

08 January 2025



**Reading**  
Borough Council  
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<b>Title</b>	<b>PLANNING APPLICATION REPORT</b>
<b>Ward</b>	Abbey
<b>Planning Application Reference:</b>	PL/23/0107(FUL) & PL/23/0108(LBC)
<b>Site Address:</b>	10 Gun Street, Reading, RG1 2JR
<b>Proposed Development</b>	PL/23/0107(FUL) – Application for Full Planning Permission: Proposed partial change of use from offices (Class E) to provide an expansion to existing entertainment venue (Sui Generis use) at 9 Gun Street (Purple Turtle) with erection of rear extensions and internal alterations. Detached 3-storey ancillary building to rear boundary with yard over Holy Brook.  PL/23/0108(LBC) – Application for Listed Building Consent: Proposed extensions and internal alterations associate with partial change of use from offices (Class E) to provide an expansion to existing entertainment venue (Sui Generis Use) at 9 Gun Street (Purple Turtle) with erection of rear extensions and internal alterations. Detached 3-storey ancillary building to rear boundary with yard over Holy Brook
<b>Applicant</b>	PDR Ltd
<b>Report author</b>	Matt Burns - Principal Planning Officer
<b>Deadline:</b>	Originally 11/05/2023, but extensions of time have been agreed with the applicant for both applications until 31/01/2025
<b>Recommendation</b>	PL/23/0107(FUL) – Grant full planning permission, subject to conditions  PL/23/0108(LBC) - Grant listed building consent, subject to conditions  Delegate to the Assistant Director for Planning, Transport and Public Protection Services (ADPTPPS) to make such minor changes to the conditions and informatics, as may be reasonably required to issue the planning permission and listed building consent
<b>Conditions</b>	To include:  <u>PL/23/0107FUL</u>  1. Time Limit – 3 years. 2. Approved plans.

3. Pre-commencement (including demolition) submission and approval of demolition and construction method statement (including Transport, EP and Holy Brook based requirements)
4. Pre-commencement submission and approval of a design stage BREEAM Certificate demonstrating that the development would meet a minimum BREEAM Very Good standard
5. Pre-occupation submission and approval of a final, as built, BREEAM Certificate demonstrating compliance with the BREEAM standard approved under condition 6 above
6. Compliance condition for the development to be carried out in accordance with the energy measures achieved in the Energy Statement hereby approved
7. Pre-occupation submission, approval and provision of cycle parking space details
8. Pre-occupation submission, approval and provision of bin stores and measures to prevent pests and vermin accessing bin stores
9. Pre-occupation submission and approval of refuse collection strategy
10. No mechanical plant to be installed unless a noise assessment and mitigation scheme has been submitted and approved
11. Compliance condition relating to hours of demolition/construction works (0800-1800hrs Mondays to Fridays and 0800-1300hrs Saturdays, and not at any time on Sundays and Bank or Statutory Holidays)
12. Pre-commencement (barring demolition) submission and approval of a detailed hard and soft landscaping scheme and implementation within the first planting season following occupation of the development
13. Pre-commencement (including demolition) submission and approval of Natural England License for works that could impact bats
14. Pre-commencement (barring demolition) submission and approval of habitat enhancement and management scheme, including bat and bird boxes and tiles
15. Implementation of the development only in accordance with the submitted archaeological written scheme of investigation.
16. Implementation and use of the development only in accordance with the approved flood risk assessment
17. The Class E(a) café use hereby permitted shall not operate outside the hours of 0800-0000 each day
18. The Sui Generis nightclub/entertainment use hereby permitted shall not operate outside the hours of 11-0400 each day
19. The Sui Generis nightclub use of the site shall not take place within the parts of the site shown for café (and associated areas) use
20. The use of any external area at the site shall not operate outside the hours of 0800-2300 hours each day
21. First floor external terrace area to be for café use only
22. No amplified live or recorded music to be played within the green room at any time
23. Pre-occupation submission and approval of deliveries and servicing management plan to include a requirement that

	<p>deliveries, collection of empty bottles and waste collections shall not be carried out between the hours of 20:00 to 08:00 Monday to Saturdays and 20:00 to 10:00 on Sundays and Bank Holidays.</p> <p>24. Pre-occupation submission and approval of a premises management plan for use of the nightclub extension and café areas</p> <p>25. Pre-occupation submission and approval of a scheme of external lighting</p> <p>26. No burning of waste on site</p> <p>27. No hot food cooking to occur unless an odour assessment is submitted and approved</p> <p>28. Development not to be undertaken other than in strict accordance with the submitted noise assessments (by Apex Acoustics and Stantec). All noise mitigation measures to be installed prior to first occupation/use of the development</p> <p><u>PL/23/0108LBC</u></p> <ol style="list-style-type: none"> <li>1. Time Limit – 3 years</li> <li>2. Approved Plans</li> <li>3. No works to the listed building hereby permitted shall be carried out other than in strict accordance with submitted heritage statement and conservation management plan</li> <li>4. Pre-commencement submission and approval of a scheme of external works for restoration, repair and refurbishment of: <ul style="list-style-type: none"> <li>(i) cleaning and repointing of defective brickwork</li> <li>(ii) cleaning and repainting of iron railings</li> <li>(iii) cleaning and repainting of timber shopfront windows</li> <li>(iv) repair and repainting of sash windows</li> <li>(v) repair, replacement and repainting of rainwater goods</li> <li>(vi) repair and repainting of stucco band</li> <li>(vi) repair and repainting of doorcase</li> <li>(vii) damp proofing</li> </ul> </li> <li>5. Pre-commencement submission and approval of a scheme of internal works for restoration, repair, refurbishment and whereby necessary replacement of: <ul style="list-style-type: none"> <li>(i) Internal walls, ceilings and floors</li> <li>(ii) exposed timber beams, dado panelling, open-well staircase and other decorative features</li> <li>(iii) Fireplaces</li> </ul> </li> <li>6. All works of making good to match existing in terms of colour, face bond, texture and pointing</li> <li>7. Pre-commencement submission and approval of samples and detailed schedule and specification of materials to be used in construction of all external surfaces of the development</li> <li>8. Pre-commencement submission and approval of details of all new windows and doors including details of reveals, heads, sills and lintels</li> <li>9. Pre-commencement submission and approval of details of all new services and plant equipment (hoist, extractors, pipework and wiring) to include installation methodology</li> </ol>
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	<p>10. No other works to features of architectural or historic interest, without written approval.</p> <p>11. Adequate protection and support shall be given to the host and adjacent listed buildings during all construction works</p>
<b>Informatics</b>	<p>To include:</p> <p><u>23/0107FUL</u></p> <ol style="list-style-type: none"> <li>1. Positive and Proactive Statement</li> <li>2. Damage to the highway</li> <li>3. Works affecting highways</li> <li>4. Associated listed building consent ref. PL/23/0108</li> <li>5. Pre-commencement conditions</li> <li>6. Terms</li> <li>7. Building Control</li> <li>8. Complaints about construction</li> <li>9. Community Infrastructure Levy – not liable</li> <li>10. Ongoing information conditions</li> </ol> <p><u>23/0108LBC</u></p> <ol style="list-style-type: none"> <li>1. Building Control</li> <li>2. Associated full planning permission ref. PL/23/0107</li> <li>3. Pre-commencement conditions</li> <li>4. Terms</li> <li>5. Ongoing information conditions</li> <li>6. Positive and Proactive Statement</li> <li>7. No other works to the listed building are hereby approved</li> </ol>

## 1. EXECUTIVE SUMMARY

1.1 The proposals would provide a series of tangible benefits, including bringing a long term vacant grade II listed building back into viable use, facilitating expansion of The Purple Turtle a popular town centre entertainment, leisure and cultural facility, and short and long term economic benefits resulting from construction and subsequent operation of the proposed café and nightclub uses. The proposals also incorporate a series of internal and external repair and restoration works to the host grade II listed building as well as a number of sustainable energy efficiency measures. Whilst the proposals do not include de-culverting of the section of the Holy Brook that crosses the site to the rear, other on-site landscape and biodiversity enhancements are proposed.

1.2 Having regard to all matters raised, it is concluded that combined environmental, economic and social benefits of the proposals would, on balance, outweigh the identified low level of 'less than substantial' harm to the host Grade II Listed Building and surrounding St Marys Butts/Castle Street Conservation Area, that would result from the scale and appearance of the proposed extensions and extent of internal alterations proposed to the host building. Therefore, when applying an overall critical planning balance of all material considerations presented, these applications for full planning permission and accompanying listed building consent are considered to comply with the relevant policies of the Development Plan and are recommended for approval subject to conditions.

## 2. INTRODUCITON

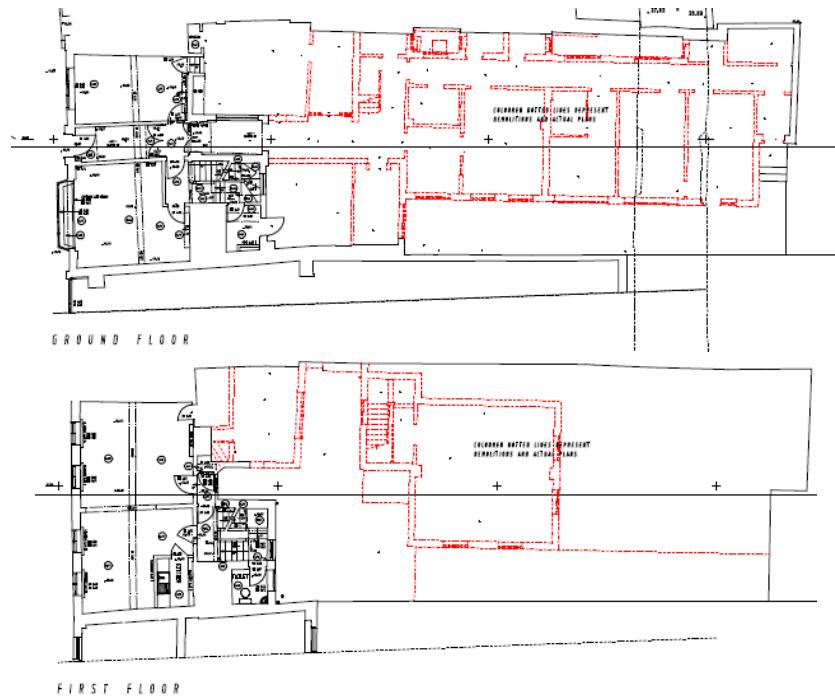
2.1 The application site comprises an early 18th century Grade II Listed Building located on the south side of Gun Street (List entry Number: 1321918). The site is within St Mary Butts / Castle Street Conservation Area and adjacent to other Grade II listed buildings fronting onto Gun Street.

2.2 The site is located within Flood Zones 1 and 3 and, like adjoining properties, the culverted Holy Brook runs under the southernmost part of the rear yard. The site also lies in an archaeological potential area, an Air Quality Management Area and the Reading Central Area. Within the Central Area the site is located within an existing active frontage, the Primary Shopping Area and the Central Core. St Mary's Churchyard is an identified important area of open space directly opposite. The application site has been vacant for over two decades since the NHS left their offices at the building in 2004. Nearby uses include a number of restaurants, bars and nightclubs, and the immediate area of Gun Street constitutes a central focus of Reading's night-time economy. Next door at 9 Gun Street is the long-standing Purple Turtle bar and late-night music venue, which is also under the ownership of the applicant. As with elsewhere in the locality, there are existing residential units located on the upper floors of buildings (e.g. 11-12 Gun St).

2.3 The building itself is of red brick construction, with grey diaper-work, a stucco string course to the second floor and moulded wooden eaves cornice. The roof is of plain tiles with a tile hung gable and four ranges of cross glazed sash windows. The early 19th century shop front has glazing bars to the right and an 18th century door with architrave surround, together with a bracketed pediment hood and a modern three-light window on ground floor. Internally there is an 18th century stair with turned balusters and short moulded pendants. The building is in a very poor state of repair with some elements unsafe structurally, as witnessed on the officer site visit. Following the granting of planning permission and listed building consent under Applications 151281 and 151282 (see planning history below), large single and two storey rear extensions to the building were demolished in 2017 and the cleared rear yard area is currently overgrown.



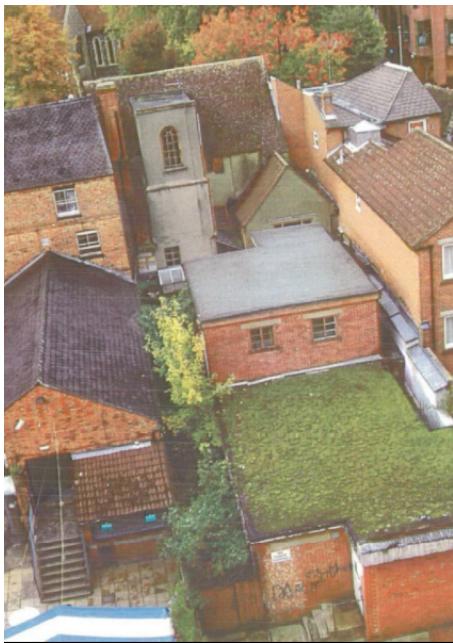
*Application site (red line) and other land owned by the Applicant (blue line)*



Existing ground and first floor level plans with previously demolished extensions outlined in red



No. 10 Gun Street



*Rear of no. 10 before demolition of previous two and single storey rear extensions*



*Rear of no. 10 as existing following demolition of previous two and single storey rear extensions*

2.3 The applications have been called in to Planning Applications Committee by Abbey Ward Councillor Rowland on the basis that there are important local issues relating to the treatment of the Holy Brook, nearby residential neighbours and heritage matters that require consideration.

### **3. PROPOSAL**

3.1 The proposal seeks full planning permission for a change of use from offices (Class E) to provide an expansion to existing bar/nightclub/entertainment venue (Sui Generis Use) at 9 Gun Street (Purple Turtle), together with erection of part two-part single storey rear extension and the enlargement of the existing basement. A detached 3-storey ancillary building to the rear (south) boundary, with yard over the Holy Brook is also proposed. Listed building consent is also sought in relation to the proposed internal and external alterations to the building and proposed rear extensions and outbuilding.

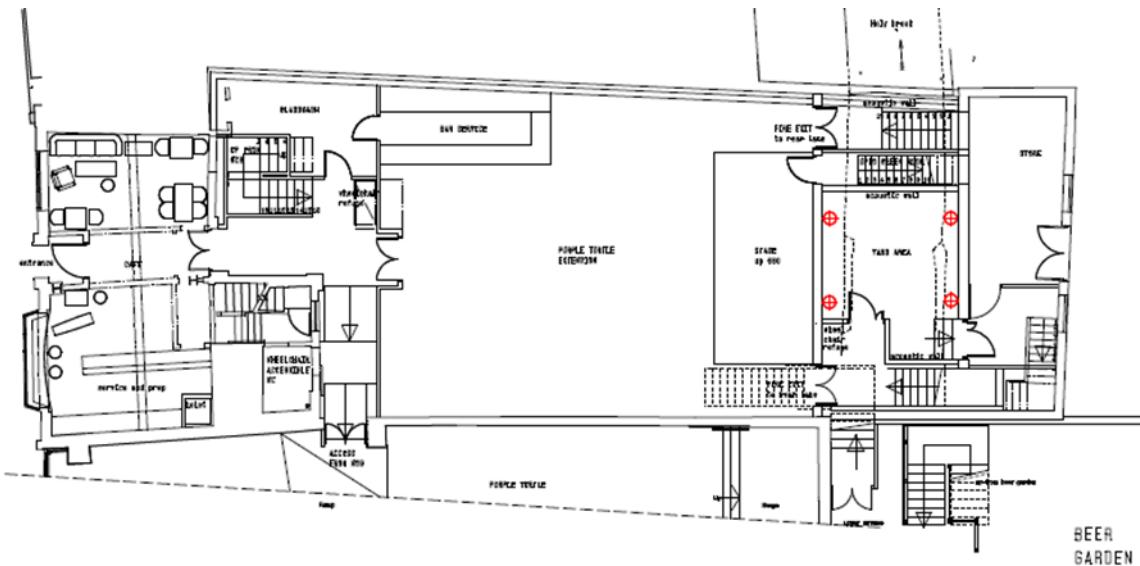
3.2 More specifically, the proposals incorporate:

- Conversion of the existing ground and first floor rooms from former office accommodation to a café with servery, food preparation and seating areas at ground floor and additional seating areas at first floor level. Both the proposed café and former office use of the building are both within Class E of the use classes order and therefore the change of use alone is not development requiring planning permission. The café would be accessed via the existing front entrance door from Gun Street, albeit it is proposed to set the door back from the Gun Street pavement to provide a recessed entrance and small covered entrance porch area. The entrance door currently provides access to an internal corridor off of which are two principal rooms. It is proposed to remove the corridor rooms to create a single open plan café and seating area.



