

Planning Applications Committee

19 July 2023



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

1. Executive summary

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

2. Introduction and site description

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



3. The proposal

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

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

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

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

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

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

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

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

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

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

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

Arboricultural Assessment & Method Statement produced by Mark Welby, dated 7 June 2023, received 7 June 2023

MW.2211.SMSY.TPP, Tree Protection, dated 14 February 2023, received 27 February 2023

4. Planning history

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

5. Consultations

5.1. Statutory:

5.1.1. Historic England – no comments received.

5.2. Non-Statutory

5.2.1. **RBC Natural Environment** – Initial request for clarification addressed by the applicant and within the report. No objections to amended Arboricultural Methods Statement.

5.2.2. RBC Transport Development – Initial clarification requested to confirm the operation of the electrical access gate, tracking diagrams, and refuse storage; addressed by the applicant and within this report. No objections to amended plans.

5.2.3. **RBC Conservation and Urban Design Officer** – No objections.

5.2.4. **Berkshire Archaeology** – Initial comments requested a watching brief to be submitted to supplement the submitted desk study. The applicant has submitted the watching brief which has been considered acceptable by the consultee.

5.2.5. **Reading Conservation Area Advisory Committee (CAAC)** – No objections; observations submitted regarding impact on the archaeologically significant flint wall at 53 St Mary's Butts, management of the site, and the impact on the amenity of the outdoor seating area of C.U.P. Café from idling vehicles.

5.3. Public

5.3.1. The following neighbouring properties were consulted by letter for both applications:

St Mary's Church House, Chain Street, Reading RG1 2HX

1 St Mary's Gate, Chain Street, Reading RG1 2HX

55 St Mary's Butts, Reading RG1 2LG

Flat, 55 St Mary's Butts, Reading RG1 2LG

53 St Mary's Butts, Reading RG1 2LG

Flat 1, 54 St Mary's Butts, Reading RG1 2LG

Flat 2, 54 St Mary's Butts, Reading RG1 2LG

5.3.2. No letters of representation received.

6. Legal context

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

Reading Borough Local Plan 2019

Policies:

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

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

Other relevant heritage documents:

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

7. Appraisal

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

IV. Other matters

I) Principles

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

II) Design

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

III) Detailed Heritage Considerations

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

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

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

Archaeology

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

IV) Other matters

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

8. Equality implications

- 8.1. Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2. The key equalities protected characteristics include age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. It is considered that there is no indication or evidence that the protected groups have or will have different needs, experiences, issues and priorities in relation to this particular application

9. Conclusion & planning balance

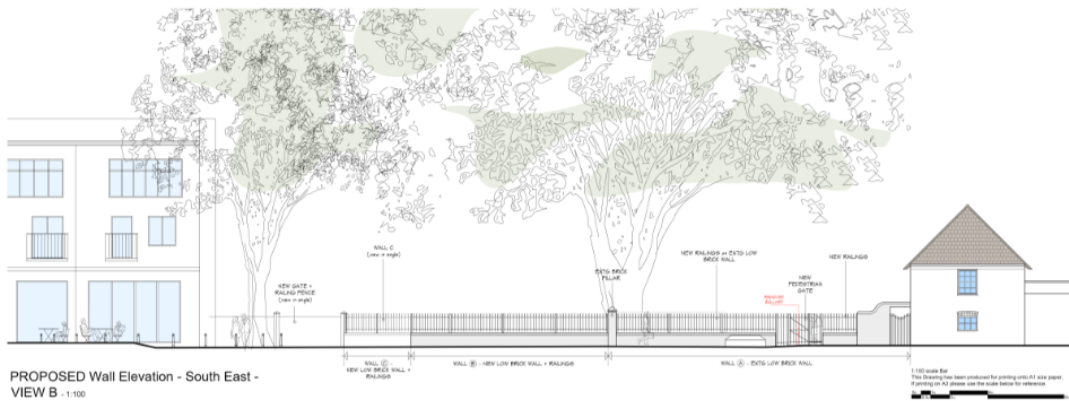
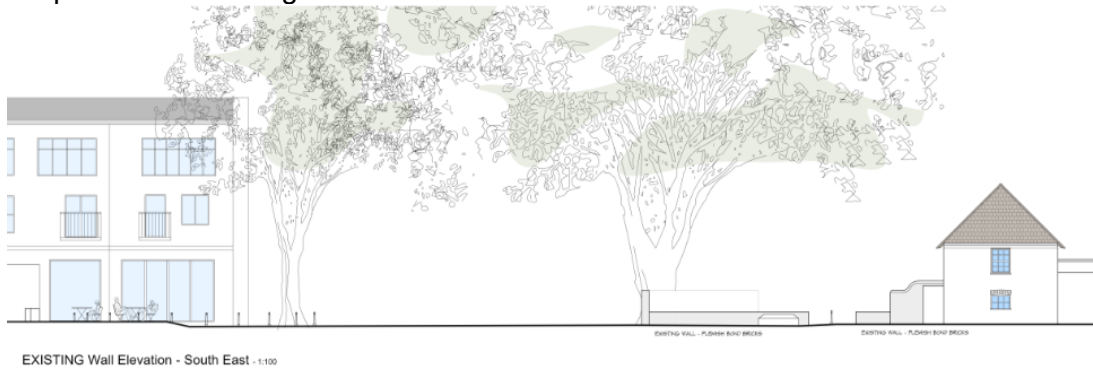
- 9.1 As with all applications considered by the Local Planning Authority, the application is required to be determined in accordance with the development plan unless material

