application currently pending determination at the above address (Ref: 18/0698). A P&G factory is located directly to the southwest of the proposed application site at 452 Basingstoke Road, as shown by the red line plan appended to this Letter. The site is currently occupied by a subsidiary company, Gillette Management LLC. Current operations on site include manufacturing alongside research and development within laboratory units and office space.

We understand that an application has been made to the Borough Council to change the use of 448a Basingstoke Road from office, research and development purposes (Use Class B1) to a mixed use facility (Use Classes B1/A3/D1), albeit primarily a church. We have reviewed the documents forming and supporting this application to inform this objection.

My client has concerns regarding the proposed change of use from a lightly used warehouse/office to a family church, not least the intensification of the site and the associated increase in levels of people to this location. Our concerns are set out in the following paragraphs.

The P&G factory is identified as a Control of Major Accident Hazards (‘COMAH’) site by Reading Borough Council’s Sites and Detailed Policies Document (‘SDPD’). The HSE consultation zone, as depicted in Figure 1 below, shows that the adjacent site falls within the red circle. As such, consultation with the Health and Safety Executive (‘HSE’) and Environment Agency (‘EA’) is imperative. We request clarification that these statutory bodies have been consulted by the LPA, to ensure the risk to the proposed development has been adequately assessed.

Specifically, Policy DM20 advises against locating development in the vicinity of such sites or pipelines, due to concern over the adverse health and safety risks to the surrounding population and environment. This Policy has, therefore, been explicitly drafted to prevent the eventuality currently being proposed by Reading Family Church.

We consider that the change of use would unacceptably place users at risk of hazardous substances. The operation of a family church would result in increased occupancy compared to its current purpose as a warehouse/office.

The P+G factory is a very sensitive use with flammable substances. In particular, the site’s gas tank control room abuts the boundary, next to which a community café use is proposed. Given the proximity, we are concerned that social activities such as BBQs, firework demonstrations and smoking could put the operation of P+G’s factory at risk, given their flammable substances and sources of ignition. It is therefore considered that the family church would not be a compatible use for the site due to the safety risk.

Moreover, in terms of the principle of the use proposed, the site sits within the Bennet Road Core Employment Area where the loss of employment land, most notably Class B8, is strictly resisted by Policies CS10, CS11 and CS12. The proposed change of use is therefore contrary to this policy, as it would result in a loss of

780sqm of employment land. The proposal would, therefore, be harmful to the economy and would not support the aspirations of the Local Development Framework and the Sustainable Economic Development Strategy.

In addition, there is a road tanker offload operation which takes place in close proximity to the proposed development. This is a pre-existing and essential operation to the site. We have concerns that this process may result in noise complaints from the users of the proposed development, due to the proximity of the scheme.

We therefore object to the change of use of the warehouse at this location. We would be grateful if we were kept informed of this application's progress through to determination. Should the application be reported to Planning Committee, we reserve the right to take the opportunity to present our objection to Members."

- 4.32 *Planning Officer note:* The officer provided further information and this resulted in P&G agreeing that using a means to control the external uses on site would be an acceptable way of making the use more compatible with the P&G site.

5. RELEVANT PLANNING POLICY AND GUIDANCE

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'.
- 5.2 The following national and local planning policy and guidance is relevant to this application:

Relevant Policies:

National Planning Policy Guidance

National Planning Policy Framework (NPPF)

Reading Borough Local Development Framework Core Strategy Document (2008, altered 2015).

Policy CS1 (Sustainable Construction and Design)
Policy CS2 (Waste Minimisation)
Policy CS3 (Social Inclusion and Diversity)
Policy CS4 (Accessibility and the Intensity of Development)
Policy CS7 (Design and the Public Realm)
Policy CS9 (Infrastructure, Services, Resources and Amenities)
Policy CS10 (Location of Employment Development)
Policy CS11 (Use of Employment Land for Alternative Uses)
Policy CS12 (Maintaining a Variety of Premises)
Policy CS20 (Implementation of Reading's Transport Strategy)
Policy CS22 (Transport Assessments)
Policy CS23 (Sustainable Travel and Travel Plans)
Policy CS24 (Car/Cycle Parking)
Policy CS31 (Additional and Existing Community Facilities)
Policy CS34 (Pollution and Water Resources)
Policy CS38 (Trees, Hedges and Woodland)

Reading Borough Local Development Framework: Sites and Detailed Policies Document (2012, altered 2015)

Policy SA1 (South Reading Development Principles)

Policy SA2 (South Reading Strategic Development Sites)
Policy SD1 (Presumption in Favour of Sustainable Development)
Policy DM1 (Adaption to Climate Change)
Policy DM3 (Infrastructure)
Policy DM4 (Safeguarding Amenity)
Policy DM12 (Access, Traffic and Highway-Related Matters)
Policy DM18 (Tree Planting)
Policy DM19 (Air Quality)
Policy DM20 (Hazardous Installations)
Policy SA12 (Core Employment Areas)

Supplementary Planning Guidance/Documents

Revised Parking Standards and Design (2011)
Revised Sustainable Design and Construction (2011)
Employment, Skills and Training (2013)
Planning Obligations Under S106, April 2015

Emerging Local Plan - Submission Draft Reading Borough Local Plan (March 2018)

Policy EM3 (Loss of Employment Land)
Policy EM4 (Maintaining a Variety of Premises)
Policy OU1 (New and Existing Community Facilities)

Background evidence to emerging local plan

Reading Employment Area Analysis, March 2018

6. APPRAISAL

6.1 The main issues to be considered are:

- (i) Principle of Development
- (ii) Transport and Accessibility
- (iii) Residential Amenity
- (iv) Environmental Effects
- (v) Design & Appearance
- (vi) Landscape
- (vii) Sustainability
- (viii) Infrastructure Provision (S106 and Community Infrastructure Levy)

(i) Principle of Development

6.2 The site is within the Core Employment Area under Sites and Detailed Policies Document Policy SA12 (SA12c: South of Basingstoke Road). Core Strategy Policy CS11 explicitly states that within the Core Employment Area, the overall level of employment land should be maintained. Proposals that would result in a loss of such uses will not be permitted. The following assessment therefore considers the proposal with regard to whether the benefits of the scheme introduces other material considerations, which would outweigh the loss of some employment use on the site.

6.3 The emerging policy (EM3) in the Submission Draft Reading Borough Local Plan (March 2018) states:

“Where, in exceptional circumstances, it can be demonstrated that a site in a Core Employment Area has no long-term prospect of employment use, a related alternative commercial use or a use ancillary to the employment use may be considered that would not result in a significant reduction in jobs.”

6.4 The supporting text (para 4.13.3) goes on to state that:

“...on some exceptional sites within the CEA, there may not be any long term prospect of re-use or redevelopment for employment, and in these cases it is preferable for a site to be used for an alternative commercial use that complements the area than for it to be vacant in the long-term, for instance five years or more. For example, some of the older industrial areas contain large sites that were tailored to the needs of a specific type of operation that no longer exists or operates in the same way, making it unviable to re-let, either in its existing form or sub-divided, in the long-term. If there is also no long-term prospect of redevelopment of these sites for employment, alternative commercial uses under this policy may be considered.”