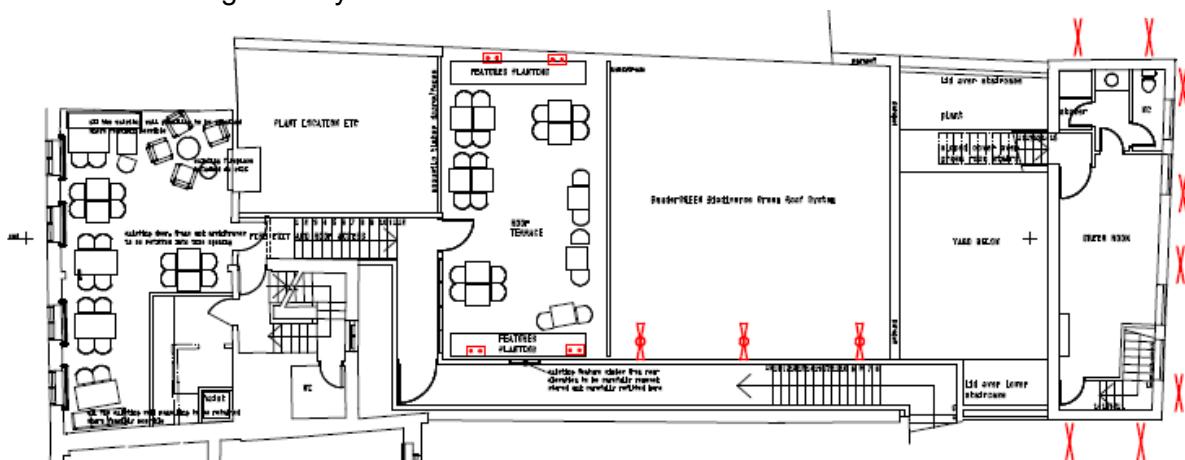
*Proposed Front Elevation*

- It is proposed to retain the existing staircase leading up to first floor level. At first floor level the building is already set out as one single room and this arrangement is proposed to be retained to create an open plan café seating space. An existing fireplace in this room is to be retained.
- The existing staircase leading from first to second floor level is also to be retained with a small kitchen and food preparation area proposed at second floor level. It is also proposed to install a hoist between ground, first and second floor areas to pass food/drinks between the different floors of the café.
- To the rear of the building, it is proposed to construct a part two, part single storey extension. The single storey element of the extension would project 16m from the rear of the existing building, would span the full width of the site and would be finished in white stucco render. The single storey extension would terminate at the north edge of the culverted section of the Holy Brook which crosses the rear of the site. The extension is proposed to provide a new large event space room/hall. The single storey extension would have a high ceiling height to accommodate the events space with the flat roof extension having a parapet height of 5.2m and incorporating an acoustic ceiling. The event space/hall would be accessed at ground floor level from the rear of the proposed café area where there would be a new circulation area and stair core which would also lead to the first floor part of the proposed rear extension. It is proposed that the event space room/hall would be used to provide additional space for the adjoining Purple Turtle bar/nightclub/entertainment venue use at no. 9 Gun Street, which is also under the ownership of the Applicant. To this effect a single new internal access door between no. 9 and no. 10 Gun Street is proposed to be provided through the shared walls of the two properties. The Applicant advises that the proposed event space/hall would be used flexibly for a variety of u18 events, business and community events during the day and as an entertainment space during evening/nighttime hours, as an expansion to the Purple Turtle for club nights and live performances such as music or comedy (Sui Generis Use).

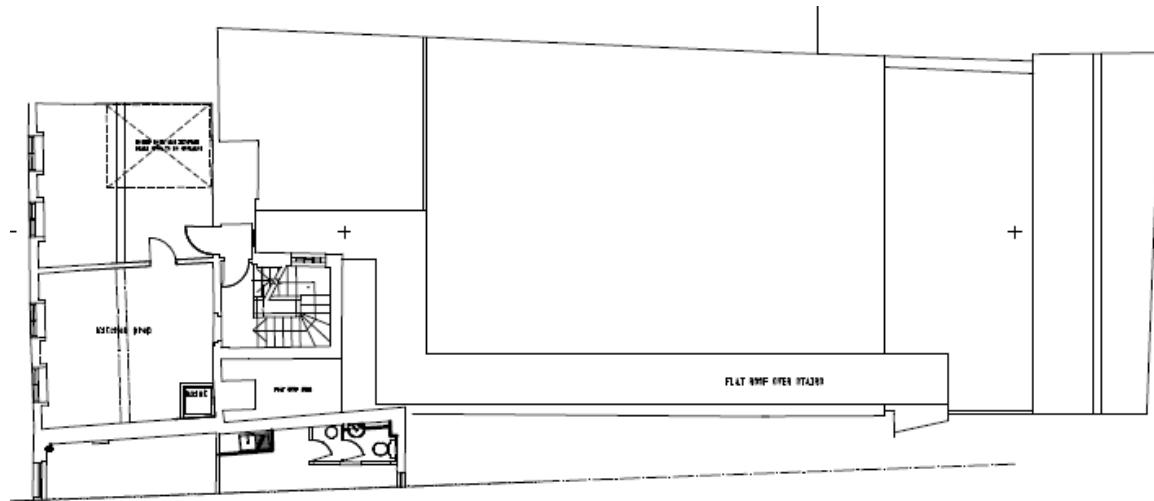


Proposed Ground Floor Plan

- The proposed two storey element of the proposed extension would project 4.2m from the existing rear elevation of the building and would be 5.8m wide, spanning just over half the width of the building. The two storey extension would have a flat roof and would be finished in white stucco render and would have full height glazing and glazed entrance door to its rear elevation. The extension would facilitate provision of a new stair core and corridors connecting the existing part of the building to the extended rear elements and would provide access to a first floor level external terrace area to the flat roof of the large single storey rear extension. The terrace area would be 5m x 9.2m and would be used for the proposed café use only. A decorative black metal rail balustrade would enclose the terrace, overlooking a green biodiverse roof proposed to the rest of the flat roof of the single storey rear extension. A first floor level external stair is also proposed to run along the western edge of the roof of the single storey rear extension, which would also provide a first floor level link passageway between the first floor extension and external terrace area and the elevated rear terrace area at the adjacent Purple Turtle.
- Adjacent to the proposed extension at first floor level across the other half of the building would be a plant enclosure bounded by a timber acoustic fence and gate set on the flat roof of the single storey extension.



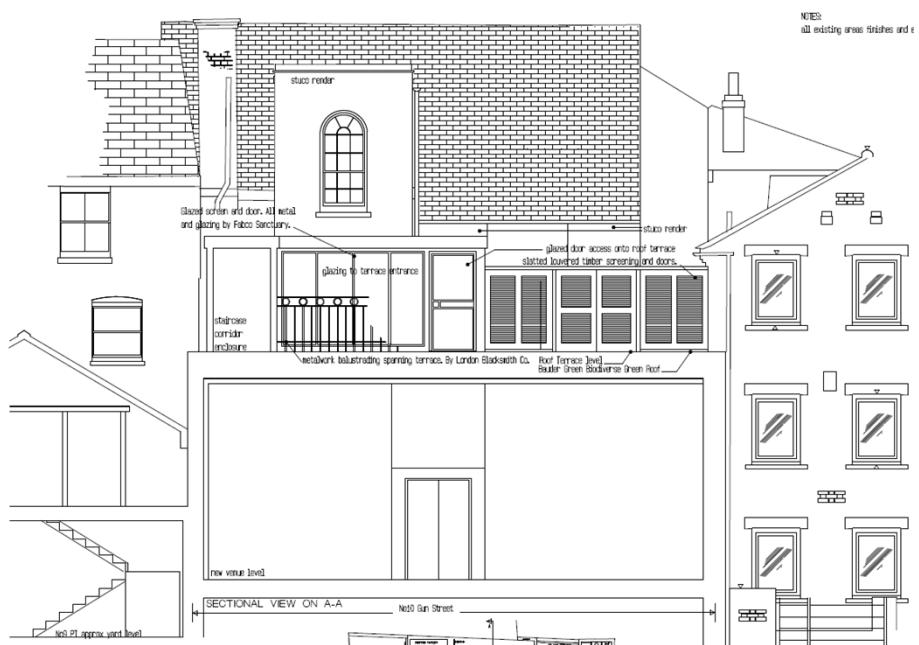
Proposed First Floor Plan



### *Proposed Second Floor Plan*

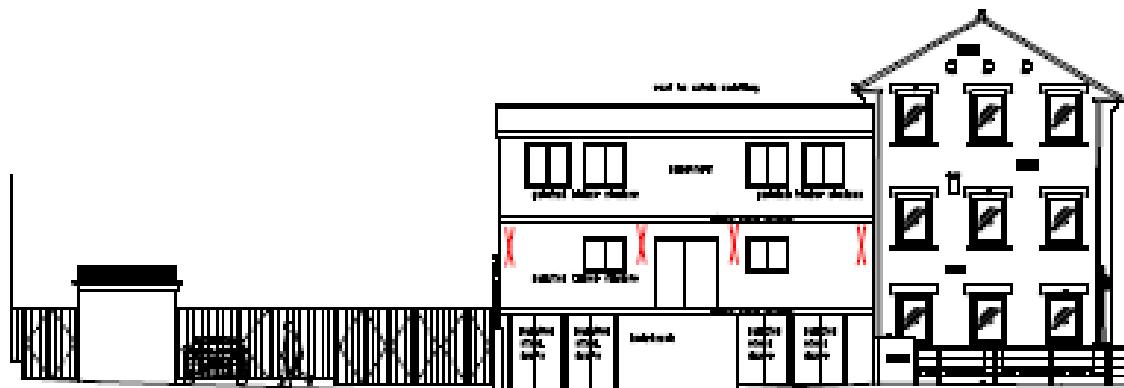


*Proposed Rear Elevation Section (showing proposed rear extensions)*

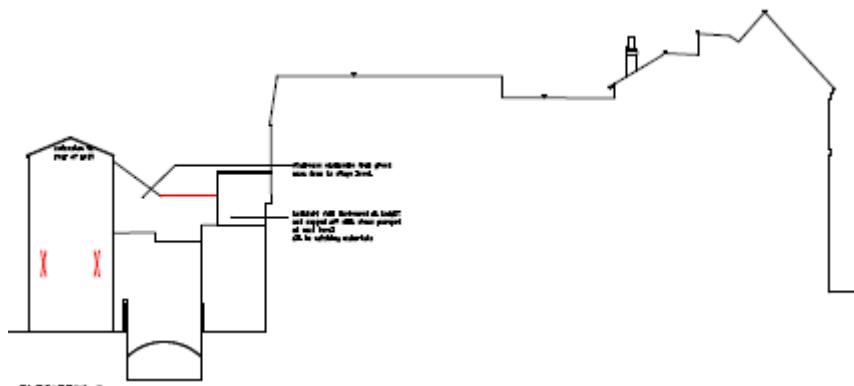
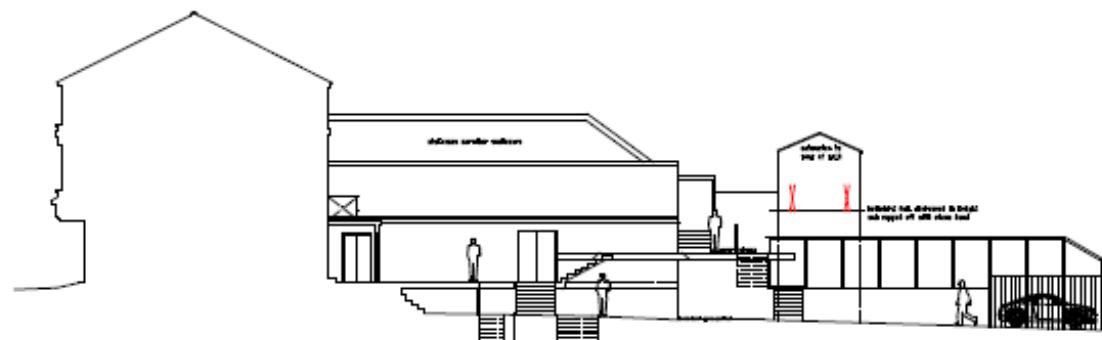


Proposed Rear Extensions Detailed Elevation

- To the other (south) side of the culverted section of the Holy Brook it is proposed to erect a three storey ancillary building which would extend up to the rear boundary of the site. Beyond the rear of the site is a pedestrian route connecting Bridge Street and The Oracle. The ancillary building would be between 3.2m and 3.8m in length and would span the full width of the site. The ancillary building would have a shallow gable pitch roof with a ridge height of 8.2m and eaves height of 7.3m. It would be finished in red brick, red roof tiles and white painted timber windows to reflect the host listed building. The ancillary building is proposed to be used as a refuse and general store at lower and upper ground floor level with a small green room for performers at the entertainment venue to the upper floor.



*Proposed Rear Elevation (showing proposed ancillary building)*

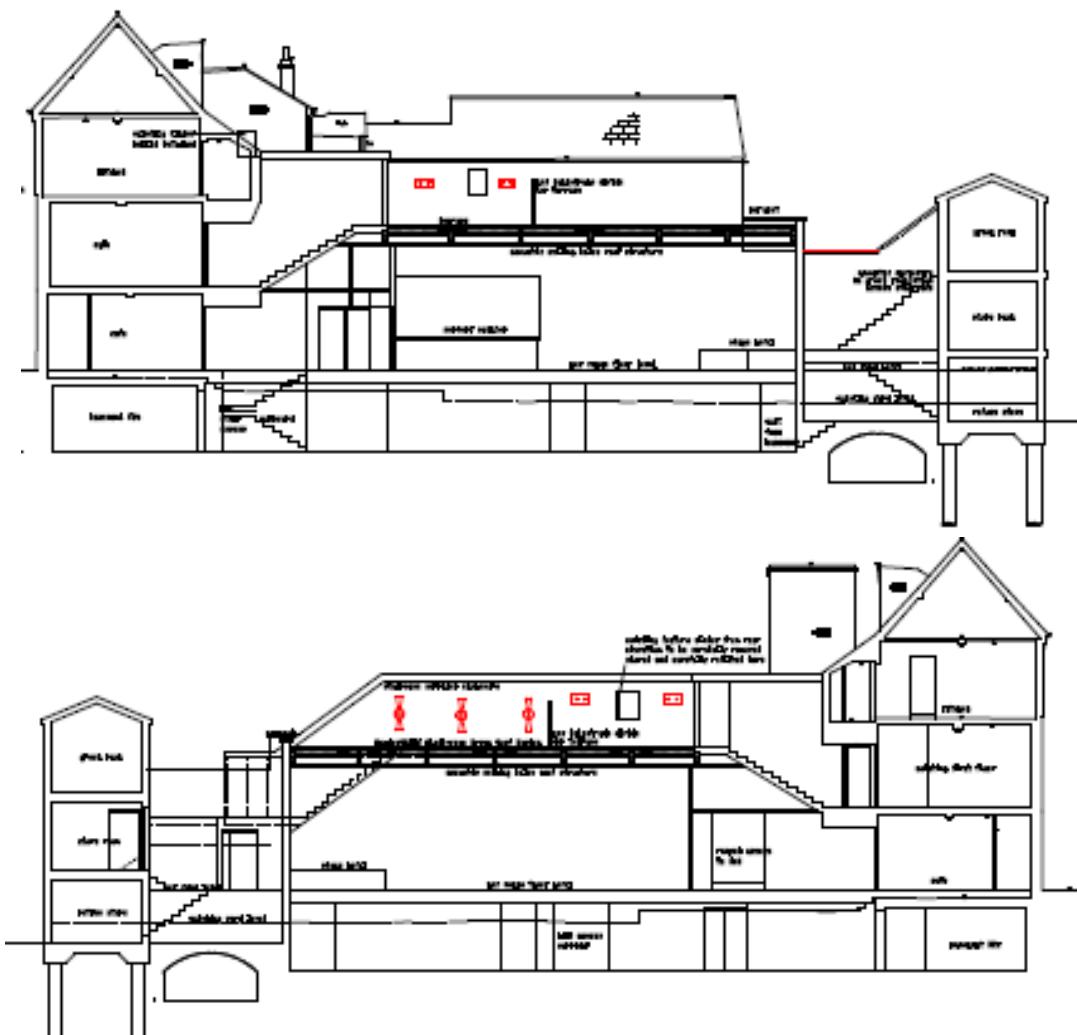


*Proposed Side Elevation*

- There are changes in levels within the existing building at ground floor level and across the site which steps down twice from front to rear (north to south). The proposals seek to remove this level change by raising the level towards the rear of the site to provide a consistent ground floor level throughout the building and proposed extension. The site level would not be changed to the very rear of the site on the south side of the culverted

Holy Brook channel where the proposed three storey ancillary building would be located. As such, whilst this is a three storey building, the ground floor level of the building would be midway between the basement and ground floor of the extended building to the north side of the culverted Holy Brook channel. This means that the roof ridge of the ancillary building would be set at the same height as the flat roof of the proposed two storey rear extension.

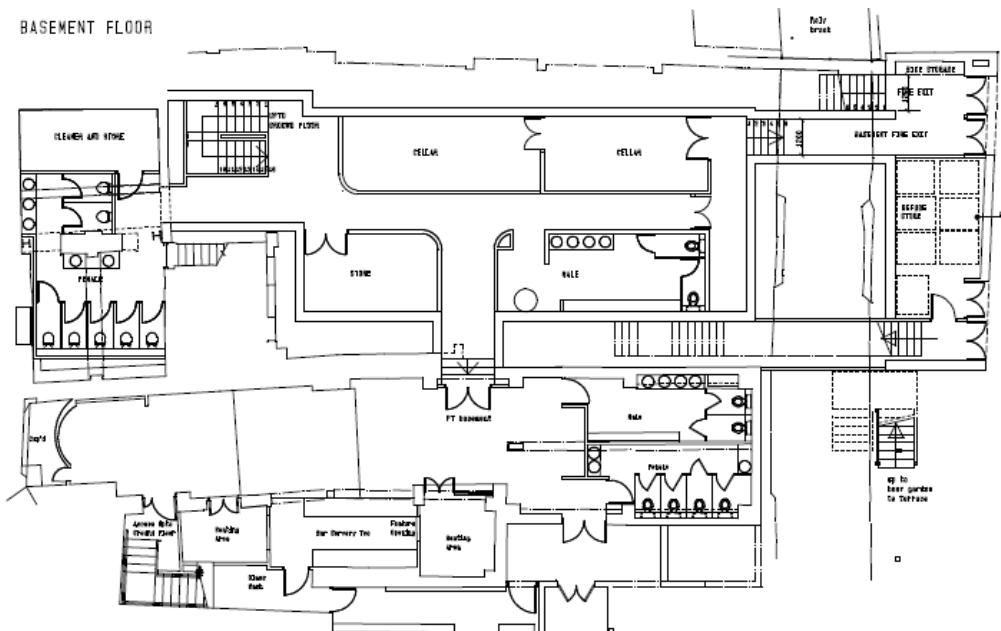
- It should be noted that there would be no substantive built development within the area between the proposed ancillary building and rear extension to the building, which sits directly above the culverted Holy Brook channel. This would be used as an external yard area, which is this existing use for this part of the site. It is not proposed to de-culvert this section of the Holy Brook. The only built development in this part of the site is the introduction of two lightweight external staircases, which would be used to provide elevated access between the rear extension and ancillary building.