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

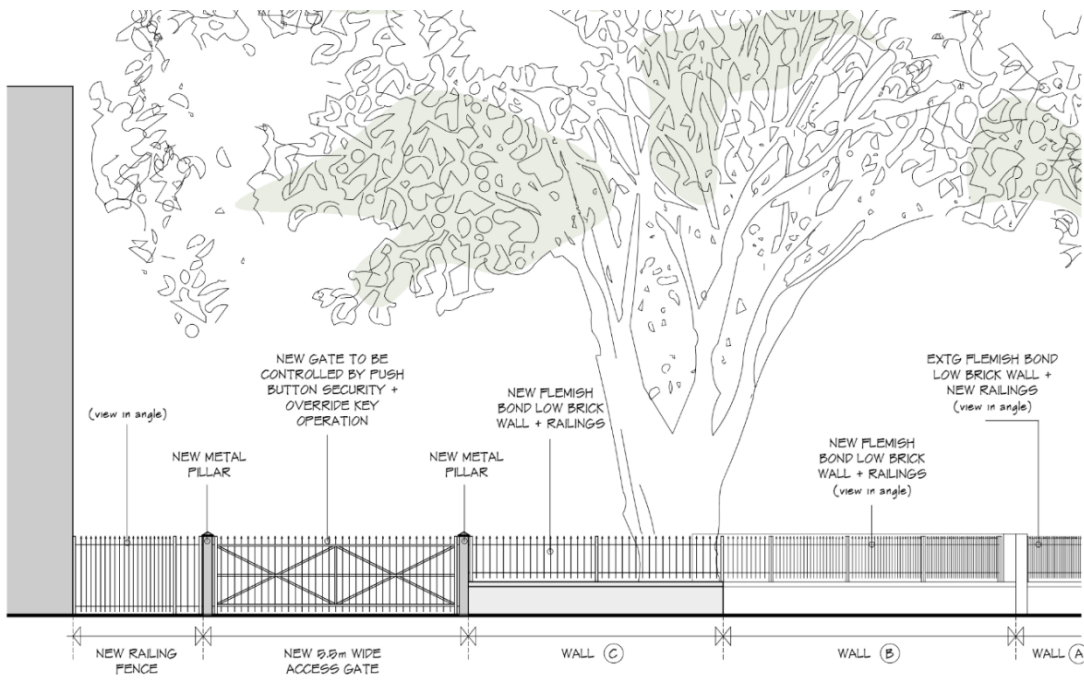
- 9.2 It is considered that the proposed works are acceptable both in terms of design and the impact on the conservation area.
- 9.3 It is considered that officers have applied a suitable planning balance when reaching this conclusion. As such, this application is recommended for approval for both Planning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