6.5 Evidence has been presented by the applicant that the property has been marketed since June 2015 with no interest from B use class users, and that the existing set up of the building does not lend itself to modern business requirements. The building was designed and constructed at a time when companies required high office content warehouse facilities. The submitted letter from Sharps Commercial identifies that that this position has changed over time with companies requiring more traditional high bay warehouse space with up to 10% office space, or the office and warehouse space separate. As is recognised in the emerging policy the application building was tailored to the needs of a specific operator.

6.6 As supporting evidence to the emerging local plan an employment area analysis was undertaken (2018), which included identifying which employment areas are critical to the economy of Reading and the surrounding area and should be protected, and which areas may have potential for release to other uses. The application site is defined in this document as within Plot 1 of Manor Farm with the potential to be released from the Core Employment Area in isolation. However, Plot 1 also includes the Proctor and Gamble (P&G) site (at 452 Basingstoke Road - immediately to the south of the application site). This is recognised as being a major employer, so its loss from the Core Employment Area would have a serious impact on the town, and therefore the whole plot was not identified for release from the Core Employment area. However, the application site is not part of P&G and therefore should not come under the same level of protection.

6.7 The proposal allows for about 2/3rds of the building to be retained for B1 use, including the provision of a suite of flexible office units at first floor for rent to community groups, small start-ups, social enterprises, charities and local businesses etc, which would meet the requirements of Policy CS12, and emerging Policy EM4, in increasing the number of start-up units. 60 full time employees are proposed.

6.8 The remainder of the proposed use would provide significant community benefits both through the provision of community facilities, including a place for Christian worship (proposed for 65 days of the year), but also the benefits generated from the wide range of outreach programmes offered by the church. These include:

- Meetings to support adults with learning difficulties;
- Sure Start Christmas parties;
- Youth group;
- South Reading Churches annual funday
- Food bank with Readifood
- Community Toddler Group
- Parenting courses
- Preparation courses for couples wanting to get married
- Emotional/ spiritual support for couples and individuals

- Advocacy advice group
 - Lunch time club for the elderly/ lonely
 - After School Clubs
 - Holiday Clubs
 - Children’s Saturday Club
 - Schools work to assist in delivering religious education requirements
- 6.9 There are also wider employment related benefits from the Job Club run in partnership with the local job centre and work with 16-24 year old NEETS (‘not in employment, education or training’).
- 6.10 The proposed community uses are supported by Policy CS31 (Additional and Existing Community Facilities), emerging Policy OU1, and National Policy (NPPF Paras 17 & 70), particularly where this will involve co-location of facilities on a single site, and in locations where there is a choice of means of travel. Policy SA1 (South Reading Development Principles) sets out that *“development will contribute to the provision of community services and facilities...”*.
- 6.11 NPPF part 8 ‘Promoting healthy and safe communities’ states in para 92 that to “provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments...”;
- 6.12 The Sites and Detailed Policies Document specifically sets out issues to be addressed in South Reading and refers to the three Super Output Areas of South Reading falling within the uppermost 5% of deprived areas in England in respect of Education and Skills; and one area falls within the uppermost 10% of deprived areas in England in respect of Income. Overall, Whitley and Church are Reading’s most disadvantaged wards. In addition South Reading presently suffers from shortfalls in various community facilities, in particular within the education sector. These shortfalls add to other deprivation.
- 6.13 The principle of this mixed use, albeit it would involve some loss of employment space, is considered to be acceptable. It would not set a precedent as it is a unique offer, very different to other church schemes previously proposed within the Borough within Core Employment areas, because it would offer a combination of ongoing B1 use, including start-up units, alongside the wider community benefits, which include those activities with wider employment benefits. It is located on the edge of the Core Employment Area, and where the use would not detrimentally effect the ongoing employment use of adjoining sites. It would meet national and local policy aims with regard to providing a community facility and especially as it would be located in a specific area of deprivation of the Borough.
- 6.14 Reading (UK) CIC, the Council’s economic development company, sets out that the scheme “would provide a good basis for delivering sustainable and worthwhile projects for the benefit of local residents”. In particular the start -up spaces are much needed. They advise that a formal employment skills and training agreement is developed with the Church, which would provide a framework for the delivery of training and employment support, and would link the Church with other community organisations and agencies already delivering programmes in south Reading.
- 6.15 It is recommended that conditions are included to ensure that a minimum area of the building is retained for specific uses and that the identified benefits and

existing activities/ outreach work by the Church are secured through a training outputs/ delivery plan to be developed and agreed with Reading (UK) CIC.

(iii) Transport and Accessibility

- 6.16 The applicant has submitted a range of supporting transport information to demonstrate that the proposed mixed use scheme would provide opportunity for shared parking, i.e. that applying maximum parking standards (as adopted) to each use would not be appropriate in this instance. The applicant has indicated that the on-site car park is more than sufficient for the normal usage of the site. In addition a travel plan has been submitted and details provided of a typical week timetable showing the anticipated numbers using the site for different uses and modes of transport used.
- 6.17 It is proposed to allocate 20 spaces for the small office suites, 5 for the church/site activities management team and 5 for café use, leaving the remaining 20 unallocated. It is proposed that church services would be supported with the additional off-site parking with warden directing attendees.
- 6.18 Further to the submission of additional information Transport has raised no objection with respect to relevant policies CS23, CS24 and DM12, subject to recommended conditions for vehicle parking to be provided, bicycle plans to be approved, car parking management plan, travel plan and review. In addition a S106 obligation to ensure the on-going provision of additional off-site parking.
- 6.19 However, the Church has secured, via a private licence agreement with Ultima Properties Ltd, the use of up to 266 additional parking spaces on Sundays and on agreed other non-working days. This is located at Gainsborough House, Manor Farm Road, Reading. Transport has confirmed that as the proposed scheme would rely on this overflow parking that this would need to be secured via a Section 106 agreement. An obligation is included within the recommendation above.

(iv) Residential Amenity

- 6.20 The applicant has advised that the proposed scheme would typically attract 400 people on a Sunday morning service and in the evening ca 80 people. During weekdays the maximum number of people using the site would fluctuate depending on the specific timetable of activities, but would be unlikely to exceed 108 at any one time, which is below the maximum number when Ultima was using the site.
- 6.21 The maximum number would increase on weekends in association with hiring out of the space for events and church services. The proposed uses would be from 9am to 10pm Monday-Fridays, Sundays and Bank Holidays and 8am-11pm on Saturdays.
- 6.22 The key guiding policies regarding amenity are set out in Policy DM4: Safeguarding Amenity, which identifies a number of matters which would affect amenity. The one of specific relevance in this case is noise and disturbance.
- 6.23 The nearest residential properties are 40m away (at their nearest point) from the site and are 'sandwiched' between the Basingstoke Road and the access road serving the site and adjacent commercial premises (off Manor Farm Road). There is clearly background noise from the traffic using the main arterial route and movements along Manor Farm Road. This is evident for seven days a week with a range of commercial premises on Basingstoke Road open all week as well as journeys within the wider network. It is not considered that there would significant additional disturbance created by transport movements to and from the site.