*Proposed Side Elevation Sections*

- It is also proposed to significantly enlarge the existing basement at the application site. The existing basement is small and lies underneath the two existing principal rooms to the building which sit adjacent to Gun Street and currently contain storage areas. It is proposed to extend the basement to be under the entirety of the proposed single storey rear

extension up the north edge of the culverted Holy Brook channel. The proposed enlarged basement would contain toilet facilities to the front within the existing part of the basement and then large cellar, store rooms and further toilets within the enlarged part. A new stair core within the proposed two storey rear extension would provide access down to the basement. Similar to the proposed event space/hall at ground floor level the basement facilities are also proposed to be used as part of the expanded Purple Turtle use. A single new entrance door is proposed at basement level which would provide access from the basement level of the Purple Turtle to the enlarged basement of no. 10 Gun Street. To the rear of the basement a small stair case leading up to the yard area over the culverted section of the Holy Brook is proposed to provide an emergency and fire exit through the proposed rear ancillary building on to the footway to the rear of the site.



## *Proposed Basement Floor Plan*



#### *Proposed Visual of First Floor Rear Terrace and Green Roof*

3.3 It is pertinent to note that there have been previous approved planning permission and listed building consents granted at the site for similar developments, albeit these have not been implemented and have now lapsed. The previous permissions are referenced in the relevant history section of this report below and are also summarised (with plans) at Appendix 1 at the end of this report.

Community Infrastructure Levy

3.4 In relation to the community infrastructure levy, the applicant has duly completed a CIL liability form with the submission. In accordance with the Council's adopted CIL Charging Schedule, the uses proposed are not liable for CIL and therefore there would be no levy due for this application.

3.5 Plans and Documents Considered:

*Plans*

- Drawing no. 201 - 114 – Existing Plans pre demolition
- Drawing no. 203 - 1114 – Existing Elevations pre demolition
- Drawing no. 205 - 1114 – Existing Site Plan
- Drawing no. 206 – 1114 - Proposed Site Plan Rev A

Received by the Local Planning Authority on 30<sup>th</sup> January 2023

- Drawing no. 201-1114 – Existing Plans with demolitions Rev D
- Drawing no. 103 Rev D – Existing Elevations with demolitions
- Drawing no. 02-1114 Rev C – Proposed Plans
- Drawing no. 204-1114 Rev E – Proposed Elevations Sections

Received by the Local Planning Authority on 16<sup>th</sup> March 2023

- Drawing no. 210-1144 – Rear Sectional View through Terrace

Received by the Local Planning Authority on 8<sup>th</sup> November 2024

*Supporting Documents*

- Planning, Design and Access Statement (JWPC Ltd)
- Heritage Statement (ADL Architecture)
- Flood Risk Assessment (Stantec)
- Noise Impact Assessment (Stantec)
- Ecology Assessment (Future Nature)
- Archaeology Written Scheme of Investigation (Thames Valley Archaeological Services)

Received by the Local Planning Authority on 30<sup>th</sup> January 2023

- Sustainability Statement (Scott White and Hookins)
- Exterior Lighting Specification (Alan Brown Design)
- Air Conditioning & Ventilation Specification (WM Air Conditioning)

Received by the Local Planning Authority on 16<sup>th</sup> March 2023

- River Condition Assessment (Future Nature)

Received by the Local Planning Authority on 15<sup>th</sup> December 2023

- Addendum to Planning, Design and Access Statement (JWPC Ltd)
- A Conservation Plan for Historic Fabric (Ridgeway Heritage Consultancy)

Received by the Local Planning Authority on 8<sup>th</sup> November 2024

#### **4. RELEVANT PLANNING HISTORY**

##### *10 Gun Street (application site)*

08/1139FUL & 08/01677LBC - Works relating to the change of use from offices to A1 at ground floor with offices above to include demolition of existing extensions and erection of new extension and internal alterations. Withdrawn 16/2/09.

01676-FUL & 08/1187LBC - Change of use from offices to A1 at ground floor with offices above to include demolition of existing extensions and erection of new extension and internal alterations. Withdrawn 16/2/09.

09/00928FUL & 09/1230LBC - Change of use from offices to A1 at ground floor with offices above to include demolition of existing extensions and stair enclosure, replacement extensions, replacement stair enclosure, minor internal alterations (Resubmission of 08/01676/FUL). Granted 14/8/09.

09/0612FUL & 09/00929LBC - Works associated with the change of use from offices to A1 at ground floor with offices above to include demolition of existing extensions and stair enclosure, replacement extensions, replacement stair enclosure and internal alterations. (Resubmission of 08/01677/LBC). Granted 14/8/09.

09/02111FUL & 09/1741LBC - Change of use to A3. Demolition of late extensions and stair enclosure (stairs retained), replacement extensions and stair enclosure. Granted 28/1/10.

09/0085FUL & 09/02154LBC - Works associated with the change of use to A3. Demolition of late extensions and stair enclosure (stairs retained), replacement extensions and stair enclosure. Granted 28/1/10.

10/01343FUL & 10/0759LBC - Change of use of first, second, attic floors from B1a (offices) to A1 (retail) in association with permitted ground floor conversion and extension (ref: 09/00928/FUL). Granted 9/9/10.

12/00939EXT & 12/0577LBC - Application for an extension of time limit for implementation of permission 09/00928/FUL for change of use from offices to A1 at ground floor with offices above to include demolition of existing extensions and stair enclosure, replacement extensions, replacement stair enclosure, minor internal alterations. Granted 7/8/12.

12/0578FUL & 12/00940LBC - Application for an extension of time limit for implementation of permission 09/00929/LBC for works associated with the change of use from offices to A1 at ground floor with offices above to include demolition of existing extensions and stair enclosure, replacement extensions, replacement stair enclosure and internal alterations. Granted 7/8/12.

12/01308FUL & 12/1736LBC - Change of use to A1 (Retail) or A3 (Restaurant). Refurbishment and alterations including single storey rear extension. Granted 15/10/12.

12/1737FUL and 12/01309LBC - Works Associated with the change of use to A1 (Retail) or A3 (Restaurant). Refurbishment and alterations including single storey rear extension. Granted 15/10/12.

15/1281FUL & 151282/LBC - Change of use from office (Class B1) to café/restaurant (Class A3) at basement to second floor level, including replacement ground and first floor rear extension; Excavation of basement to rear as extension to existing nightclub (Sui Generis) at No. 9 Gun St; Erection of replacement two storey building to rear for micro-brewery (Sui Generis) with associated access, part de-culverting of brook, external open area and various internal and external alterations. Granted 16/08/2016.

19/1243FUL & 19/1244LBC - Change of use from office (Class B1) to café / restaurant (Class A3) at ground to second floor level, including ground and first floor extensions following removal of previous. Erection of building to rear for microbrewery (Sui Generis) with associated access, external open area and various other internal and external alterations - scheme almost identical to previous Consent 151281 but without basement nightclub extension and no de-culverting of brook. Granted 29/06/2020.

#### *9 Gun Street (Purple Turtle) Adjoining*

95/00677FUL & 95/0935LBC - Change of use from retail shop (Class A1) to premises for the sale of food and drink (Class A3). Granted 19/10/95.

10/1474FUL / 10/00615FUL & 10/1475FUL / 10/00616LBC - Internal refurbishment, minor new build and garden refurbishment. Granted 29/07/2010 & 30/07/2010.

## 5. CONSULTATIONS

5.1 Environment Agency – Object. It is understood that the site is constrained however Readings Local Plan Policy EN11 specifically highlights developments should “Pursue opportunities for de-culverting of watercourses” Furthermore the Holy Brook itself is specifically referenced in paragraph 4.2.48 which states:

“In addition to the two main rivers, the Holy Brook contains a unique character and links to the town’s ancient history. Development should seek to increase the prominence of the Holy Brook, and open up the brook for public access, as well as consider any opportunities for de-culverting it, which will provide ecological and potentially flood risk benefits. There are also a number of other small tributaries within Reading Borough, with their own character, and there may again be opportunities to enhance these as well as investigate de-culverting.”

We do not believe the option of de-culverting has been considered in this application therefore we maintain our objection on this basis. We understand that de-culverting at this point in time may not be an option therefore if the applicant were to keep the area above the currently culverted Holy Brook free from development, so it can be de-culverted at a later date, we would also consider that acceptable.

5.2 RBC Conservation Officer – No objection, subject to conditions to secure the following:

- Pre-commencement submission and approval of a full external materials schedule, accompanying samples and detailed drawings and specifications of works, including details of cleaning and repointing of decorative brickwork, cleaning and repainting of iron railings, cleaning and repainting of timber shopfront windows, repair and re-painting of timber sash windows, repair replacement and repainting of rainwater goods, repair and repainting of stucco band and door casement.
- Pre-commencement submission and approval of detailed drawings and specifications for the all internal repair and restoration works to the listed building including a specification for full repair and making good of internal walls, ceilings and floors, details of how exposed timber beams, dad panelling, open-well staircase (including balusters, string, newel and handrails) and other decorative features will be retained and restored and a programme and methodology of investigation and conservation treatment for all fireplaces
- All making good shall be toned to match existing in colour, face bond, texture and pointing.
- Pre-commencement submission and approval of details of all new internal window and door joinery, including depth of reveal, details of heads, sill and lintels.
- Pre-commencement submission and approval of details of all new services (including kitchen and toilets), including position type and method of installation and relates fixture (including hoist, extractors, pipework and communication services).
- Pre-commencement submission and approval of details of water proofing and damp treatment, including methodology and justification.
- Unless specifically referred to within the approved plans and documents no features of architectural or historic interest shall be altered, replaced or removed.

The proposed alterations and extension to the rear of the property is similar in detail to the previously consented applications ref. 151281 and 191244.

5.3 Reading Conservation Area Advisory Committee (CAAC) – Object. The proposed applications (ref. 23/0107 for full planning permission and ref. 23/0108 for full planning permission are considerably similar to previously consented applications ref. 19/1243FUL & 19/1244LBC. Reading CAAC did not comment on those applications or the earlier proposals for the site such as under consents ref. 15/1281FUL and 15/1282LBC which were before the formation of CAAC (2016). All the applications predated the RBC Shopfronts Design Guide SPD and consideration of the potential of Reading's High Street Heritage Action Zone Project (HSHAZ) which began in March 2020 (now ended) and includes Gun Street within its area of interest. Summary of reasons for objection:

- The façade of the property on Gun Street is the exterior view that most people see and has been least affected by the ravages of past uses. Alterations to the front door to open outwards will have a harmful impact on the listed building.
- Creation of a basement route between the two properties destroys the integrity of the curtilage of the listed buildings at 10 Gun Street (1321918) and 9 Gun Street (1155899).
- The curtilage of 10 Gun Street includes a section of Holy Brook in a culvert and a piece of land beyond this. This area is visible at the rear of the Oracle and from the access road off

Bridge Street. The proposed new buildings to the north and south of Holy Brook will have a negative and overly dominant impact on the listed building and the setting of Holy Brook.

- Negative impact on listed property at No 9 Gun Street.
- Materials, paint colour should be secured by condition.
- This proposal does not comply with policies EN1 Protection and Enhancement of the Historic Environment, EN3 Enhancement of Conservation Areas and EN6 New Development in a Historic Context as described in more detail below.

5.4 RBC Transport – No objection subject to a condition to secure submission and approval of a construction and demolition method statement prior to the commencement of development and pre-occupation provision of cycle and bin stores.

5.5 RBC Natural Environment Team – No objections, subject to a condition to secure submission and approval of full details of the proposed green roof.

5.6 RBC Environmental Protection – Raised initial concerns regarding the impact of noise from loud music and performance events at the proposed expanded Purple Turtle nightclub/entertainment venue on the occupiers of the adjacent flats at no. 11-12 Gun Street. Following submission of additional information from the applicant regarding the acoustic specification of the proposed extension are satisfied that the proposals are not likely to adversely impact on neighbouring occupiers of the flats when windows are closed. However, noise from the proposed development is very likely to still be audible to occupiers of the flats when windows are open during the night time and when loud music or performance events are taking place.

Are satisfied that significant efforts have been made to acoustically address noise related issues from the development but advise that given the nature of the use proposed and closeness of the adjacent flats, it is unlikely to be able to completely mitigate against noise from the development to the extent that it would be inaudible. Based upon the submitted noise assessment and given the existing nighttime noise environment at the site and along Gun Street, where there are already a number of noise producing uses, the impact on the neighbouring properties would likely be towards the low end of the scale but still with the potential to result in annoyance to occupiers of the flats when windows are open.

Notwithstanding the above, should planning permission be granted conditions to secure the following are considered necessary:

- No amplified live or recorded music to be played within the proposed green room at any time
- No use of the proposed external terrace after 2300 hours each day
- Development not to be carried out other than in strict accordance with the submitted noise assessment and mitigation details. All mitigation measures to be implemented in full prior to first occupation/use of the development.
- No installation of any plant equipment until full details and specifications, including noise assessment have been submitted and approved.
- Pre-commencement submission and approval of a construction and demolition method statement including measures to control construction noise, dust and vibration.

- No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0800hrs to 1300hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays
- No burning of waste on site at any time
- Pre-occupation submission and approval of details of bin stores including measures to protect the stores against pests and vermin
- Pre-occupation submission and approval of premises management plan for the proposed café and nightclub/entertainment venue uses

5.7 RBC Ecology Adviser – Object given the proposal does not incorporate de-culverting of the section of the Holy Brook to the rear of the site. However, if planning permission is granted, recommend conditions to secure pre-commencement submission and approval of evidence that a Natural England licence for works that could impact bats has been obtained, details of a habitat enhancement scheme including bat bricks and tiles and details of an external lighting scheme to demonstrate how all external lighting has been designed to be wildlife friendly.

5.8 RBC Archaeology - No objection, subject to a condition to secure that the development is undertaken in full accordance with the submitted written scheme of investigation and that not part of the development is occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved written scheme of investigation.

5.9 RBC Licensing – No objection, a license for similar development has been granted at the property previously.

5.10 The Canal and River Trust – No comments.

#### ***Public consultation***

5.11 Notification letters that the applications had been submitted were sent to the following nearby properties:

- No. 1, 2, no. 3-4, no. 5, no. 6, no. 7, no. 8, no. 9, no. 11-12, no. 14, no. 15 Gun Street
- Flats 1, 2, 3, 4, 5 no. 11-12 Gun Street
- No. 11, No. 11A Bridge Street
- Flat 1, 2 no. 15 Bridge Street
- The Oracle, Bridge Street
- Flats 1 to 9 Turtle Towers Bridge Street

5.12 A site notice for each application was also displayed outside the application on Gun Street on 26<sup>th</sup> April 2023.

5.13 No letters of representation have been received.

## **6. RELEVANT PLANNING POLICY AND GUIDANCE**

6.1 Section 16(2) and 66(1) 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) (December 2024) which also states at Paragraph 11 “Plans and decisions should apply a presumption in favour of sustainable development”.