Plans & Appendices

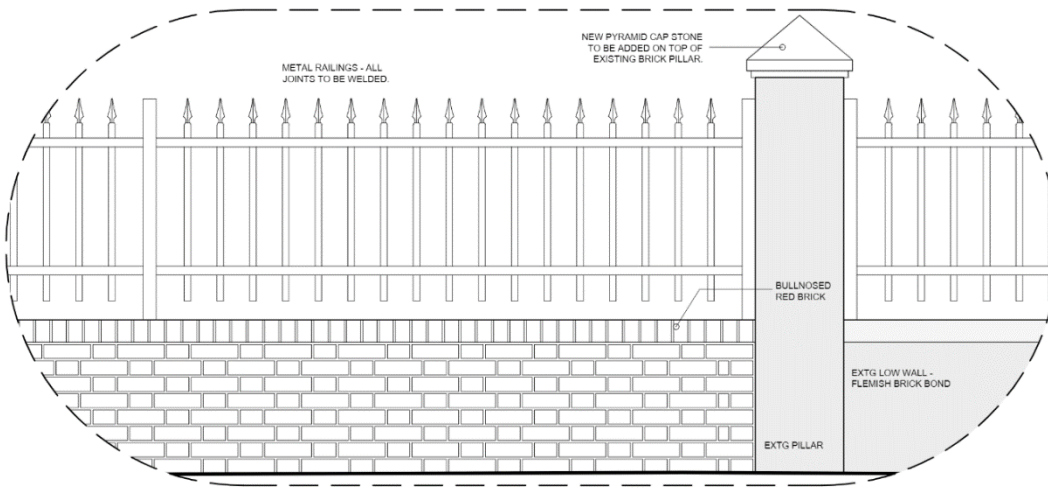
1. Proposed and existing elevations



2. Proposed elevations (access gate)

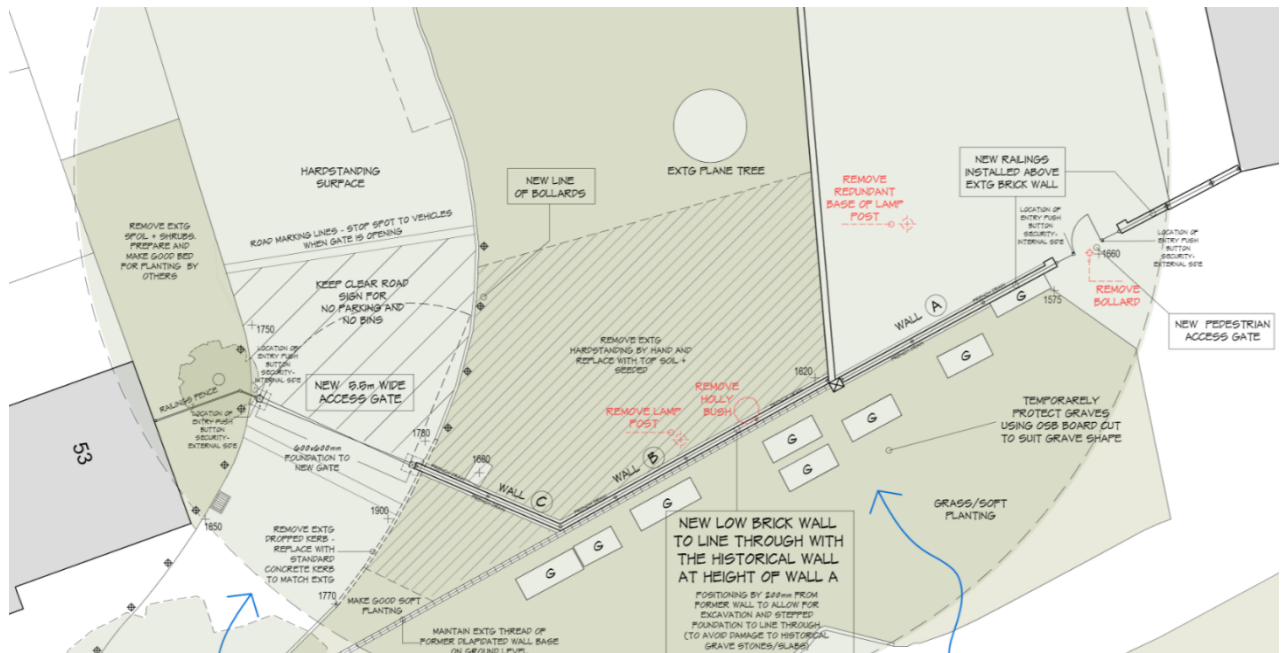


3. Proposed railing details



DETAIL 1 - WALL and RAILINGS - (ELEVATION) - 1:20

4. Proposed site plan



5. Photograph of existing historic wall foundations



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