- 6.24 Conditions are recommended to restrict the hours of use and to ensure no amplified music outside certain hours.
- (iv) **Environmental Effects**
- 6.25 This site is identified as potential contaminated land, but the proposal does not include for any ground or enabling works which could bring receptors into contact with contaminants. There is no objection on these grounds from Environmental Protection and Nuisance.
- 6.26 The site is located in the outer zone of AWE Burghfield and adjacent to Proctor and Gamble (P&G) a top tier COMAH (Control of Major Accident Hazards) site. In accordance with Policy DM20, ONR, and the COMAH authority (EA and HSE) were consulted.
- 6.27 Policy DM20: Hazardous Installations states that “...development in the vicinity of hazardous sites or pipelines, will not be permitted unless it has been satisfactorily demonstrated that the amount, type and location of hazardous substances would not pose adverse health and safety risks to the surrounding population and environment; and that any necessary special precautions to limit other potential societal risks to acceptable degrees would be put in place prior to the development commencing.”
- 6.28 An ‘advise against’ response was received from HSE. They advised that the method of assessment, which changed after March 2008, does not take into account existing land uses. In other words if a new employment site were being proposed on the application site their response would also be advise against. The current objection seems to suggest that it was acceptable for ca 170 people to work adjacent to the COMAH site without risk, whereas the proposed use with occasional higher numbers on site would be at risk.
- 6.29 It is considered relevant to note that in 2009 when P&G sought hazardous substances consent for the increased storage of LPG from 152 tonnes to 319 tonnes (09/00867/HAZARD) that the HSE concluded that the risks to surrounding population, arising from the proposed operations would be so small that there were no significant reasons on safety grounds for refusing the consent. The EA also advised that the proposal would have a low environmental risk and raised no objection to the proposal.
- 6.30 P&G, as the operators of the COMAH site, and controlled through a range of legislation, initially objected to the proposal based on the following:
- The change of use would unacceptably place users at risk of hazardous substances. The operation of a family church would result in increased occupancy compared to its current purpose as a warehouse/office.
 - The P+G factory is a very sensitive use with flammable substances. In particular, the site’s gas tank control room abuts the boundary. Concerned that social activities such as BBQs, firework demonstrations and smoking could put the operation of P+G’s factory at risk, given their flammable substances and sources of ignition. It is therefore considered that the family church would not be a compatible use for the site due to the safety risk.
 - The proposal is contrary to policies CS10, 11 and C12 as it would result in the loss of 780sqm of employment land. The proposal would, therefore, be harmful to the economy and would not support the aspirations of the Local Development Framework and the Sustainable Economic Development Strategy.

- There is a road tanker offload operation which takes place in close proximity to the proposed development. This is a pre-existing and essential operation to the site. We have concerns that this process may result in noise complaints from the users of the proposed development, due to the proximity of the scheme.
- 6.31 The officer entered into dialogue with P&G's agent and provided further information some of which resulted from discussions with the applicant's agent.
- 6.32 The following is a response to the issues raised. The lawful use of the site is B1 (a-c), which has unrestricted occupancy. The previous user had around 170 permanent members of staff plus visitors, with the potential capacity for more. The proposed development would, for the majority of the time have fewer people on site than the previous use. This also needs to be considered in the context of surrounding permissions, which have significantly increased the number of residences and commercial premises within the relevant COMAH consultation zones, and for which HSE has not advised against.
- 6.33 In addition to this P&G have a responsibility to manage their site and are controlled under relevant COMAH legislation, however no precautions are required for adjoining land in other ownership. Applying the HSE's advice for the proposed scheme would effectively sterilise the area or limit the use of other land in the identified employment area. The HSE and EA responses to the 2009 Hazard Substances Consent, as referred to above, indicate that the risks for surrounding land uses is minimal.
- 6.34 Safety Legislation for COMAH sites is enforced by HSE and P&G accept that this should reduce the risk of an accident to a low level, but it does not eliminate the hazard completely and therefore some risk remains. However, the same would be true, for example, of fire risk. The point is that the main risks are controlled within the P&G site itself. Of note is that applicant has advised that the current owner of the site and former occupier for over 20 years (Ultima) was never notified at any time that the storage tanks at P&G presented any danger to 448a, nor that there should be any limitations to on-site activities, nor any suggestion to review risk factors for their long established workforce.
- 6.35 Using the HSE's own risk criteria, the proposed use as a workplace would fall below the 100 people threshold. With regard to the community use, HSE's concern over large community spaces (i.e. over 250sqm) is related to the expectation that a larger space might lead to difficulties in coordinating emergency evacuation. The applicant has advised that as the proposal site would be under single management this would mean that if the community space were in use, the remainder of the building would be empty, apart from site management/security responsible for ensuring safe evacuation in any incident.
- 6.36 Through further discussion with P&G it was determined that P&G's main concern was the potential for uncontrolled external activities, which they considered would take place in association with the proposed use. It should be noted that the existing permitted use had kitchen facilities and there was no restriction on smoking outside. Indeed the smoking area was by the boundary shared with the P&G site.
- 6.37 The applicant has confirmed that they do not propose to hold outdoor activities, apart from the occasional gas bbq or hog roast, and have developed a detailed evacuation plan for the building, and agree to a recommended condition to control the use of the outdoor space. P&G have confirmed that they consider controlling the external activity would be an acceptable way to make the use more compatible with their site, and the planning officer liaised with them regarding the

recommended condition wording, which they confirmed was suitable. An informative is also recommended advising the applicant to liaise with P&G regarding any measures to include in the evacuation plan in the event of a gas leak emergency event at the P&G site.

- 6.38 Therefore, it is considered that the difference between the residual risks of the existing and proposed use would not be significant and indeed there would be the opportunity to reduce the risk, achieved through the proposed control of activity in the outside areas, which is not the case at present.

(v) Design & Appearance

- 6.39 The proposals include limited changes to the external appearance of the existing buildings. These would include the removal of the roller-shutter door and replacement with double storey height glazing and new entrance door into the church entrance/ community café, and a canopy over the existing entrance. The proposed design and materials would be acceptable and would accord with Policy CS7.

(vi) Sustainability

- 6.40 In line with Policy CS1, the proposal should seek to incorporate sustainable construction and design features. The agent has confirmed that “as the applicants refurbish areas of the building it will be brought up to modern standards. The building is already double glazed and has adequate insulation in the walls and roof. It is proposed to:
- Replace inefficient boilers and heating systems with modern low energy equivalents.
 - Decondition the old air conditioning system as per legal requirements.
 - Where possible installing Air Source Heat Pumps for heating and cooling office areas.
 - Install building management systems (BMS) to control heating and lighting in the occupied areas of the building and prevent wasted energy in unoccupied areas.
 - Replace the lights with highly efficient LED lighting
 - Install new systems to reduce water usage in the toilets and installation of small local hot water heaters to reduce long hot water pipe runs and the risk of waterborne disease.

- 6.41 Such works are considered to meet policy requirements.