6.4 The following relevant planning policy and guidance is applicable to the assessment of this application. The following national policy, local policies and supplementary guidance is relevant in the considering of this application:

National Planning Policy Framework (NPPF) (December 2024)

Section 2 - Achieving sustainable development  
Section 4 - Decision-making  
Section 6 - Building a strong, competitive economy  
Section 7 - Ensuring the vitality of town centres  
Section 8 - Promoting healthy and safe communities  
Section 9 - Promoting sustainable transport  
Section 11 - Making effective use of land  
Section 12 - Achieving well-designed places  
Section 14 - Meeting the challenge of climate change, flooding and coastal change  
Section 15 - Conserving and enhancing the natural environment  
Section 16 - Conserving and enhancing the historic environment

Reading Borough Local Plan 2019

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT  
CC2: SUSTAINABLE DESIGN AND CONSTRUCTION  
CC3: ADAPTATION TO CLIMATE CHANGE  
CC5: WASTE MINIMISATION AND STORAGE  
CC6: ACCESSIBILITY AND THE INTENSITY OF DEVELOPMENT  
CC7: DESIGN AND THE PUBLIC REALM  
CC8: SAFEGUARDING AMENITY  
EN1: PROTECTION AND ENHANCEMENT OF THE HISTORIC ENVIRONMENT  
EN2: AREAS OF ARCHAEOLOGICAL SIGNIFICANCE  
EN3: ENHANCEMENT OF CONSERVATION AREAS  
EN5: PROTECTION OF SIGNIFICANT VIEWS WITH HERITAGE INTEREST  
EN6: NEW DEVELOPMENT IN A HISTORIC CONTEXT  
EN11: WATERSPACES  
EN12: BIODIVERSITY AND THE GREEN NETWORK  
EN15: AIR QUALITY  
EN16: POLLUTION AND WATER RESOURCES  
EN17: NOISE GENERATING EQUIPMENT  
EN18: FLOODING AND DRAINAGE  
EM3: LOSS OF EMPLOYMENT LAND

EM4: MAINTAINING A VARIETY OF PREMISES  
TR1: ACHIEVING THE TRANSPORT STRATEGY  
TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTERS  
TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING  
RL1: NETWORK AND HIERARCHY OF CENTRES  
RL2: SCALE AND LOCATION OF RETAIL, LEISURE AND CULTURE DEVELOPMENT  
RL6: PROTECTION OF LEISURE FACILITIES AND PUBLIC HOUSES  
OU5: SHOPFRONTS AND CASH MACHINES  
CR1: DEFINITION OF CENTRAL READING  
CR2: DESIGN IN CENTRAL READING  
CR3: PUBLIC REALM IN CENTRAL READING  
CR4: LEISURE, CULTURE AND TOURISM IN CENTRAL READING  
CR5: DRINKING ESTABLISHMENTS IN CENTRAL READING  
CR7: PRIMARY FRONTAGES IN CENTRAL READING

#### Supplementary Planning Documents

Sustainable Design and Construction (2019)  
Revised Parking Standards and Design (2011)  
Design Guide to Shopfronts (2022)

#### Other relevant documents

St Mary Butts / Castle St Conservation Area Statement  
Reading Borough Council Tree Strategy (March 2021)  
Reading Biodiversity Action Plan (March 2021)  
Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking (Historic England, 2015)  
Historic Environment Good Practice Advice in Planning: 3 (2nd Edition) The Setting of Heritage Assets (Historic England, 2017)  
Reading Historic Area Assessment (Feb 2023)

#### Local Plan Update

- 6.5 The current version of the Local Plan (adopted in November 2019) turned five years old on Tuesday 5th November 2024. The Local Plan was reviewed in March 2023 and around half of the policies in the plan are considered still up to date. However, the rest need to be considered for updating to reflect changing circumstances and national policy. A consultation version of the draft updated version of the Local Plan was published on 6<sup>th</sup> November 2024.
- 6.6 Although there is a five-year period for carrying out a review of a plan after it is adopted, nothing in the NPPF or elsewhere says that policies automatically become “out of date” when they are five years old. It is a matter of planning judgement rather than legal fact whether a plan or policies within it are out-of-date. This will depend on whether they have been overtaken by things that have happened since the plan was adopted, either on the ground or through changes in national policy, for example.
- 6.7 Officer advice in respect of the Local Plan policies pertinent to these applications listed above is that they remain in accordance with national policy and that the objectives of those policies

remains very similar in the draft updated Local Plan. Therefore, they can continue to be afforded weight in the determination of this planning application and are not considered to be 'out of date'.

## 7. APPRAISAL

7.1 The main issues are considered to be:

- A) Principle of development – land use matters
- B) Flood risk, the water environment and natural environment matters
- C) Design and heritage matters
- E) Amenity matters
- F) Transport matters
- G) Archaeology matters
- H) Sustainability matters

### A) Principle of development – land use matters

7.2 In terms of the proposed Class E(a) cafe use to the ground first and second floor of the principal part of the building (fronting Gun Street), this would involve the loss of an existing (in lawful use terms at least) Class E(g)(i) office use at the site. Given both the existing and proposed uses of this part of the development are within use Class E (commercial business and service) planning permission to change between these sub-sections of the same use is not required. Nonetheless, with regard to policy EM3 (Loss of Employment Land), also having regard to the various previous permissions in the recent past for similar Class E uses (previously referred to as Class A1 shop and Class A3 restaurant uses under the 2020 superseded version of the Use Classes Order) at the site, no issues are raised with the loss of the existing (lawful) office use. In particular, it is noted that the building has been vacant for over two decades. The principle of the proposed Class E(a) café use in this location, within an existing active frontage, the primary shopping area and central core of the Reading Central Area) would also accord with Policies CR1 (Definition of Central Reading) and CR7 (Primary Frontages in Central Reading) in terms of where such uses are sought to be located within the town centre.

7.3 The proposals also seek that parts of the enlarged premises at no. 10 Gun Street would also, at times, be used as an extension of the existing Sui Generis nightclub/bar/entertainment venue use at the adjoining premises at no. 9 Gun Street (Purple Turtle). A series of openings are proposed to link the two buildings internally and externally from the rear yard areas of both buildings and the provision of a hall/multi-purpose performance space within the proposed ground floor rear extension to no. 10. It is understood that this would allow greater flexibility and capacity for club nights and live performances at the premises. As can be seen from the planning history section of this report above, a similar extension of the Purple Turtle nightclub use into no. 10 Gun Street and internal and external links between the two buildings were granted under planning permission ref. 151281 (and listed building consent ref. 151282). It is proposed that the now sought space would be used flexibly with the applicant advising it would be used for a variety of u18 events, business and community events during the day and as an entertainment space during evening/nighttime hours, as an expansion to the Purple Turtle for

club nights and live performances such as music or comedy. The proposed basement area would instead be used to provide an additional cellar, storage space and toilets.

7.4 In land use principle terms, the proposals seek an extension to an existing town centre Sui Generis use at the Purple Turtle which would comply with the principles of Policies CR1 (Definition of Central Reading), CR4 (Leisure, Culture and Tourism in Central Reading), CR5 (Drinking Establishments in Central Reading) which support such night time economy uses within the town centre as long as they would not give rise to adverse impact on the amenity of nearby residents and other town centre uses, and that the location of such uses is accessible to current and proposed night-time public transport services. The amenity and transport sections of this report below will consider these impacts of the proposals in more detail in terms of the intensification of the use proposed. Subject to no unacceptable impacts being identified in respect of these matters no overriding land use concerns are identified in relation to the proposed development.

**B) Flood risk, the water environment, landscaping, ecology and biodiversity**

7.5 The majority of the site is located within Flood Zone 1 which are defined as areas having the lowest risk of flooding. The rear part of the site is also located over a culverted section of the Holy Brook, which the Environment Agency (EA) classify as a main river and therefore within Flood Zone 3, which are areas at high risk of flooding. The National Planning Practice Guidance (NPPG) sets out that a sequential test should be applied to development proposals within flood zones 2 and 3 in order to identify and direct development to alternative sites at a lower risk of flooding if available. In this instance the proposals do not seek to substantially build directly over the culverted section of the Holy Brook (land within Flood Zone 3) where, as is existing, a small yard area is proposed. Two external light weight and non-structural stair cases would cross over the land and connect the proposed rear extension with the proposed ancillary building either side of the culverted channel. Given the land above the culvert would remain as a yard area as existing and free from built development the sequential test is not considered to need to be applied in this instance. All parts of the site where new built development is proposed are within flood zone 1.

7.6 The NPPG classifies the café use proposed as 'less vulnerable' in terms of flood risk, while drinking establishments and nightclubs are classified as 'more vulnerable' and identifies that both uses are appropriate within flood zone 1. The NPPG also sets out that new development within the vicinity of a watercourse should be constructed such that it does not detrimentally impact on flow routes or reduce available floodplain storage which could increase flood risk on-site or elsewhere. However, in this instance given this section of the Holy Brook is culverted it has no flood plain outside of the culverted channel. The height of the culvert walls either side of the channel mean that the flow of water is contained within the canalised concrete channel up to the predicted 1 in 100 year plus an allowance for climate change flood level and therefore flooding at the worst predicted level for this location would be fully contained within the culvert. Therefore, the proposed extensions and outbuildings would not impinge upon floodplain land and no flood plain compensation or mitigation works are required or proposed as part of the development to accommodate the proposed Sui Generis use.

7.7 The submitted FRA also demonstrates that continuous safe access and egress for the development is available from the front door of the building on to Gun Street and pedestrian route running past the rear of the site which are both within flood zone 1. Due to floor levels

the FRA identifies that during a 1 in 100 year rainfall event (plus an allowance for climate change) surface water could flow into the basement via the internal stairs from Gun Street at the front of the site. The basement is proposed to include stores and toilets for customers, therefore the risk of flooding to occupants of the basement would only occur if they were in the basement during opening hours and surface water enters the building via the open doors at the front entrance at the peak of an extreme rainfall event. Officers concur with the findings of the submitted FRA, that in such an event there would be sufficient warning of this happening for occupants to safely exit the basement to higher ground via exits to the front and rear of the site.

- 7.8 In terms of drainage, it is proposed that rain and surface water rainwater would be collected and discharged directly into the Holy Brook to the rear of the site, which is an existing arrangement. There would be no worsening of drainage at the site which is covered entirely in built form and hardstanding. The proposed green roof would ensure an improvement in the drainage conditions at the site.
- 7.9 In overall terms the proposals are considered to be acceptable from a flood risk perspective, subject to a condition to ensure the development is carried out full in accordance with the submitted flood risk assessment.
- 7.10 Whilst the Environment Agency do not object to the proposals on the flood risk grounds, they do object to the planning application on the basis that it is not proposed to de-culvert the section of the Holy Brook that crosses the rear of the site. Therefore, as per section 5 above, the EA considers that the proposal fails to restore the ecological value of the Holy Brook to its condition prior to culverting and fails to provide the opportunity for de-culverting to take place in the future.
- 7.11 In this respect it is noted that a previously consented scheme for a similar development from 2016 (ref. 151281) included part de-culverting of the Holy Brook through the rear of the site. This aspect of the scheme was strongly supported by both the EA and LPA from an environmental perspective. However, a different scheme for another similar development was then given planning permission in 2020 (ref. 191243) which did not include de-culverting of the Holy Brook. The EA objected to this previous application at that time for the same reasons as now, but planning permission was granted for the development. This was on the basis that the benefits of the development, most notably in terms restoration and re-use of a listed building currently in a poor condition, were considered to outweigh the environmental harm that would result from maintaining the poor environmental condition of this small section of the Holy Brook as a result of its culverted form.
- 7.12 The applicant's justification for not proposing to de-culvert this section of the Holy Brook is the same now as was given under the 2020 permission (ref. 191243), More specifically, the cost involved in these works for such a small section of the Holy Brook would be disproportionate and would mean the development, as a whole, would not be viable. The applicant's state that this is the reason why the 2015 scheme (ref. 151281) was not progressed. The EA, and RBC Ecology Adviser, are of the view that, as per the 2020 permission (ref. 191243), such rationale is insufficient that de-culverting has not been adequately explored or considered as part of the current application.

7.13 Engineered river channels have little ecologically valuable habitat and there would clearly be benefit in this respect from opening up (de-culverting) and enhancing the Holy Brook. The restoration and enhancement of such watercourses is an objective of Policy EN11 (Waterspaces) of the RBC Local plan. This is also supported by paragraph 187 of the NPPF (December 2024) which recognise that the planning system should conserve and enhance the environment and site of ecological and biodiversity value.

7.14 In this instance, given the culverted Holy Brook is an existing situation, the proposal itself cannot be said to be worsening the condition of the Holy Brook, rather it is not taking this opportunity to de-culvert this section of the channel and provide the associated ecological improvements to the Holy Brook that this could result in. A River Condition Assessment report has been submitted with the application which concludes that the current culverted section of the watercourse running through the site provides very limited biodiversity value in its current state, noting that DEFRA identify culverted watercourses as being habitats of low distinctiveness and that no aquatic or emergent vegetation is evident within this section of the culvert. The report sets out that this section of the Holy Brook is only of current value ecologically in terms of species commuting through it, such as fresh water invertebrates but that there are negligible sheltering and foraging opportunities within the culvert.

7.15 Whilst the 2015 proposals (ref. 151281) for the site, which included de-culverting, are clearly preferable and are referenced by the EA in their objection, the LPA are unable to withhold planning permission on the basis that a current proposal no longer contains elements that a previous 'more desirable' proposal contained in the past, hence the granting of the 2020 permission (ref. 191243) which did not include de-culverting. Every planning application must be considered on their own merits, against the Local Plan and the existing use of the land at the time of the application.

7.16 Policy EN11 (Waterspaces) states that Reading's waterspaces will not only be protected but enhanced but that development in the vicinity of watercourses will pursue opportunities for deculverting of watercourses (Officer emphasis). In addition, supporting paragraph 4.2.48 of Policy EN11 states that 'Development should seek to increase the prominence of the Holy Brook, and open up the brook for public access, as well as consider any opportunities for deculverting it, which will provide ecological and potentially flood risk benefits' (Officer emphasis). Policy EN12 (Biodiversity and the Green Network) is also relevant and states that '*the green network which includes all of the Thames tributaries, shall be maintained, protected, consolidated, extended and enhanced*'. Point c) states that '*On all sites, development should ... provide a net gain for biodiversity wherever possible.*'

7.17 The current applications have been under consideration for some time with much of this spent awaiting further advice from the EA and officers pressing the applicant to consider incorporating de-culverting within the proposed development. The applicant has been consistent throughout the process that the works involved to de-culvert such a small section of the Holy Brook would make the development unviable. Therefore, the current proposal would effectively maintain the status quo position at the site whereby this section of the Holy Brook remains culverted and covered by hardstanding. In this respect it cannot be said that the proposals would result in harm to the Holy Brook in terms of its ecology and biodiversity but that it would not result in the ecological and biodiversity benefits to the watercourse that Policies EN11 and EN12 aspire to achieve. Notwithstanding this, the development would still provide for a net gain in biodiversity at the site as whole through the provision of the proposed

green roof and also a series of bat and bird boxes and tiles and therefore satisfy the requirements of Policy EN12, as was the case with the 2020 permitted scheme (ref. 191243) which also did not include de-culverting.

7.18 Officer's consider that the proposals would still allow for de-culverting to occur in future given the part of the site directly above the culverted channel is proposed to be retained as a hardstanding yard area free from ground based built form, with just two light weight non-structural staircases proposed above and crossing the land to connect the proposed rear extension and outbuilding either side of the culverted watercourse channel. Therefore, it is not considered that the proposals would preclude the environmental benefits of de-culverting this section of the Holy Brook from being pursued in future, as sought by Policy EN11.

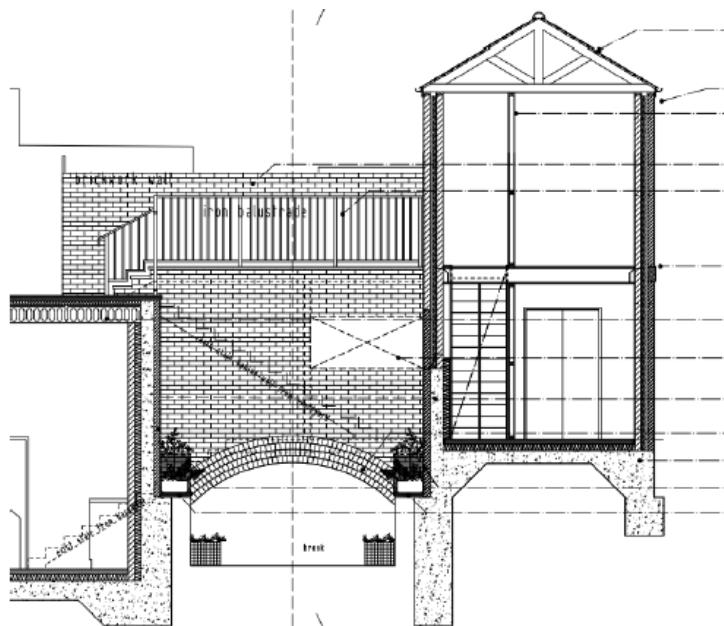
7.19 In addition to ecological and biodiversity matters, Policy EN11 (Waterspaces) also requires that development in the vicinity of watercourses should enhance the visual relationships of buildings, spaces and routes to the watercourse and make positive contributions to the character and appearance of watercourse. In this respect the culverted nature of the section of the watercourse crossing the site is such that it is entirely covered over with hardstanding. Therefore, it is not visible from within or from outside of the site and is of no discernible character. The wider site is also long term vacant and in poor condition, meaning it itself does not contribute positively to the character of the watercourse. It is therefore difficult, given the existing context at the site, to argue that the proposals would result in any significant visual harm to the watercourse. Whether in its current permitted use as Class E office use or the proposed Class E/Sui Generis use, there is also no restriction on the land above the water course being used in connection with the main use of the building, as it can be at present.

7.20 The culverted section of the watercourse is also not located adjacent to the rear boundary of the site such that even if de-culverting did occur development or boundary treatment (such as for security reasons) beyond the southern edge of the channel directly adjacent to the rear boundary of the site and the pedestrian route to the rear of The Oracle could still occur. This would mean the Holy Brook would still not be visible from public areas. This was the case for the 2016 permission (ref. 151281), where part de-culverting was proposed but a two storey outbuilding was also approved beyond the southern edge of the channel, meaning the development, if carried out, would have provided visual benefit to views from within the site on privately owned land, but not from public areas. Therefore, whilst providing some visual enhancement and improvement of the watercourse's relationship with surrounding buildings, this provided limited wider public benefit. Given the 3 most recent applications at the site have included a 2 or 3 storey ancillary buildings adjacent to the rear boundary which would screen views of the location of the Holy Brook, it cannot be assumed that de-culverting would result in significant improvement in terms of the visibility and visual relationship of this section of the Holy Brook with the character of the surrounding area.

7.21 It is also pertinent to note that the relationship of the current proposal with the culverted channel is different than that which was proposed and considered to be acceptable under the 2020 permission (ref. 191243). Under the 2020 permission (not implemented and now lapsed) the area directly adjacent to and over the culverted brook was proposed as an outdoor seating area associated with the proposed ground floor café use. This meant that there was a 6m set back from the proposed ground floor extension to the north edge of the culverted channel, albeit a 3 storey outbuilding was permitted directly abutting the southern edge of the culverted channel. Under the current proposals it is proposed to build right up to both edges of the

culverted channel but has removed the previously permitted outdoor seating area. The applicant explains that this is to provide the amount of indoor space required for the hall/performance space proposed with the ground floor rear extension and make this proposed venue viable. As per the 2020 permission (ref. 191243) a 3 storey outbuilding to the southern edge of the culverted channel is proposed to be replicated as part of the current application.

7.22 Officers consider this change to the proposed development and removal of the previously proposed outdoor seating area and set back of the single storey rear extension from the north edge of the culverted channel to be disappointing. The Officer view is that this would have provided a pleasant outdoor space next to the channel, that should de-culverting occur in the future, would have provided a nice waterside seating area. However, in response the Applicant has advised that such a seating area was also proposed for the 2016 permission (ref. 151281) where de-culverting was proposed, but that the difference in ground levels between the site and the lower level of the Holy Brook are such that the channel itself would not have been readily visible from the seating area. Instead, it would have been a dark cavern and sudden drop to the water level, such that in reality the relationship with the channel would have been of limited visual benefit to persons using the outdoor seating area and viewing the Holy Brook from within the site.



*Section from 2016 consented scheme showing high level of rear yard amenity area compared to part de-culverted section of the Holy Brook*

7.23 In respect of the above and requirements of Policy EN11, the LPA and the owner of the site have 'pursued opportunities' for de-culverting of this watercourse over a number of years, as part of various development proposals on the site. In respecting the applicant's decision not to pursue de-culverting, additional options were explored to improve biodiversity on the site given the site's current level of hardstanding, including provision of a large area of green roof and additional of bat and bird boxes and tiles. Therefore, whilst the LPA would of course have preferred de-culverting to be pursued, the tests required by Policy EN11 and EN12 of the Local Plan, namely to 'pursue' and 'consider' any 'opportunities' for de-culverting, have been adequately discharged.

7.24 Separate to the planning regime, the land owner would be required to obtain an environmental permit from the Environment Agency for any activities which will take place on or within 8 metres of a culvert (Environmental Permitting (England and Wales) Regulations 2016). Therefore, the EA would need to be satisfied that the proposals are acceptable within the context of their own environment rules and regulations in order for the owner to obtain such a permit.

7.25 The application is accompanied by an Ecology Report, including bat survey, which identifies the presence of four existing pipistrelle roosts to the roof of the existing building and that the existing rear yard area is used by foraging bats and birds. The applicant would therefore be required to obtain a license from Natural England prior to commencement of development to ensure that suitable mitigation is put in place during construction works to protect the identified bats and roosts. The River Condition Assessment submitted with the application also recommends a number of measures to be included within a construction method statement to protect the Holy Brook from pollutants, including dust and mud controls, constriction stage drainage strategy and for chemicals and fuels to be stored within secure and bunded containers and that spill kits are provided on site at all times.

7.26 The development is considered acceptable from a flood risk, water and natural environment perspective, with compliance with the relevant tests of the Local Plan and with due regard to all other material considerations. Conditions are recommended to secure to secure implementation of the development in accordance with the submitted flood risk assessment, submission and approval of a scheme of biodiversity enhancements (including bat and bird boxes and tiles), detailed landscaping scheme relating to the proposed green roof, a detailed external lighting scheme, details of Natural England licence for works that could impact bats and measures to be included within a construction method statement to protect the Holy Brook from pollutants.

C) Design and Heritage matters

7.27 As detailed in paragraph 2.3 the application site comprises an early 18th century Grade II Listed building in a very poor state of repair with some elements unsafe structurally as witnessed on the officer site visit.

7.28 The building sits centrally within a wider terrace of two and three storey grade II listed buildings fronting Gun Street (no.s 7 to 15). The buildings are all dated from the 19<sup>th</sup> century, consisting of timber shopfronts with red brick and timber sash windows to upper floors (except no. 15), but have all been subject to variety of modern alterations, particularly to the shopfronts and addition of modern rear extensions. The grade I listed St Marys Church and grounds are located opposite the application site on Gun Street.

7.29 The application site also sits within the St Marys Butts/Castle Street Conservation Area. The RBC St Marys/Butts/Castle Street Conservation Area Appraisal (2008) identifies that elements of this part of the conservation area that contribute to its significance include St Mary's Church as a local landmark building, traditional shop frontages in Gun Street; The Holy Brook which links the rears (albeit partly in a listed culvert) of the properties in Castle Street and Gun Street on their south sides (culvert to the rear of no. 10 Gun Street is not listed) and also railings at the front of several properties on the south side of Gun Street and Castle Street. The Conservation Area Appraisal also identifies negative features of this part of the conservation

area including noise and pollution from traffic, modern highway and street furniture, non-traditional shopfronts to Gun Street and the proximity and scale of The Oracle, which dominates the rear of the properties to Gun Street.

7.30 Local Authorities are required by Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas and effects upon listed buildings or their setting when considering development proposals that affect the setting or views into it. This is reflected locally within Policies EN1 (Protection and Enhancement of the Historic Environment) and EN3 (Enhancement of Conservation Areas) which requires proposals to protect and where possible enhance the character and appearance of heritage assets including listed buildings and conservation areas. More generally Policy CC7 (Design and The Public Realm) requires that new development maintains and enhances the character of the surrounding area.



*Existing rear elevation of no. 10 Gun Street*

7.31 The proposed internal and external alterations to the grade II listed building to facilitate the proposed development are similar to that permitted under the previous planning permission and listed building consents granted at the site (ref. 151281FUL/151282LBC and 191243FUL/191244LBC). Like the previous proposals, the current applications have been subject to consideration and discussion with the RBC Conservation Officer, including review of the detailed Heritage Statement and Conservation Management Plan submitted with the applications. The Conservation Officer, in reviewing the current application, is mindful of the recent planning history at the site and previously permitted works and alterations to the listed building. The officer is broadly content with the proposals and does not object, subject to a range of conditions to be applied to the listed building consent.

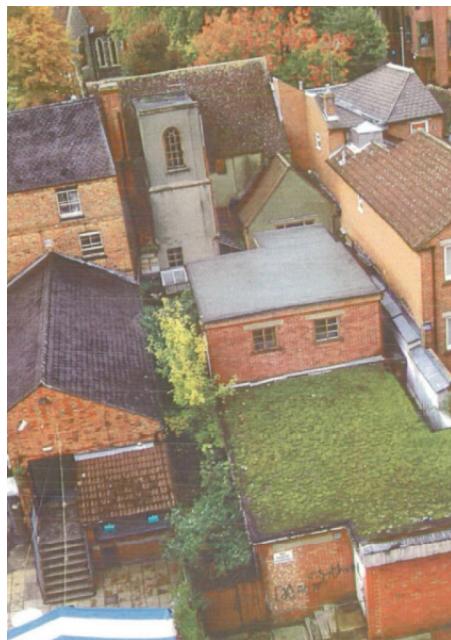
7.32 The Conservation Officer, having visited the site, notes the poor condition and deteriorated state of the existing building. In particular, the semi-derelict condition of the rear elevation following earlier demolition work that has been undertaken and removal of previous modern rear extensions, the poor condition of the front elevation of the building in terms of its timber shopfront and upper floor windows, as well as the negative impact of previous internal alterations to the original layout of the building and the poor state of upkeep of the remaining internal rooms. In its current form and appearance, the building does not contribute positively to the surrounding St Marys Butts/Castle Steet Conservation Area when viewed from the front from Gun Street and also from the rear from the pedestrian route connecting Bridge Street to The Oracle.

7.33 In terms of the internal alterations proposed, these largely reflect those changes approved under previous applications in terms of opening up the ground and first floors to form a more open plan layout for the proposed café use, significant enlargement of the proposed basement level of accommodation and recessing of the existing front entrance door to the building from Gun Street. A notable difference with the previous consents at the site is the insertion of a doorway opening at ground floor level to link no. 10 with the Purple Turtle next door, in order to provide the proposed extended night club use. Historically the buildings are separate entities, so providing these doorways results in loss of some original fabric along the shared party wall albeit, to a small degree, and also alters the historic function of the buildings as separate premises. It is pertinent to note that a doorway opening between the two buildings was previously consented under planning permission 151281 and listed building consent 151282 which was located at basement level, and this is also proposed to be provided as part of this application. Other intrusions to original fabric of the listed building include installation of a hoist between the basement and second floor level to assist with function of the café, however, again, installation of a hoist has been previously approved at the site.

7.34 In terms of external extensions to the listed building, these relate to the proposed part two part single storey rear extension, which again reflects the approach taken to extensions under previous applications. The Conservation Officer notes that the single storey element of the proposed rear extension would be significantly greater in size than the previously consented and would practically fill the entirety of the existing rear yard up to the north edge of the culverted Holy Brook channel. The single storey extension would also be significant in height with a parapet height of 5.2m in order to accommodate the proposed hall/performance space. However, the proposals would be smaller than the previously consented schemes at first floor level, in terms of rear projection with a modest flat roof stucco render and glazed element proposed. The single storey element proposed would also be a simple clean construction of white stucco render.

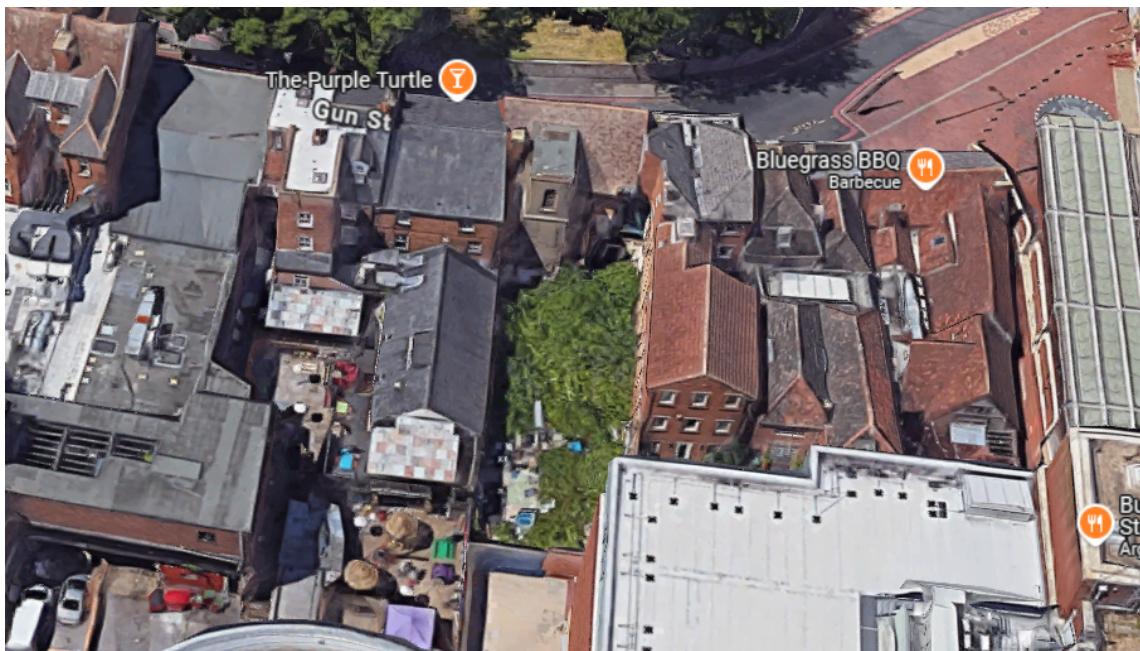
7.35 The proposed single storey element is large and reasonable to say somewhat out of proportion with the host listed building. Owing to its height, it would largely obscure the existing rear elevation. Whilst the rear elevation of the building is of less significance and architectural merit than the front, it is clear that the proposed extensions as result of their scale would result in a level of harm to the buildings character and significance and how it is viewed from within the surrounding conservation area to the rear. Albeit the most notably feature of the existing rear elevation is the turret style stair projection which projects up to roof level and would be retained and restored as part of the proposed development. Furthermore, due to its high level, it would still be visible to views from the rear of the site.

7.36 Notwithstanding the above, it can be noted that the previous modern part two part single storey rear extensions to the building that were removed in 2017 were also significant in size, as can be seen from the photograph below.



*Rear of no. 10 before demolition of previous modern extension*

7.37 Furthermore, the other listed buildings within the Gun Street terrace have also all been subject to similar significant rear extensions of a variety of styles and material finishes as can be seen from the aerial image below, which at present dominate the rear of no. 10 and obscure views to its rear elevation.



*Existing rear extensions to Gun Street properties (no. 10 can be identified by the cleared rear yard with overgrown vegetation)*

7.38 The proposed three storey red brick ancillary outbuilding to the south side of the culverted Holy Brook and abutting the rear boundary of the site would also obscure views of the

proposed rear extensions and would be the most visible element of the proposals from the public realm area to the rear of the site. This building would be red brick with stone string line course detail, a shallow gable pitched tile roof, white painted timber windows and painted metal doors at ground level to provide service access and fire exits from the site on to the adjacent rear pedestrian route to the rear of The Oracle. This building is identical to that permitted under the previous 2020 permission (ref. 191243) and its proposed design and use of materials is considered sympathetic to the red brick nature of the principal buildings to this part of Gun Street. The change in levels across the site, which drop down from Gun Street to the pedestrian route to the rear, mean the outbuilding would be set at the same roof level as the two storey element of the proposed extension. Given the variety and scale of rear extensions found to the rear of the site, as well as the dominance of the adjacent The Oracle shopping centre, it is considered that the building would integrate satisfactorily with surrounding character and would preserve the setting of the host and wider terrace of grade II listed buildings and to views within the part of the conservation area to the rear of the site.

7.39 Overall, and for the reasons discussed above, officers identify that the proposed internal and external alterations and extensions to the building would result in a degree of harm to the historic character and significance of the host listed building. Officers, and the Council's Conservation Officer, conclude that this harm would be 'less than substantial' harm at a low level (as per the NPPF), given the rear of the building where the extension would be located is considered to be of less important architecturally than the principle front elevation of the building, the current poor and semi-derelict condition of the building and degree to which it has been altered in the past. Similarly low levels of less than substantial harm is also identified to the setting of the St Marys Butts/Caste Street Conservation Area, given views of the building from the rear would be more limited, the utilitarian back of house service area character of this part of the conservation area, and also given this part of the conservation area is subject to the existing visually dominant large scale rear extensions and development which already impinge upon views of the rear of the site, most notably The Oracle shopping centre. Negligible impacts are identified to the setting of other surrounding listed buildings and no harm is considered to result from the proposed development to the principal front elevation of the building and the more significant part of the conservation area to the front of the site.

7.40 In accordance with Paragraph 215 of the NPPF (December 2024) the low level of 'less than substantial harm' identified to the significance of the heritage assets falls to be weighed against the public benefits of the proposed development as part of the wider planning balance assessment. This weighing up exercise will be undertaken within the conclusion section of this report.

7.41 With regard to the above it is identified that a number of specific heritage benefits would also result from the proposed development. Most notably in terms of bringing a long term vacant listed building which is in a very poor state of repair back into a viable use. This weighs in favour of these proposals. The application is also accompanied by a conservation management plan which sets out how parts of the existing building would be repaired and restored as part of the proposed conversion and extension works. This includes:

- Cleaning and repointing of any defective brickwork
- Cleaning and repainting of iron railings to the Gun Street frontage
- Cleaning and repainting of timber shopfront
- Repair and repainting of all existing timber sash windows

- Repair replacement and repainting of all rainwater goods
- Repair and repainting of stucco band
- Repair and repainting of doorcase
- Repair and making good of internal walls, ceilings and floors
- Retention and restoration of exposed timber beams, dado panelling, open-well staircase (including, balusters, string, newel and handrails) and other decorative features
- Retention and restoration of existing fireplace

7.42 A series of detailed listed building conditions are recommended to secure submission and approval of details, specifications, methodology, material details and drawings of the above proposed works to the listed building. The conditions would require completion of all the works in accordance with approved details prior to first use/occupation of the proposed development.

#### D) Amenity matters

7.43 Policy CC8 (Safeguarding Amenity) seeks to protect the amenity of existing surrounding occupiers. Policy EN15 (Air Quality) and Policy EN16 (Pollution and Water Resources) seeks to protect surrounding occupiers from the impact of pollution.

7.44 The proposals, most notably the expanded Purple Turtle nightclub and entertainment venue use in terms of music and patron noise, have the potential to result in noise and disturbance to nearby residential occupiers. The closest residential occupiers are flats to the upper floors of no. 11-12 Gun Street adjacent to the site to the east. There are already a number of nearby late night noise producing premises on Gun Street, including the existing Purple Turtle nightclub and entertainment venue at no. 9, Gun Street Garden nightclub at no. 5-6 Gun Street and Be at One bar at no. 1-2 Gun Street.

7.45 Given the close proximity of the residential occupiers at no. 11-12 Gun Street, noise transmission from playing of loud music and live performances within the parts of the building to be used by the expanded nightclub/entertainment venue use have been highlighted as a concern by RBC Environmental Protection Officers. It is proposed that the expanded Purple Turtle use would operate at the same licensed hours as the existing Purple Turtle premises, which is 1100 to 0400 hours each day. In response to this, the applicant has provided more detailed information about the construction of the proposed extensions and their acoustic treatment to accompany the noise assessment submitted with the planning application. This sets out that any new walls would be constructed with a high specification acoustically designed structure and would be entirely separate to, and not attached to, the shared walls of no. 11-12 Gun Street. Whilst there is a shared wall with no. 11-12 at the front of the existing building, this is where the proposed café use would be located, and this part of the building would not be used by the proposed expanded Purple Turtle nightclub and live entertainment use.