(vii) Infrastructure Provision (Section 106 and Community Infrastructure Levy)

- 6.42 The proposed scheme requires overflow parking spaces on an adhoc basis and the recommendation includes for a S106 legal agreement which includes this obligation.
- 6.43 The development would involve the creation of additional floorspace, which would be liable for Community Infrastructure Levy (CIL). However, there is no charge for B1 use within this location, therefore the scheme would not be chargeable.

(viii) Equality

- 6.44 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and

civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. There is no indication or evidence (including from consultation on the current application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to this particular planning application.

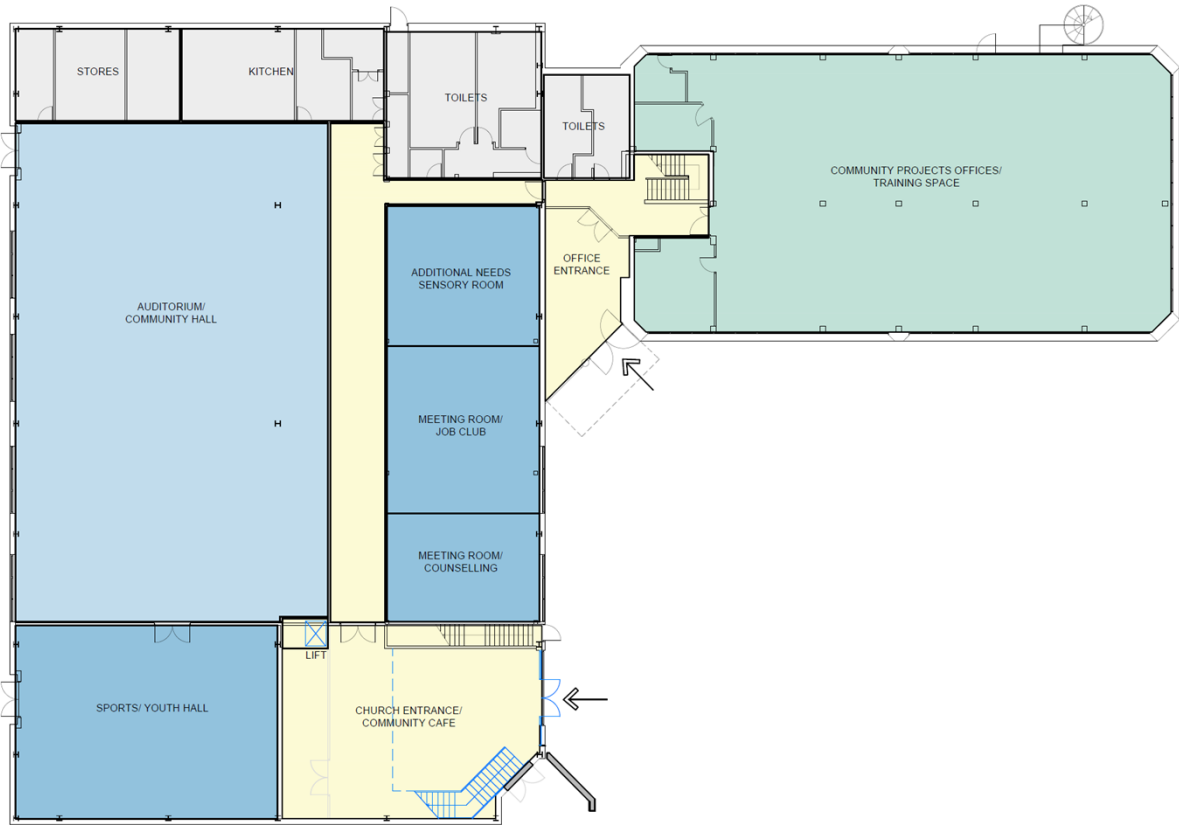
- 6.45 In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development, and indeed the proposal includes for community outreach projects which specifically benefit the key equality protected characteristics including age and disability. Appropriate consideration has been given to those with disabilities using the proposed facilities.

7. CONCLUSION

- 7.1 Although the site would involve the loss of some employment floor space, which is contrary to adopted local policy, the significant community benefits, combined with the retained employment uses are considered to outweigh this loss. The application is therefore recommended for approval as set out in the Recommendation on the first page of this report.

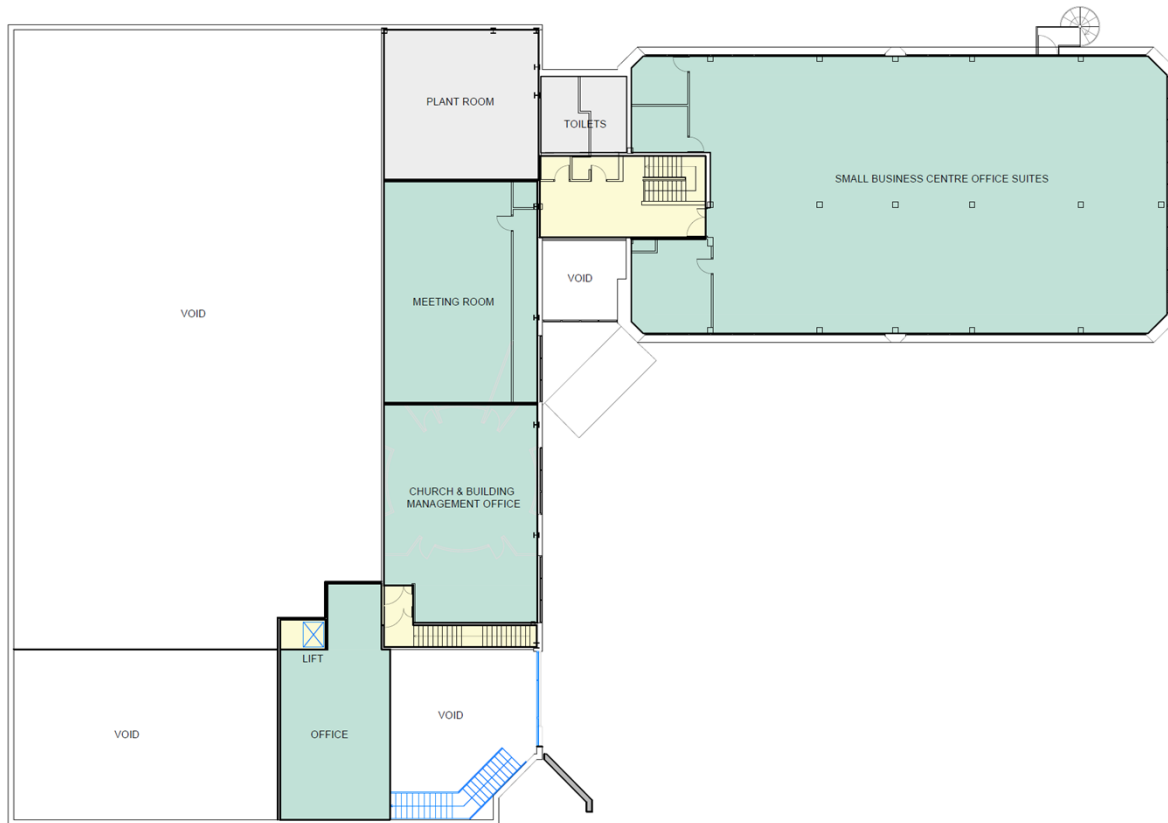
Case Officer: Alison Amoah

APPENDIX 1 - PLANS



PROPOSED GROUND FLOOR PLAN

23.11.17 Amended following client comments A
20.04.18 Minor amendments B



PROPOSED FIRST FLOOR PLAN

23.11.17 Amended following client comments | A
 20.04.16 Minor amendments | B

UPDATE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 5th September 2018

ITEM NO. 17

Ward: Whitley

App No.: 180698

App Type: FULL

Address: 448a Basingstoke Road

Proposal: Change of Use of 448a Basingstoke Road to a mixed B1 (a) (1735sqm including 72sqm of new mezzanine) /A3 (128sqm) /D1 (724sqm) use, with glazing to replace roller door (amended)