7.46 The acoustic proposals for the proposed rear extension include a number of measures focused on insulating against noise transmission from the premises, including low frequency sounds associated with bass. The acoustic proposals include provision of a dense masonry and cavity block walls with high specific insulation boards and wool, high performance acoustic ceiling and high performance acoustic steel doors.

7.47 Based upon the proposed acoustic performance and specifications of the rear extension, where the expanded nightclub and entertainment use would be located, the submitted noise assessment models that during loud events noise levels within the adjacent flats would not exceed recommended internal noise levels for residential properties. The noise levels are modelled upon those found at similar nightclub and live performance venues, which is standard practice.

7.48 However, the report does model that when windows are open during the evening or night-time when loud entertainment noise is occurring the noise at the adjacent flats with rear facing windows will be audible, particularly low frequency noise. The report states that this is unlikely to be any greater or different to the existing noise climate at the site, given the proximity of existing nearby late night noise producing premises. The noise assessment models that the noise level outside of the rear flat windows would be 39dbA which is 2db below the existing nighttime background noise level of 41db at the site.

7.49 The noise report states that the lower the modelled noise is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound sources having a low impact, depending on the context. Albeit noise being below the prevailing background noise level doesn't necessarily mean inaudible.

7.50 For residential premises it is targeted (within British Standard noise technical document ref. BS4142:2014 A2019) that sources of noise should be 10 dB below the background noise level. At this level, new noise would be far enough below the underlying background noise level such that during lulls in the noise climate the new noise source would not be readily distinguishable against the acoustic environment. However, this is not achieved for the proposed development with a noise level of 2 dB below background projected outside of the flats which, would be audible to occupiers of the adjacent flats with windows open.

7.51 The noise report acknowledges that the nature of the use proposed use, and particularly generation of low frequency noise, means controlling noise break-out is very challenging and that the building has been designed to the limit of what is practicable to construct in terms of acoustic performance. The report also notes that the noise impact should be considered in the context of the site's location within the Reading Town Centre, where there are a number of other bars and venues in the area contributing to the noise climate, including the existing operational venue at The Purple Turtle.

7.52 RBC Environmental Protection Officers have reviewed the noise assessment submitted and consider that it is has been carried out to a high standard and proposes significant measures in an attempt to acoustically insulate the extended part of the building and prevent noise transmission and breakout. Whilst predicted noise levels within the adjacent flats are not of concern, it is clear some additional noise would be audible during loud noise events when occupiers of the flats to the rear have their windows open. Based upon the proposed modelling it is considered reasonable to conclude that this additional noise impact would not be significant, given the existing background noise levels at the site, albeit this does not mean there is not potential for annoyance to the adjacent occupiers. There is also a degree of uncertainty attached to the modelled noise projections and the acoustic performance of the building will not be able to be verified until built. RBC Environmental Protection Officers are

satisfied that significant efforts have been made to acoustically address noise related issues from the development but advise that given the nature of the use proposed and closeness of the adjacent flats, it is unlikely to be able to completely mitigate against noise from the development to the extent that it would be inaudible.

- 7.53 RBC Environmental Protection Officers conclude that the proposals are likely to have an adverse impact upon the amenity of the occupiers of the adjacent flats, in terms of audible nighttime noise with windows open. However, based upon the modelled projections and the existing night time noise environment at the site, the additional impact is considered to be towards the low end of the scale but still with the potential to result in annoyance.
- 7.54 This adverse impact on the existing adjacent residential occupiers will need to be considered as part of the overall planning balance assessment for the proposals. This is in respect of conflict with Policies CC8 and EN16, which seek that development does not result in detrimental impacts upon the living environment of existing and proposed occupiers in terms of noise and disturbances.
- 7.55 Notwithstanding the above, there is also potential for noise breakout from the proposed first floor external terrace area. Given the external nature of the terrace noise spill from this area is difficult to control there is the and therefore a condition is recommended to restrict use of all external areas to between the hours of 0800 and 2300 hours each day and for use by the café only to protect the residential amenity of the occupiers of the adjacent flats. RBC Environmental Protection Officers also recommend a condition to stipulate that there shall no playing of amplified live or recorded music within the green room proposed within the outbuilding to the rear of the site, given this separate building would not be subject to the same level of acoustic performance as the extensions to the building.
- 7.56 The proposed café use would operate within the original part of the listed building at the front of the site and as such would share existing party walls within no. 11-12 Gun Street next door. This use does not present significant concerns in terms of noise and disturbance matters; however, the acoustic performance of this part of the building would not be as efficient as the new build extensions to the rear. As such, a condition is recommended to limit the hours of use of the cafe use to 0800-0000 hours each day in order to protect the residential amenity of the adjoining residential occupiers to the upper floors of no. 11-12 Gun Street. The same hours limitation has been applied to previously permitted café uses at the site and is in also in place for similar nearby uses, such as at no. 15 Gun Street (Bluegrass restaurant) and is therefore considered reasonable.
- 7.57 The proposed layout of the building presents possibilities that the proposed café and nightclub uses may blend unless this is strictly controlled. Management of these two distinct uses it considered necessary in order to protect the amenity of nearby residential occupiers, the main concern is if the expanded nightclub use were to stray into the parts of the building shown for café use (i.e those areas to front of the building fronting Gun Street where the acoustic performance of the building would not be as high as the extended parts, which have been specifically acoustically design for such a use). In this respect a condition is recommended to stipulate that no part of the building shown on the proposed plans as being for café use is to be used for the nightclub use proposed elsewhere within the development. A further condition is also recommended to secure submission and approval of management plan for the premises to set out measures and controls that will be put in place by the owner and

management team to ensure the café and nightclub uses remain separate, as well as additional controls and mitigation to manage wider noise impacts of the proposed development, such as managing patrons.

- 7.58 A condition is recommended and considered reasonable to stipulate that deliveries, collection of empty bottles and waste collections shall not be carried out between the hours of 20:00 to 08:00 Monday to Saturdays and 20:00 to 10:00 on Sundays and Bank Holidays. This is in order to mitigate potential noise from these activities given the close proximity of nearby residential occupiers.
- 7.59 The application sets out that the café use proposed would not involve on-site cooking and would mainly serve drinks, cold food and food that is heated up. As such there are not considered to be any concerns about food odours from the proposed development or significant extraction equipment required in this respect. Nonetheless, a condition is recommended to secure submission and approval of full details of any plant equipment, including a noise assessment, specifications and location within the building (including service connections throughout the building) prior to installation of any such equipment at the site. A condition is also recommended to secure vermin and pest control measures for all bin store areas to ensure stores are kept clean, well maintained and secure.
- 7.60 In terms of other amenity considerations to surrounding occupiers no adverse impacts are identified in respect of impact on receipt of daylight, privacy and overbearing matters from the proposed rear extensions and outbuilding. Notably there are not considered to be any harmful to impacts in respect of the Purple Turtle adjoining the site to west at no. 9 Gun Street given its commercial use. In terms of the flats at no. 11-12 Gun Street there are no side facing habitable windows that would be impacted by the proposed rear extensions with the windows to the front and rear of the building not considered to be affected by the proposals.
- 7.61 RBC Environmental Protection officers have identified potential noise, dust and vibration issues that could result during construction of the proposed development. Therefore, a condition is recommended to secure suitable controls are provided within a demolition and construction method statement to be submitted and approved by the Local Planning Authority prior to the commencement of any development on site. Further conditions are also proposed to limit hours of construction to standard daytime working hours for noisy activities and to stipulate that there shall be no burning of waste or building materials on site at any time.

#### E) Transport

- 7.62 Policies TR3 (Access, Traffic and Highway related matters), TR1 (Achieving the Transport Strategy) and TR5 (Car and Cycle Parking and Electric Vehicle Charging) seek to address access, traffic, highway and parking matters relating to development.
- 7.63 The site is located within the Reading Central Area and within Reading's primary shopping area. This area is well served by rail and bus links and also contains the largest proportion of public car parking spaces. There is no off street parking associated with the site and none is proposed. Given the sites accessible town centre location and access to public car parks, there are no transport objections to this application. The proposals are for the type of use associated with town centre sites and would not result in a material change in vehicle trips.

7.64 Adequate space for cycle and refuse storage for the development is located to the rear of the site within the proposed outbuilding. Servicing would be from the rear as is existing for the site and The Purple Turtle next door. Conditions are recommended to secure provision of these facilities prior to first use and occupation of the development.

7.65 Given the location and constraints of the site, construction of the proposed development has the potential to result in disruption to the surrounding highway network, a condition is recommended to secure submission and approval of a demolition and constriction method statement prior to any works commencing on site.

7.66 The proposals are considered to be acceptable in respect of transport related matters and to accord with Policies TR1, TR3 and TR5.

**F) Archaeology**

7.67 Policy EN2 (Areas of Archaeological Significance) requires that developers should identify and evaluate sites of archaeological significance and that where remains are identified and cannot be preserved 'in situ' they should be properly excavated, investigated and recorded.

7.68 Berkshire Archaeology have reviewed the proposals and have advised that there is potential for archaeological remains of various period below ground in the surrounding area. A written scheme of archaeological investigation (WSI) has been submitted with the application and has been reviewed and found to be acceptable by Berkshire Archaeology. A condition is recommended to require that the development is undertaken only in accordance with the submitted WSI.

**G) Sustainability**

7.69 Policy CC3 (Adaption to Climate Change) seeks that proposals should incorporate measures which take account of climate change. A number of sustainability measures are proposed to be incorporated within the development including energy efficient materials and fittings and a net increase in greening and landscaping and biodiversity enhancements across the site.

7.70 Policy CC2 (Sustainable Design and Construction) requires that proposed for conversion or refurbishment of existing buildings for residential or non-residential uses meets a BREEAM standard of Very Good.

7.71 The application is submitted by sustainability statement which sets out a variety of sustainability and energy efficiency measures proposed to be incorporated within the proposed development. These include provision of a decentralised energy source in the form of an air source heat pump, provision of a biodiverse green roof to the large flat roof of the proposed single storey rear extension, use of energy efficient materials and fittings and achieving the BREEAM Very Good standard for the development in accordance with Policy CC2.

7.72 Conditions are recommended to secure submission and approval of a design state BREEAM certificate prior to commencement of development, submission and approval of an as built BREEAM certificate prior to first use/occupation of the development to certify that the

development has been built to the required standard and to secure implementation of all other sustainability measures proposed within the submitted sustainability statement.

7.73 The proposals are considered to comply with Policies CC2 and CC3.

## **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**

9.1 The NPPF (December 2024) sets out a presumption in favour of sustainable development running through both plan-making and decision-taking. The three dimensions to achieving sustainable development are defined in the NPPF as: economic, social and environmental. Both the adopted Local Plan and the NPPF require a positive approach to decision-taking to foster the delivery of sustainable development. These three dimensions of sustainable development are also central to the Council's Local Plan core Policy CC1.

9.2 As set out within paragraph 7.40 of this report officers identify that the proposals would result in a low level of less than 'substantial harm' to the host grade II listed building and St Marys Butts/Castle Street Conservation Area. In accordance with paragraph 215 of the NPPF (December 2024), where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Officers have also identified that the proposals are likely to result in some harm to the residential amenity of the existing adjacent residential occupiers at no. 11-12 Gun Street as a result of noise from loud music and live performance events, albeit given the existing nighttime noise environment at the site and subject to the recommended conditions it is considered that such impacts can be managed to result in a low level of impact.

9.3 In terms of public benefits of the proposals a variety are identified. The proposed development would see a vacant grade II Listed building in disrepair brought back into an active and complimentary use along Gun Street and would secure repair and restoration of internal and external features of the listed building, important to its historic significance. These are considered to be significant benefits of the proposed development.

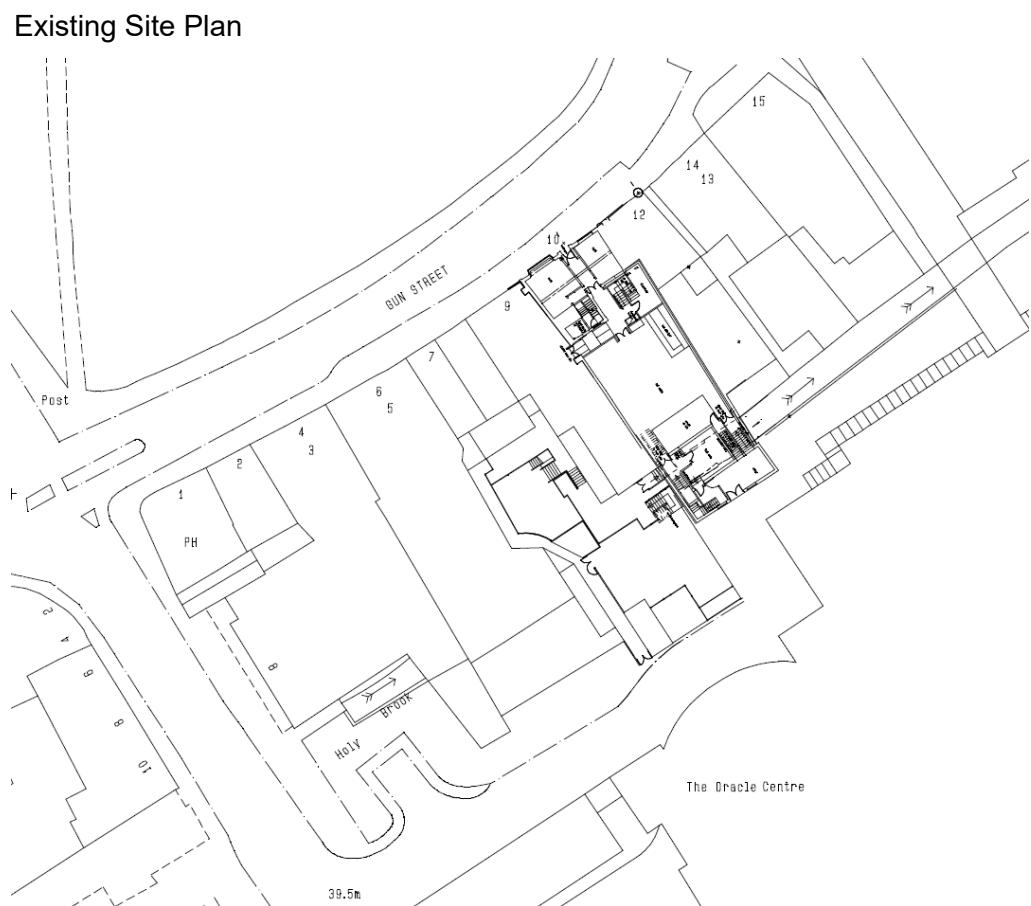
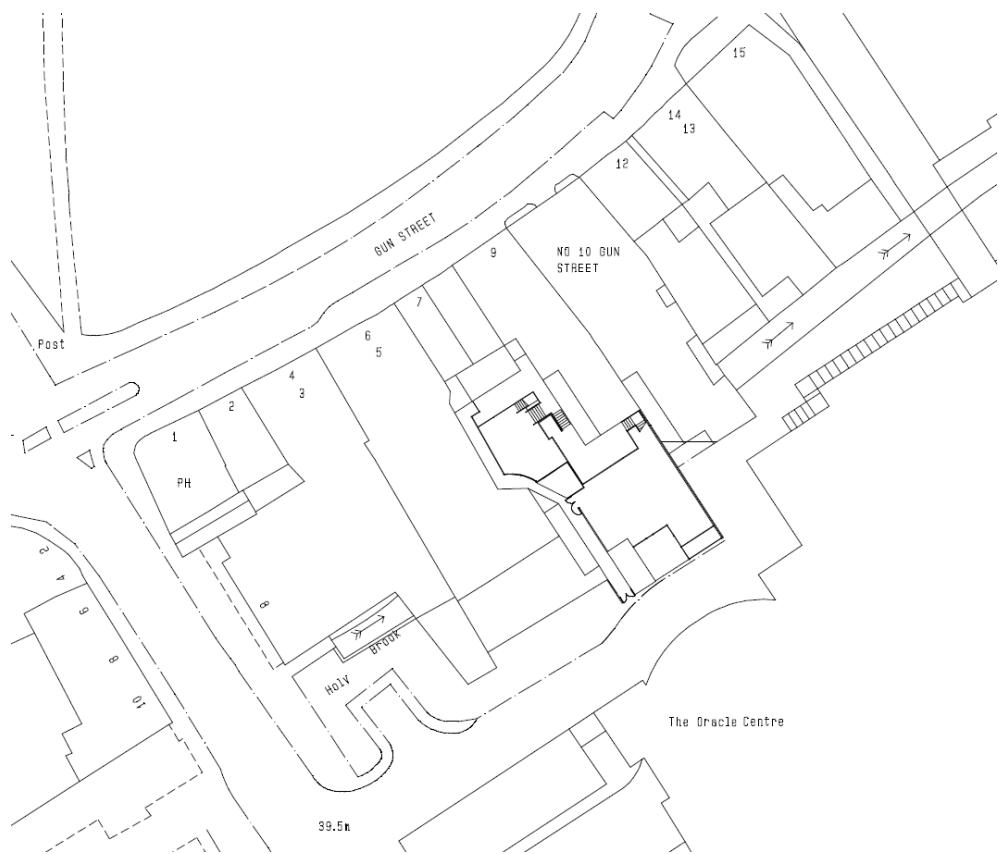
9.4 Whilst not significant, during the construction phase the proposed development would clearly contribute to and encourage associated economic activity by directly sustaining jobs in the borough. This would be supported further and in the long term by new employment opportunities in the hospitality sector.

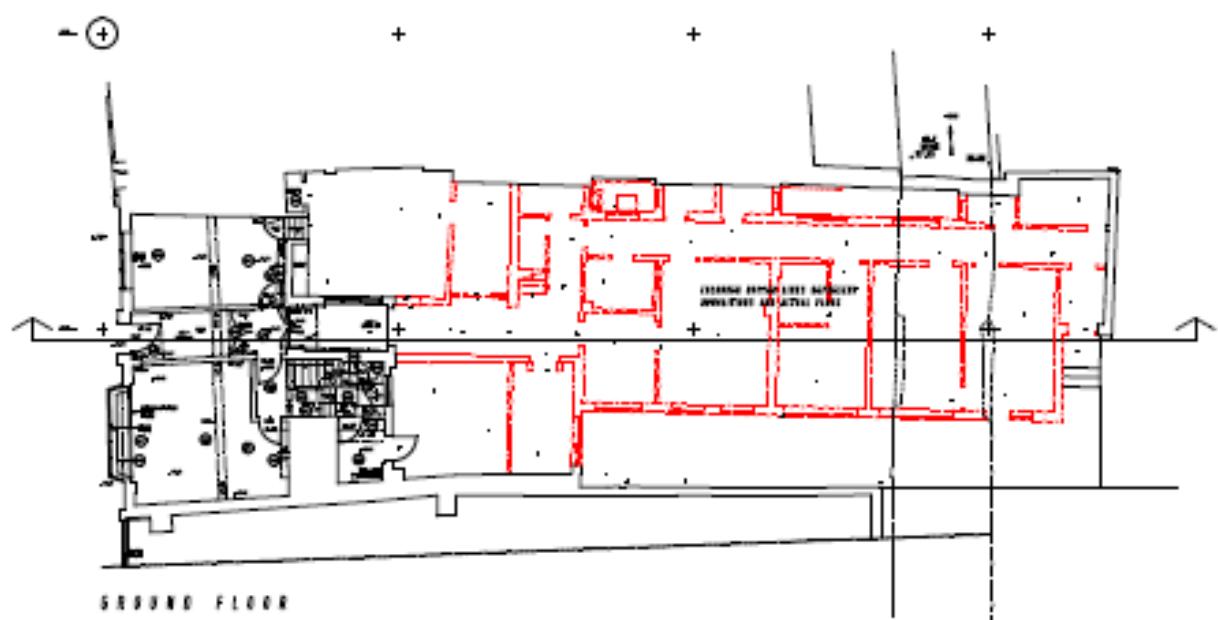
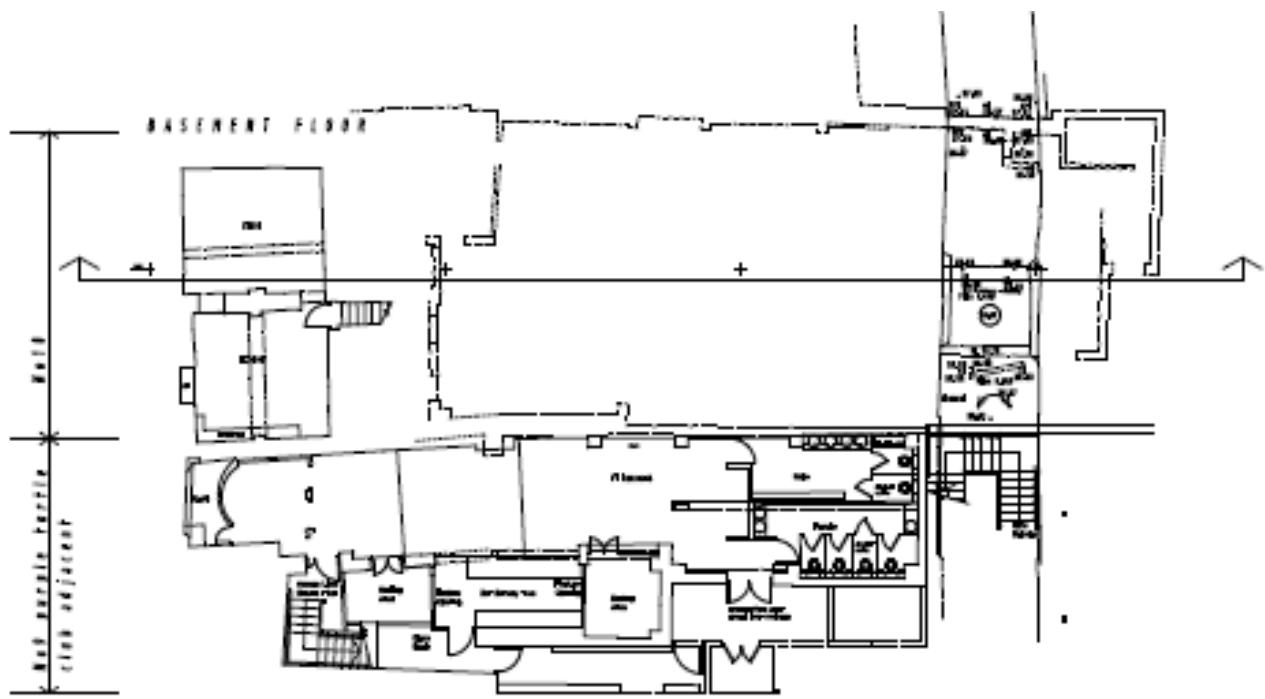
9.5 In terms of the social role, the proposal will secure the reuse of a heritage asset, ensuring the building is protected and valued in the future. In terms of health and wellbeing the internal and external spaces proposed are considered to be of good quality and would provide improved and extended facilities for the Purple Turtle, a popular town centre entertainment venue. The proposed performance hall also has the potential to provide tangible and significant cultural and leisure benefits to the local community, through providing an additional purposely designed facility within the town for hosting of live entertainment performances.

9.6 With regard to the natural environment the proposed refurbished and extended building would meet an enhanced level of sustainability than existing through compliance with appropriate BREEAM standards. The introduction of on-site soft landscape in the form of a green roof and habitat enhancement scheme would provide visual and environmental benefits, thereby allowing the site to confidently perform a far greater environmental role than it does as present. Whilst the de-culverting of the Holy Brook is not proposed, the proposals are considered to perform a more positive environmental role than at present and safeguard the ability to de-culvert in the future.

9.7 In summary, the proposal provides notable and tangible benefits, fulfilling many aspects which contribute to achieving the three dimensions of sustainable development. Having regard to all matters raised, it is concluded that these combined environmental, economic and social benefits would, outweigh the identified low level of 'less than substantial' to the host grade II Listed building and surrounding St Marys Butts/Castle Street Conservation Area and impact identified upon the residential amenity of the adjacent residential occupiers at 11-12 Gun Street. Therefore, when applying an overall critical planning balance of all material considerations presented, these applications for full planning permission and accompanying application for listed building consent are considered to comply with the relevant policies of the Development Plan and are recommended for approval subject to conditions.

**Existing and Proposed Plans shown below:**

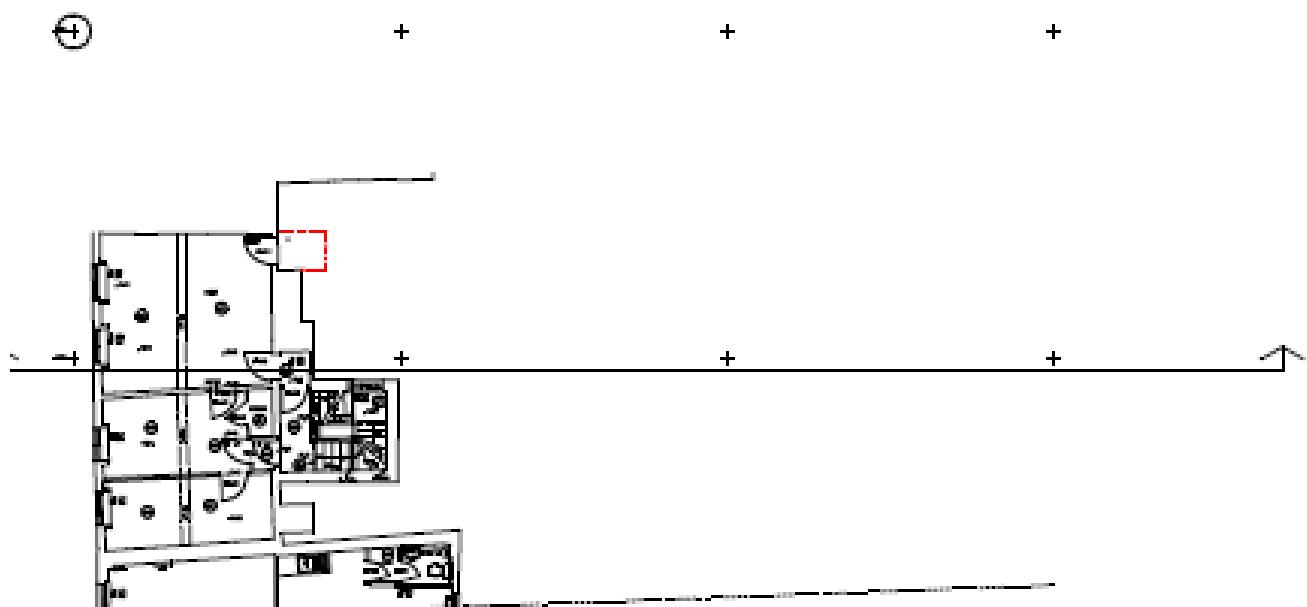




Existing Basement and Ground Floor Plans

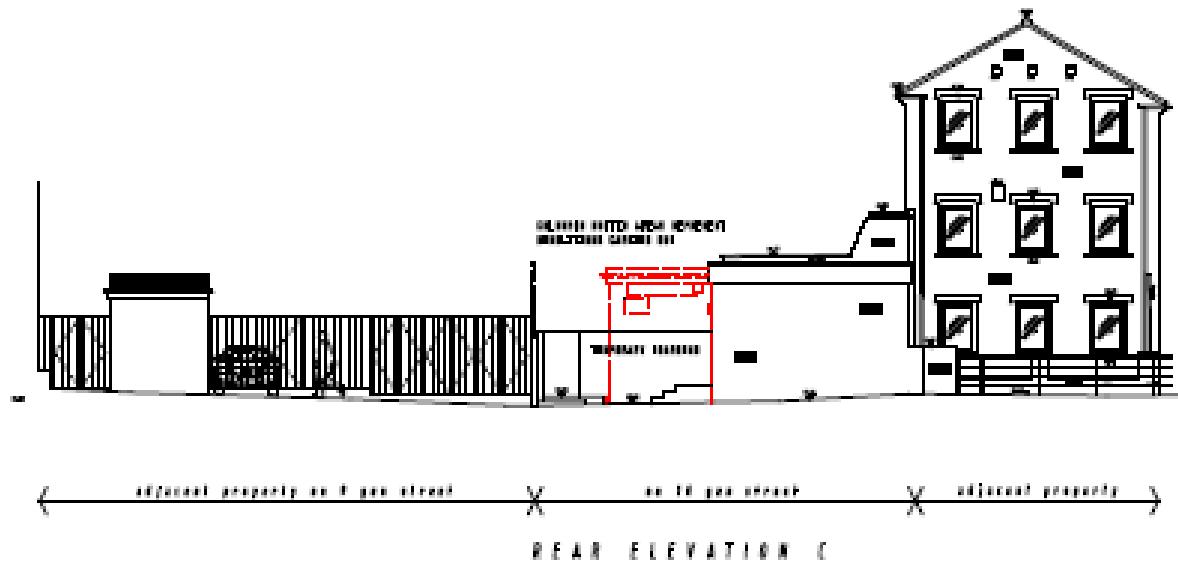


FIRST FLOOR



SECOND FLOOR

Existing First and Second Floor Plans

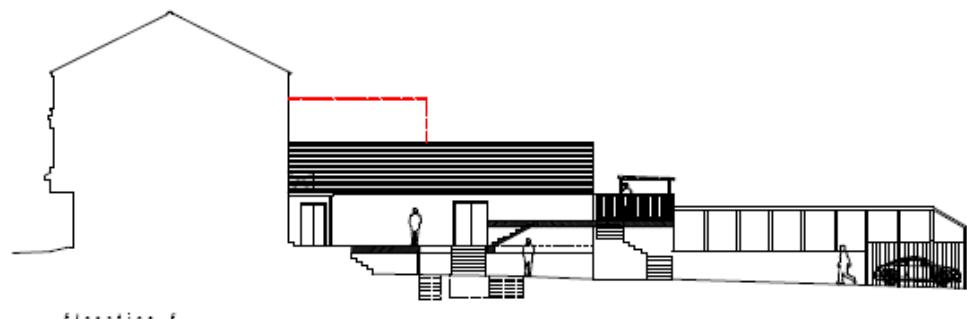


REAR ELEVATION C

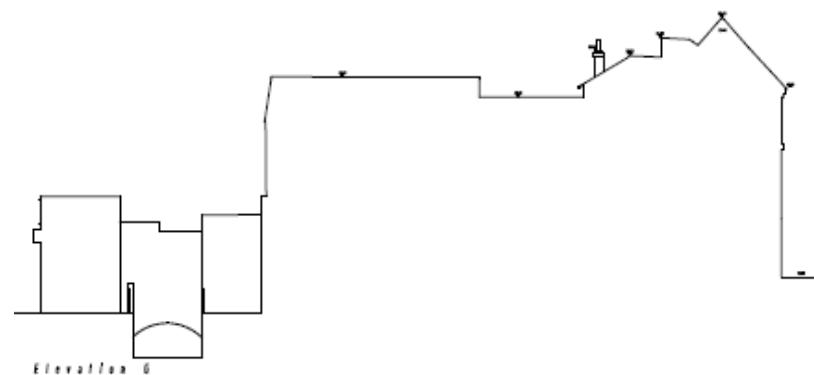


FRONT ELEVATION B

Existing Front and Rear Elevations

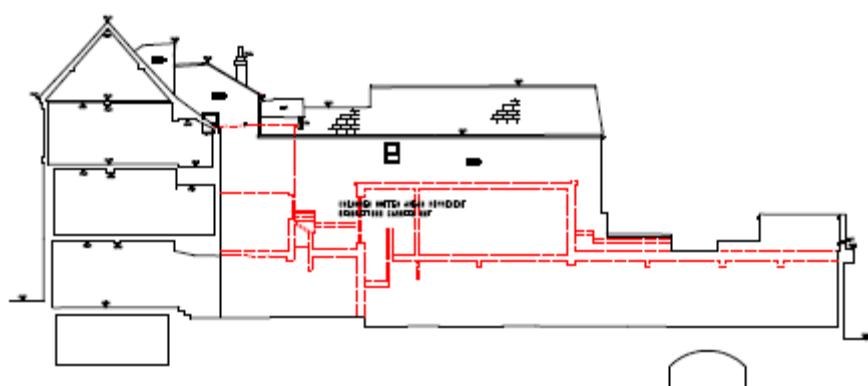


Elevation F



Elevation G

Existing Side Elevations

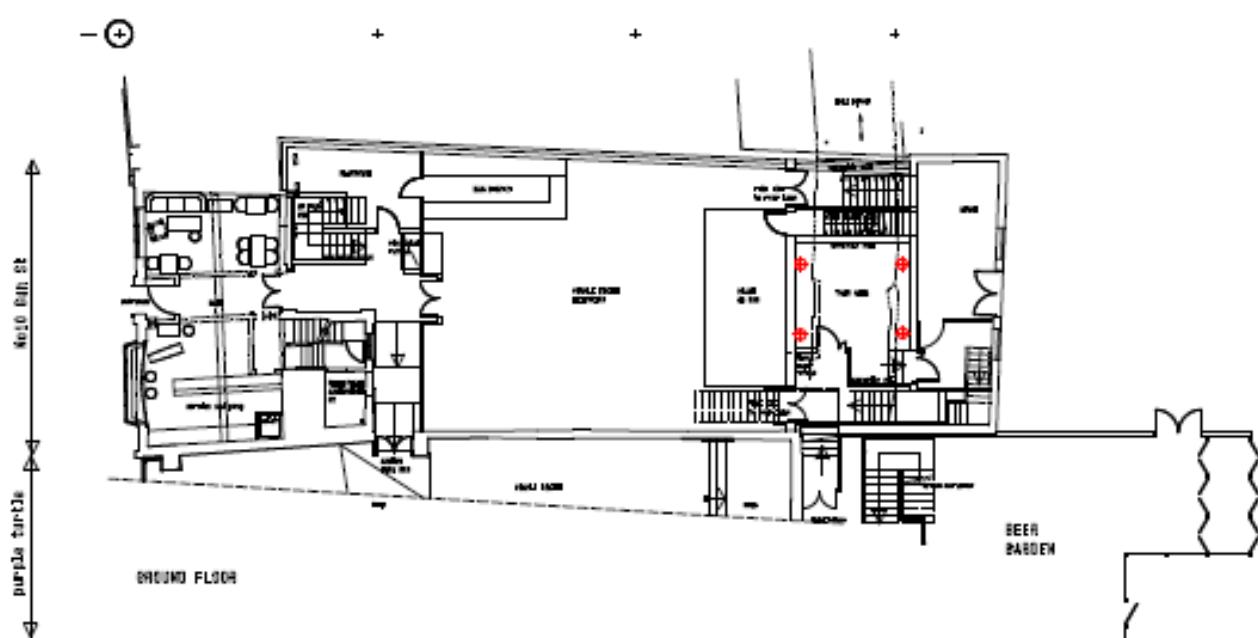
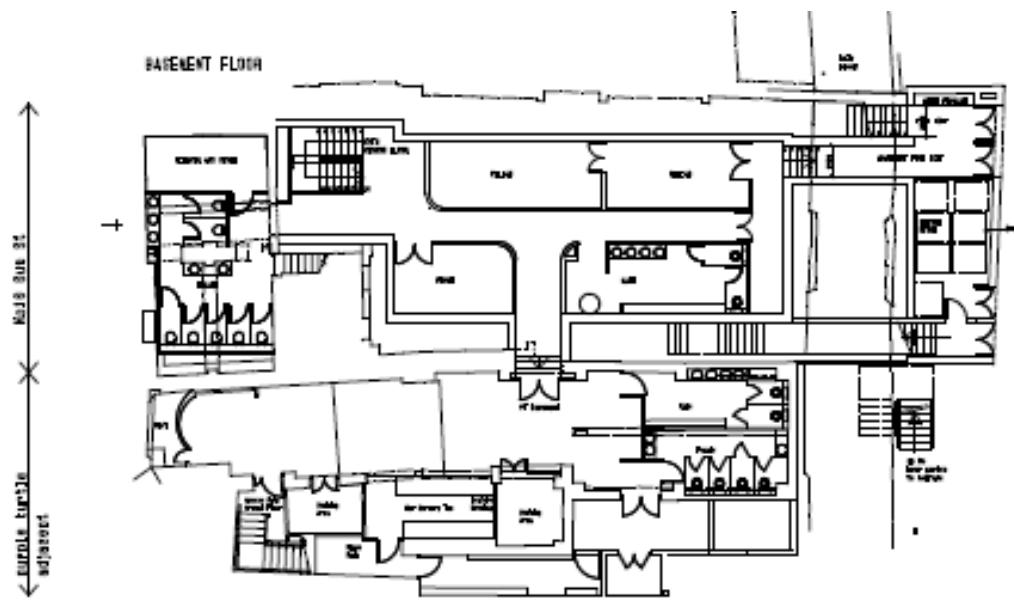