Applicant: Reading Family Church

Date valid: 26th April 2018

Minor Application: 8 week target decision date: 21st June 2018

Agreed Extension of time date: 25th October 2018

Planning Guarantee: 26 week date: 25th October 2018

RECOMMENDATIONS

As on the main report, but with the following amendment to the S106 Heads of Terms:

THE SECTION 106 LEGAL AGREEMENT TO SECURE THE FOLLOWING:

Amended - Transport:

- Off-site provision for additional parking - The applicant has agreed a licence with Ultima Properties Ltd, which provides for the use of up to 266 additional parking spaces on Sundays and on agreed other Christian festival days for a period of 5 years. Upon expiration of this agreement or early termination, the applicant is required to:

Option a) Secure a new agreement or arrange for adequate alternative parking facilities for a minimum of 100 no. parking spaces, details of which must be submitted and approved by the local planning authority within 6months prior to expiry of the licence, or the applicant to present evidence that additional off-site parking is no longer required and for this to be approved in writing by the LPA. In the event that this is not the case, or not sufficiently demonstrated to the LPA then proceed to Option b)

Option b) A revocation or discontinuance order to be implemented by the LPA which would restrict the overall use of the site. Under option b) it would be specified that the applicant accepts that they would not be entitled to statutory compensation under the 1990 Act.

1. TRANSPORT UPDATE

- 1.1 Further to matters raised by RBC's Legal Officer it has been agreed with the Applicant that an amended recommended S106 Heads of Terms for off-site parking provision be included. Essentially, this is to ensure that should there not be the availability of off-site parking at the end of the licence period with Ultima that there are mechanisms in place to either provide alternative off-site parking, or that the Applicant demonstrates that the additional number of spaces is no longer required, or if neither of these obligations can be met, for the Local Planning Authority to have the provision to place restrictions on the use.

- 1.2 The proposed minimum off-site additional parking provision, of 100 no. spaces, is based on the aggregated figure when the Council's maximum parking standards per use is applied. Although it is accepted that there is likely to be some shared use of the car park between the proposed use classes, until there is further data evidence on actual use available to the contrary, it is considered prudent to apply the maximum standards.



Health and Safety
Executive

Reading Borough Council

Civic Centre

Bridge Street

Reading RG1 2LU

By e mail only

Date: 27 September 2018

HSE Ref.: 4.2.1.6486.

Your Ref.: 180698

Chemicals, Explosives and
Microbiological Hazards Division

Stuart Reston

Statutory and Commercial Land
Use Planning Advice
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Merton Road
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Head of Unit
Dr Jim Neilson

For the attention of Alison Amoah

Dear Ms Amoah

**Land Use Planning Consultation with Health and Safety Executive
Town and Country Planning (Development Management Procedure)
(England) Order 2015**

Planning application: 180698/FUL – 448A BASINGSTOKE ROAD

**Change of Use of 448a Basingstoke Road to a mixed B1 (a) (1735sqm
including 72sqm of new mezzanine) /A3 (128sqm) /D1 (724sqm) use, with
glazing to replace roller door (amended).**

1. Thank you for your email of 7 September 2018 advising HSE that Reading Borough Council is minded to grant planning permission for application 180698/FUL, which HSE advised against, and giving HSE 21 days' notice in which to consider whether or not to request that the Secretary of State call-in the application for his own determination, in accordance with paragraph 072 of the Planning Practice Guidance on handling development proposals around hazardous installations.

Summary

2. HSE has serious concerns in this case. The case potentially meets more than one of HSE's published criteria used in deciding to request that the Secretary of State call-in an application. See http://www.hse.gov.uk/foi/internalops/hid_circs/technical_general/spc-tech-gen-49.htm

3. We have reviewed the planning officer's report and the draft minutes of the planning committee and we are unconvinced that your planning committee members fully understood the seriousness of HSE's advice given the nature of the proposed development and the risks from a major accident at the neighbouring Gillette UK Ltd Site.

4. We strongly advise you to remit this planning application back to your planning committee with the added benefit of HSE's additional advice and information contained in this letter. I or a colleague would be happy to attend the planning committee meeting to explain our advice in more detail.

5. If your council was to subsequently refuse planning permission, HSE would provide the necessary support in the event of an appeal.

Introduction

6. HSE is a statutory consultee for developments in the vicinity of major hazard sites and major accident hazard pipelines by virtue of Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The proposed development lies within the HSE consultation distance of a major hazard establishment, Gillette (UK) Ltd.

7. HSE provides its land use planning (LUP) advice to enable your Planning Authority to comply with the objective of Article 13 of EC Directive 2012/18/EU, (the Seveso III Directive – see addendum). Its objective is to control proposed development around designated sites that would increase the risk or consequences of a major accident. As explained in paragraph 072 of the Planning Practice Guidance on handling development proposals around hazardous installations, HSE

normally considers its role to be discharged when it is satisfied that the Planning Authority is acting in full understanding of HSE's LUP advice received and of the consequences to public safety that could follow.

8. As also explained in that paragraph, HSE will consider recommending call-in only in cases of exceptional concern or where important policy or safety issues are at stake.

The Hazardous Installation

9. The proposed development is located wholly within HSE's inner zone, the most hazardous of the three zones that comprise HSE's consultation distance for Gillette UK Ltd. (Appendix 1) Gillette UK Ltd has Planning (Hazardous Substances) Consent (HSC) for 319te of liquefied petroleum gas (LPG) in large bulk tanks and aerosol storage in trailers. The site is subject to the Control of Major Accident Hazards Regulations 2015.

10. The site received deemed HSC in 1993 for 152te of LPG. Approximately 75te is stored in four tanks in total (2 x 28te and 2 x 10 te) all adjacent to 448a Basingstoke Road. In 2009 the HSC was increased to 319te, to accommodate aerosol storage in trailers. The risks from major accidents associated with aerosol storage are much lower than for bulk storage and consequently the increase in risk from the additional aerosol storage did not increase the off-site risk. HSE, therefore, did not advise against the increase in consent storage. Nevertheless, the risks from the bulk storage remained and the consultation zones were predominantly unchanged. The increase in the risk from the aerosol storage was small and away from the proposed development and does not contribute to the risk at the development. It does not follow that the existing risks from the bulk storage were small as that risk is associated with the deemed HSC granted in 1993.

11. The proposed development is immediately adjacent to four large tanks storing LPG and an LPG road tanker off-loading area. Should a major accident occur, HSE's assessment is that a major fire and subsequent explosion would most likely lead to occupants of the neighbouring premises (448a Basingstoke Road) being killed.

HSE's Land use planning advice

12. HSE's land use planning advice is delivered through its Web App (<https://pa.hsl.gov.uk/>) made available to all Local Planning Authorities and developers. It uses HSE's published methodology <http://www.hse.gov.uk/landuseplanning/methodology.pdf> which categorises development into one of four sensitivity level which combined with the output of a risk assessment of potential major accident hazards provides a set of zones which determines the advice.

13. The proposed development is wholly within the inner zone and at its closest is approximately 9m from the nearest tank.

14. HSE's methodology provides further detail on sensitivity level development. **HSE's policy is to advise against all development within an inner zone apart from sensitivity level 1 (SL1) development.** HSE is mindful of the need to use land for some purpose and so does not advise against the granting of planning permission for SL1 development which includes low density employment use defined as less than 100 persons at work in a building two stories or less in height.

15. HSE categorises this development as partly employment SL1 use, primarily indoor use by the public (SL2) and a significant element of SL3 for vulnerable and sensitive groups. There are distinctive elements of this development that the applicant has outlined in their supporting information and described within para 6.8 of the planning officer's report. HSE consider the activities reported in para 4.3 of the planning officer's report to be representative of sensitivity level 3 (SL3) development.

Para 4.3

The remainder of the proposed use would provide significant community benefits both through the provision of community facilities, including a place for Christian worship (proposed for 65 days of the year), but also the benefits generated from the wide range of outreach programmes offered by the church. These include:

- *Meetings to support adults with learning difficulties;*

- *Sure Start Christmas parties;*
- *Youth group;*
- *South Reading Churches annual funday*
- *Food bank with Readifood*
- *Community Toddler Group*
- *Parenting courses*
- *Preparation courses for couples wanting to get married*
- *Emotional/ spiritual support for couples and individuals*
- *Advocacy advice group*
- *Lunch time club for the elderly/ lonely*
- *After School Clubs*
- *Holiday Clubs*
- *Children's Saturday Club*
- *Schools work to assist in delivering religious education requirements*

Conclusion

16. HSE's advice is that the proposed development is highly incompatible with location within the inner zone of a major hazard installation. HSE strongly recommends that you remit the case back to your planning committee to reconsider their decision. HSE will, on request, attend the committee meeting and explain our advice.

17. HSE requests that you do not grant permission at this point but consider options available to you. We will continue to give our full consideration on whether to request for the case to be called-in which will be informed by your response to our letter and subsequent actions and decisions on this case.

18. Whilst HSE is mindful of the views expressed in Chapter 5 of the First Report of the Advisory Committee on Major Hazards (ACMH) and Chapter 4 of the Second Report of ACMH which stated that:

"... the siting of developments should remain a matter for planning authorities to determine, since the safety implications, however important, could not be divorced from other planning considerations." and

"... local authorities are well placed to take proper account of the full range of local factors, including safety issues, which are relevant to a planning decision."

HSE strongly requests that the decision to grant permission is re-considered by your council in the light of this additional advice.

19. If your council was to subsequently refuse planning permission HSE would provide the necessary support in the event of an appeal.

Yours sincerely

Stuart Reston

Head of Statutory and Commercial Land Use Planning Advice Team

cc: Mr J Birch, CEMHD 5C, Bootle
Mr D Bryant, CEMHD3D, Ashford
Mr Giorgio Framaliccio, Reading Borough Council

ADDENDUM

Land use planning requirements of the Seveso III Directive

Article 13 of the Directive requires land-use planning controls to apply to all establishments within the scope of the Directive; this includes major accident hazard pipelines:

1. "Member States shall ensure that the objectives of preventing major accidents and limiting the consequences of such accidents are taken into account in their land-use planning and/or other relevant policies. They shall pursue these objectives through controls on:

a. the siting of new establishments;

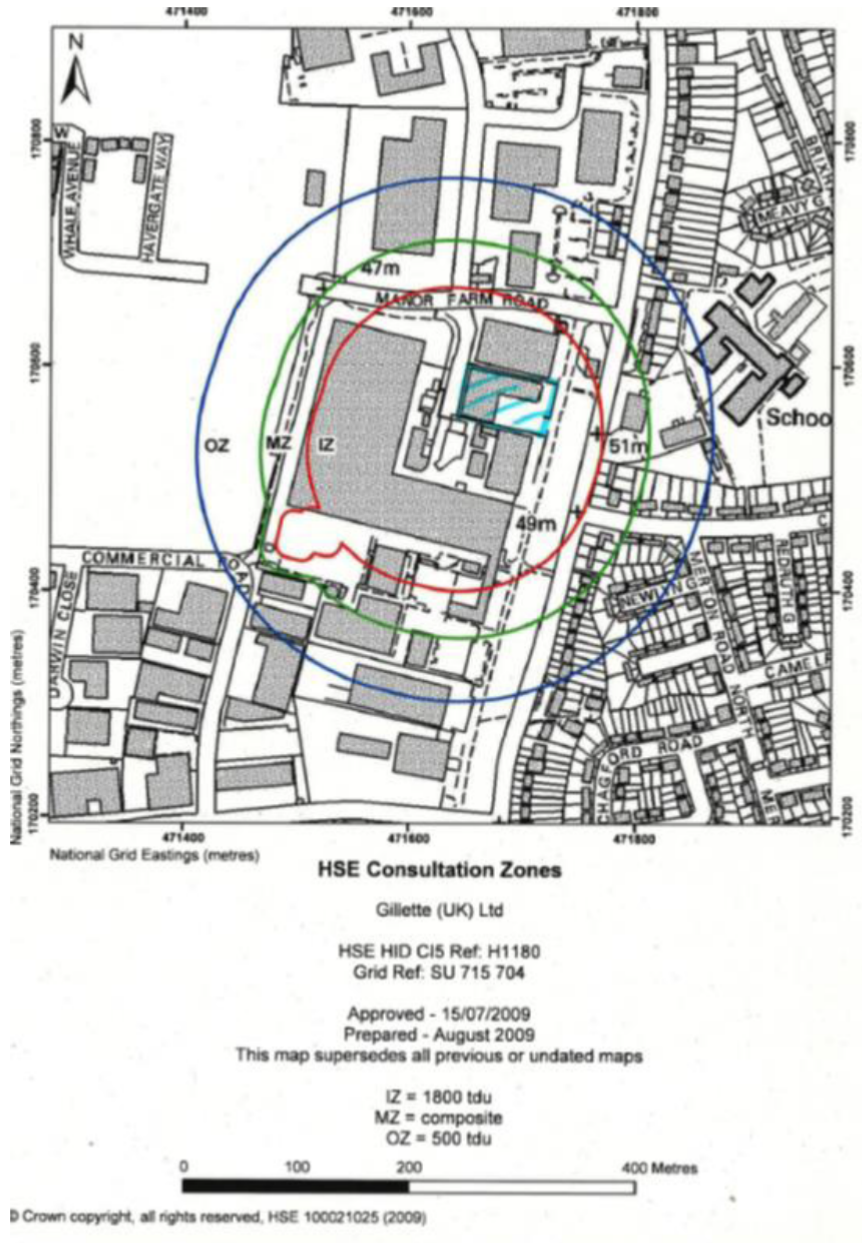
b. modifications to existing establishments covered by Article 11;

c. new developments such as transport links, locations frequented by the public and residential areas in the vicinity of existing establishments, where the siting or developments are such as to increase the risk or consequences of a major accident.

Member States shall ensure that their land use and/or other relevant policies and the procedures for implementing those policies take account of the need, in the long-term, to maintain appropriate distances between establishments covered by this Directive and residential areas, areas of public use and areas of particular natural sensitivity or interest, and, in the case of existing establishments, of the need for additional technical measures in accordance with Article 5 so as not to increase the risks to people.

2. Member States shall ensure that all competent authorities and planning authorities responsible for decisions in this area set up appropriate consultation procedures to facilitate implementation of the policies established under paragraph 1. The procedures shall be designed to ensure that technical advice is available, either on a case-by-case or on a generic basis, when decisions are taken."

Appendix 1 HSE Consultation Zones for Gillette UK Ltd.



APPENDIX C: LETTER FROM HSE DATED 22nd NOVEMBER 2018



Health and Safety
Executive

Reading Borough Council

Civic Centre

Bridge Street

Reading RG1 2LU

By e mail only

Date: 22 November 2018

HSE Ref.: 4.2.1.6486.

Your Ref.: 180698

Chemicals, Explosives and
Microbiological Hazards Division

Stuart Reston

Statutory and Commercial Land
Use Planning Advice

1.2 Redgrave Court

Merton Road

Bootle

L20 7HS

Tel: 02030283860

stuart.reston@hse.gov.uk

<http://www.hse.gov.uk/>

Head of Unit

Dr Jim Neilson

For the attention of Alison Amoah

Dear Ms Amoah

**Land Use Planning Consultation with Health and Safety Executive
Town and Country Planning (Development Management Procedure)
(England) Order 2015**

Planning application: 180698/FUL – 448A BASINGSTOKE ROAD

**Change of Use of 448a Basingstoke Road to a mixed B1 (a) (1735sqm
including 72sqm of new mezzanine) /A3 (128sqm) /D1 (724sqm) use, with
glazing to replace roller door (amended).**

Introduction

1. Thank you for informing us of your Council's intention to resubmit application 180698/FUL to your planning committee on 5th December 2018. Thank you also for your offer of 5 minutes slot to address the committee. Please would you consider

allocating HSE a longer time, for example 15 minutes? HSE believe it is critical that your committee understand our advice in reaching their decision for case 180698/FUL. It is extremely rare for HSE to attend planning committees to explain our advice and I will be travelling from Liverpool which I hope illustrates the importance and seriousness of our concerns. I and my colleague Janet Hanson will be available to answer questions from your committee as best we can.

2. This letter provides further advice to my letter of 27 September 2018 and briefing that I and Ms Hanson provided to you at your offices on 12 October 2018. I hope this will be helpful in explaining HSE's serious concerns should the development go ahead.

National and local policies for Hazardous Substances and development control

3. It is important to note HSE is the Government's designated body for the provision of public safety advice on proposed development in the vicinity of major accident hazards. Our independent and impartial advice is provided to enable planning authorities, like yourselves, to comply with the land use planning recommendations of the Advisory Committee on Major Hazards and obligations of EU Directive 2012/18/EU (the Seveso III Directive). The objective is to enable your Planning Authority to comply with the objective of Article 13 of EC Directive 2012/18/EU, (the Seveso III Directive – see addendum). Its objective is to control proposed development around designated sites that would increase the risk or consequences of a major accident.

4. HSE's advice follows the National Planning Practice Framework and National Planning Practice Guidance¹ on handling development proposals around hazardous installations. The aim of the advice is to keep inappropriate development away from major hazard sites and major accident hazard pipelines. This is captured in your council's Core Strategy Objective 2, planning policy DM20 and subsequent paragraphs 10.1.6 and 10.1.7 within the Reading Borough Local Development

¹ <https://www.gov.uk/guidance/hazardous-substances#Handling-development-proposals-around-hazardous-installations>

Framework published Sites and Detailed Policy Document, alteration adopted 27th January 2015.

Major Hazard Installation – Gillette UK Ltd.

5. The proposed development is located wholly within HSE's inner zone, the most hazardous of the three zones that comprise HSE's consultation distance for the aerosol manufacturer; Gillette UK Ltd. (Proctor & Gamble) (Figures 1 to 3) Gillette UK Ltd has Planning (Hazardous Substances) Consent (HSC) for 319Te of liquefied petroleum gas (LPG) in large bulk tanks and aerosol storage in trailers. The site is also subject to the Control of Major Accident Hazards Regulations 2015 (COMAH).

6. In my letter to you of 27 September 2018, I explained that HSE did not advise against the 2009 increase in hazardous substances consent because that related to an increase storage of LPG in finished aerosols at a location further away from the proposed development site. The risks from the bulk storage remain unchanged from the 1992 deemed consent.

7. I can clarify that the site has five (not four as previously advised) large LPG tanks, a road tanker off-loading area, bulk ethanol tank and finished aerosol products which totals c190Te in operation. The site would have to reduce its inventory to less than 50Te to be out of scope of COMAH and to less than 25Te for planning controls not to apply. The storage is in regular use with multiple deliveries of LPG by road tanker per week.

Major hazards and risks from Gillette UK Ltd.

8. Although risk control measures are in place on major hazard establishments, there remains a likelihood that a major accident with catastrophic consequences could still happen at any time amongst the 869 COMAH sites in Great Britain. It is this residual risk that HSE assesses and displays in the form of three consultation zones. The zones specific for Gillette UK Ltd are shown in figure 1.

9. The inner zone is the highest area of risk and should a major accident occur the fire and/or explosion would most likely lead to occupants of the proposed Reading Family Church premises (448a Basingstoke Road) being killed.

10. HSE assesses the consequences of a representative worst-case major accident to inform its consultation zones. The red line in figure 1 represents the

distance at which the thermal radiation from a fire and explosion would lead to at least 50% fatalities of a normal population located outdoors. All persons located within the fireball radius are assumed to be killed, which includes the whole of the building at 448a Basingstoke Road.

11. There are a range of other likely foreseeable major accidents at Gillette UK Ltd. If LPG escaped and ignited from the fixed plant or during the regular transfers from road tanker, the building at 448a Basingstoke Road could be engulfed by the subsequent fire or at least ignite spontaneously (possibly over an entire elevation) from the thermal radiation. People both inside or outside would most likely be unable to escape without receiving a lethal dose of thermal radiation.

12. Figure 4 provides an illustration of the type of the fire and explosion should a major accident occur at Gillette UK Ltd. The event is known as a 'BLEVE' (Boiling Liquid Expanding Vapour Explosion) of a 2 tonne LPG tank. The larger tanks at Gillette UK Ltd can hold up to 28Te.

The proposed development site and HSE's land use planning public safety advice

13. HSE's land use planning advice methodology is published on our web site <http://www.hse.gov.uk/landuseplanning/methodology.pdf> and we have used this to provide our advice in this case.

14. The proposed development is approximately 10m from the nearest tank. HSE's policy is to advise against granting of planning permission for all proposals except Sensitivity Level (SL) 1 development (low density industrial, car parking, etc) within the inner zone because of the high level of risk there. The Reading Family Church is SL3, the second highest level in HSE's scheme.

15. As I noted in my letter of 27 September 2018, there are distinctive elements of proposal 1806968/FUL that are for sensitive and vulnerable groups, for example; meetings to support adults with learning disabilities, lunchtime clubs for the elderly, after school clubs, holiday clubs, children's Saturday clubs, community toddler groups, etc.

16. For HSE not to advise against planning permission for a development with such sensitive and vulnerable occupants, it would need to be located at least 155m away from the tank/transfer area, i.e. beyond HSE's middle zone

17. HSE's advice is based on consideration of a single representative worst-case event. In addition, there will be other smaller events such as jet fires from pipework failures that have the potential for serious harm at the development location.

Members of the public, sensitive developments and employees

18. HSE's advice reflects society's expectation that vulnerable and sensitive groups such as the young, the elderly and others who may also be difficult to organise in an emergency are afforded greater protection. This applies similarly to proposed developments where people may be unfamiliar with their surroundings or which may result in many people in one place at the same time.

19. HSE does not advise against low density work places (defined as less than 100 persons at work in a building two stories or less in height) within the inner zone of major hazards. This reflects that HSE is mindful of the need to use land for some beneficial purpose. It seems reasonable to permit small manufacturing units and the like where the individual risk to workers from major accidents is low compared to the risks from general work activity. The approach also accepts that these would be developments where occupants would tend to be fit and healthy and could be organised easily for emergency action. Members of the public will at most be present in small numbers and often only for a short time in any day.

Consideration of a request for call-in by the SoS for MHCLG

20. HSE's published criteria for deciding whether or not to request that the Secretary of State call-in an application are available at http://www.hse.gov.uk/foi/internalops/hid_circs/technical_general/spc-tech-gen-49.htm

21. HSE has given full consideration to application 180698/FUL and have decided it meets more than one of our published criteria and is therefore of serious public safety concern. We will be writing to the Ministry of Housing, Communities and Local Government's Planning Case Work Unit to request that the SoS 'calls in' this case

should your council remain minded to grant permission at their committee on 5th December 2018.

22. This is an exceptional course of action for HSE. We have only requested call in on 7 occasions in the last 35 years (noting we are consulted on approximately 3000 planning applications per year across Great Britain).

23. If your council was to refuse planning permission HSE would provide the necessary support in the event of an appeal.

Conclusion

24. HSE strongly advises that you refuse planning permission for application 180698/FUL.

25. I would be grateful if you would provide a copy of this letter to all planning committee members before the meeting on 5th December 2018.

Yours sincerely

Stuart Reston

Head of Statutory and Commercial Land Use Planning Advice Team

cc: Mr J Birch, CEMHD 5C, Bootle
Mr J Halewood, CEMHD3D,
Ms Janet Hanson, CEMHD3
Mr Giorgio Framallicco, Reading Borough Council
Mr Mike Hale, MHCLG



Figure 2. Gillette LPG Tank area and proposed Reading Family Church

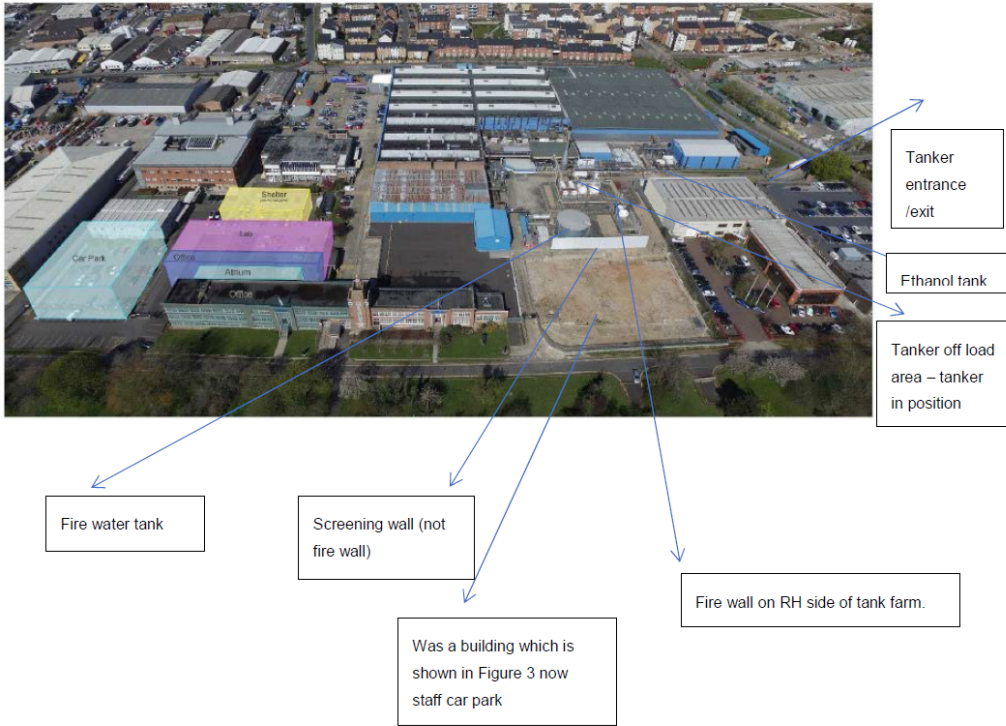
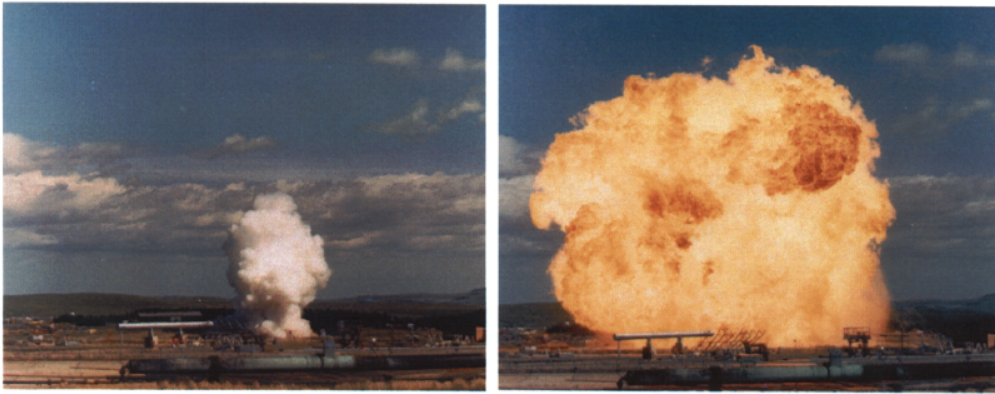


Figure 3. Gillette UK Ltd and LPG Tank area

10

Failure of 2 tonne LPG Tank



Garden Shed



Figure 4. LPG Tank 'BLEVE' 2 Tonne