Existing Site Section

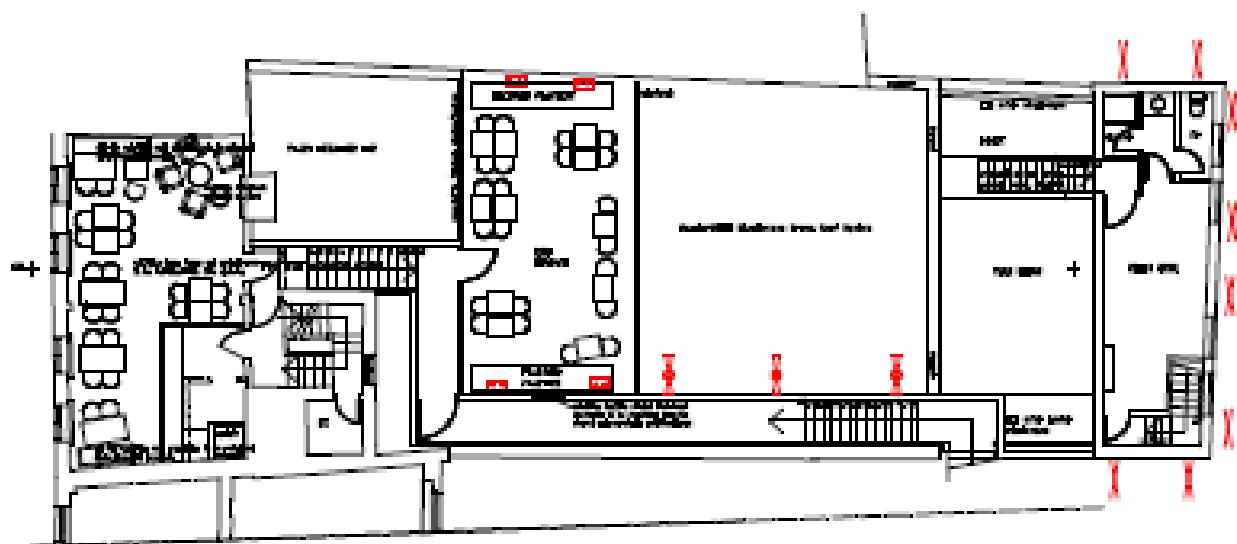


NEAR ELEVATION A X X X REAR ELEVATION A

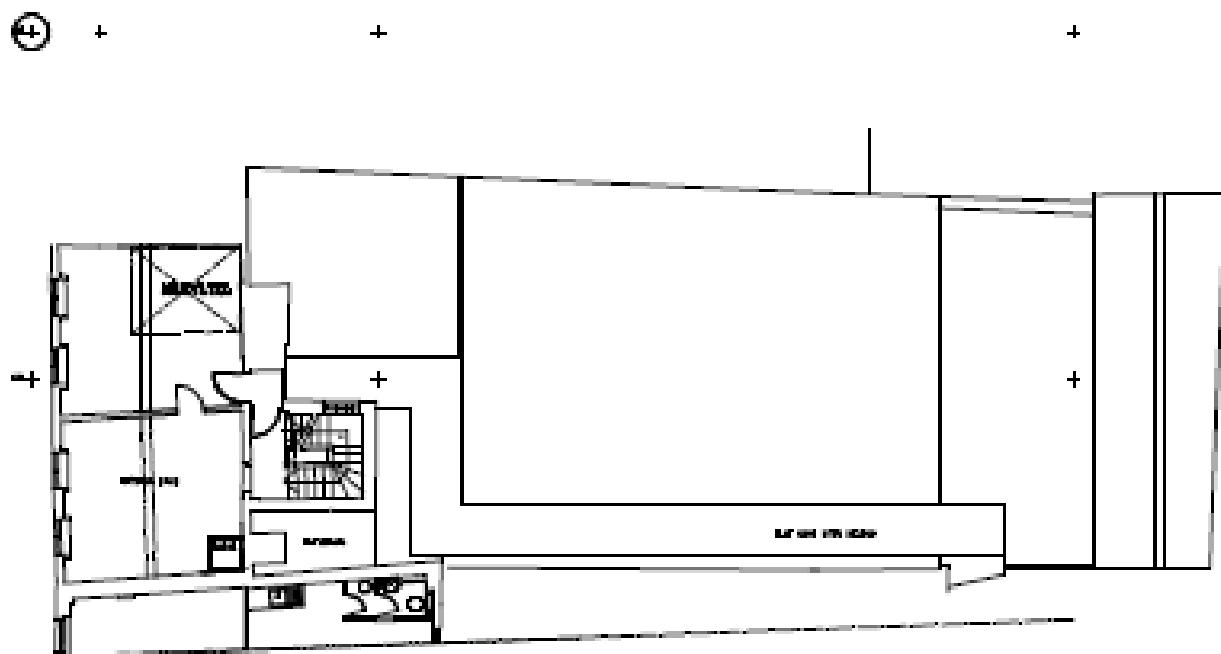
Existing Rear Street Scene



Proposed Basement and Ground Floor Plans



FIRST FLOOR

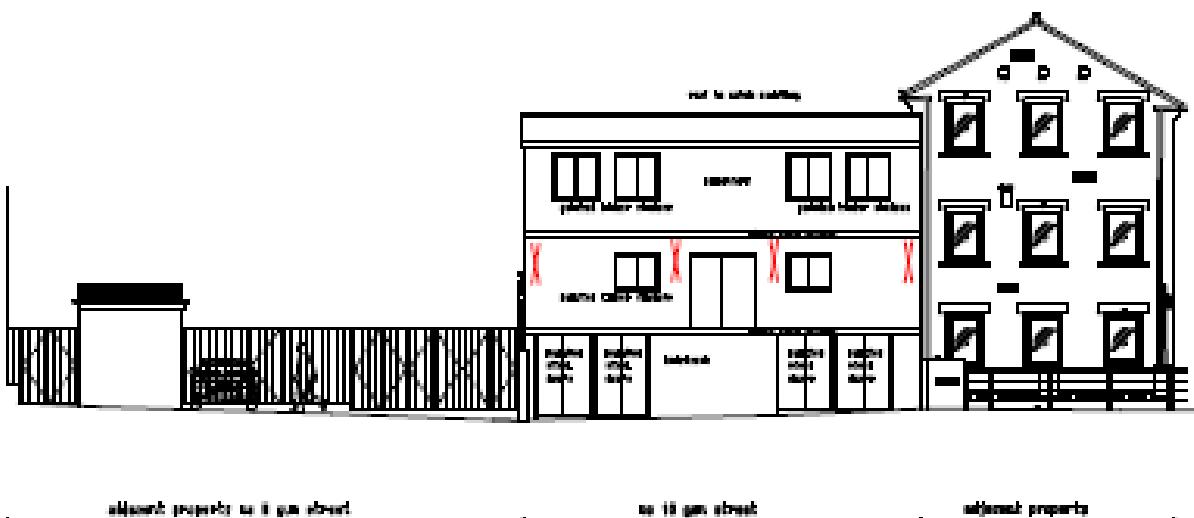


SECOND FLOOR

Proposed First and Second Floor Plans



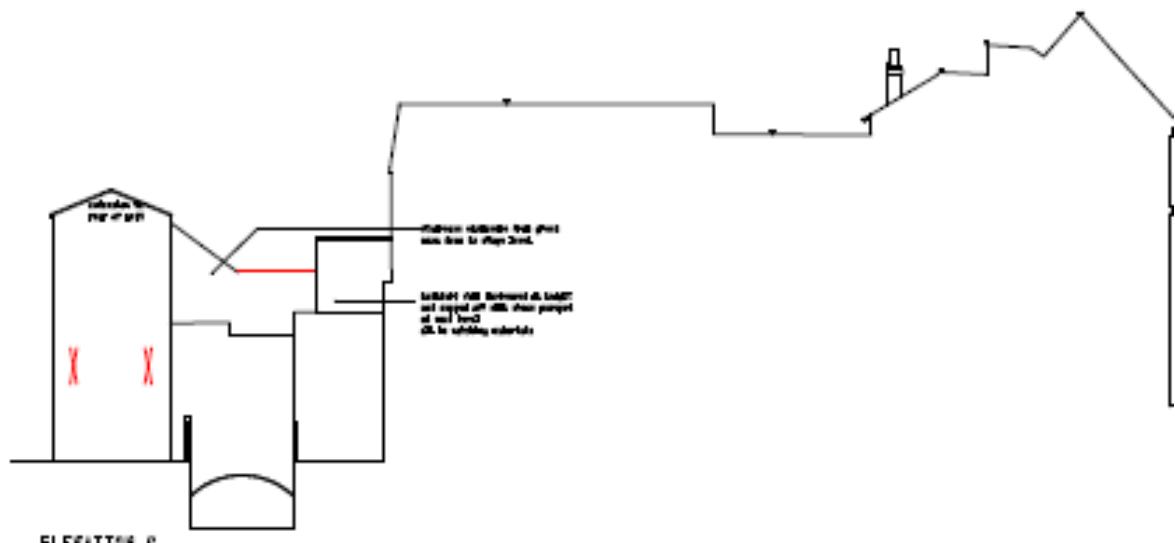
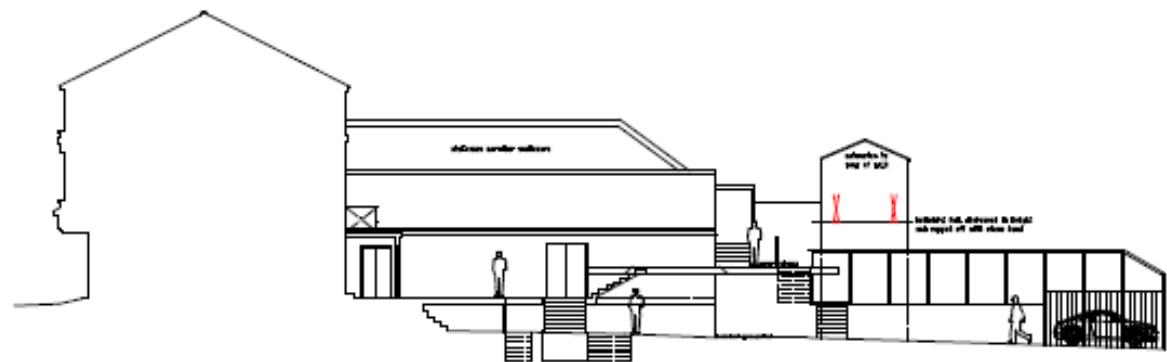
Proposed Front Elevation



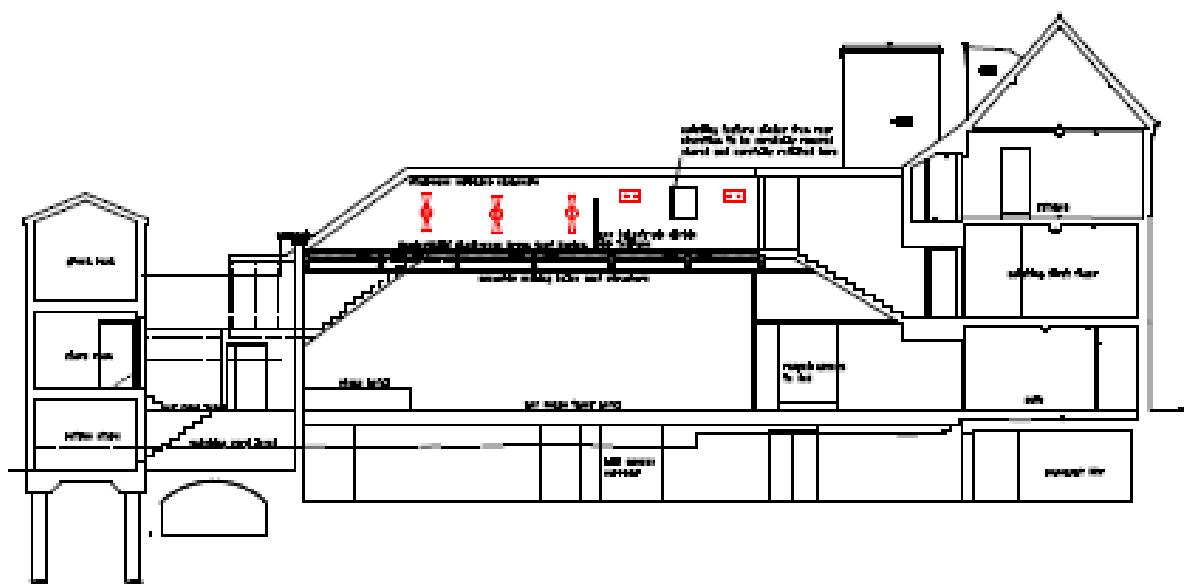
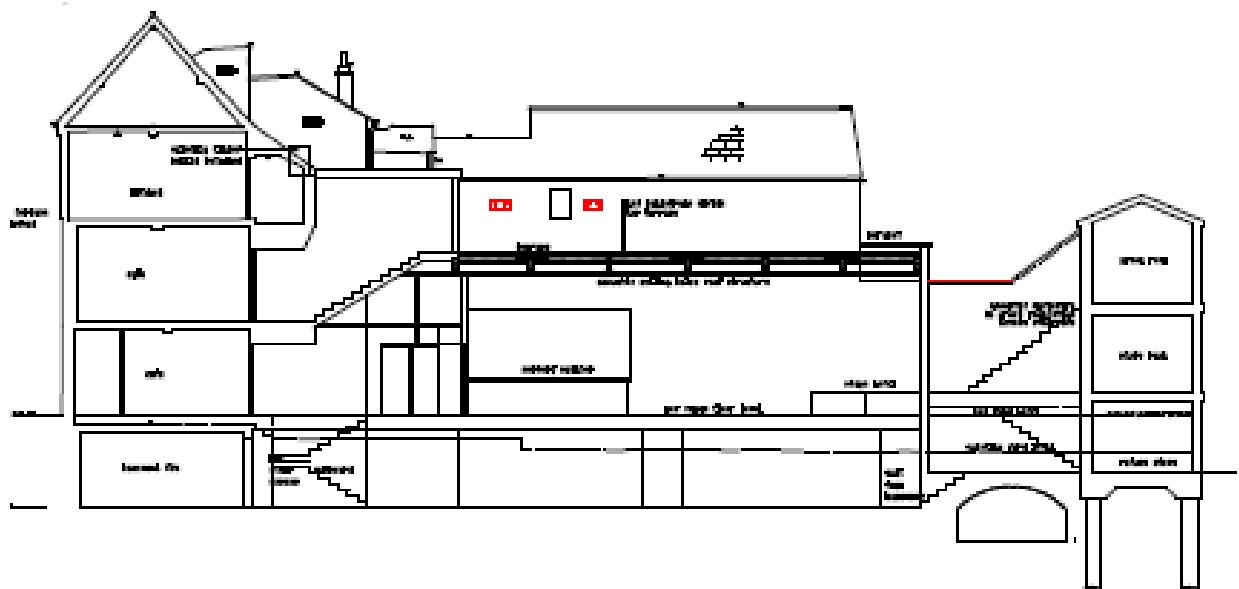
Proposed Rear Elevation



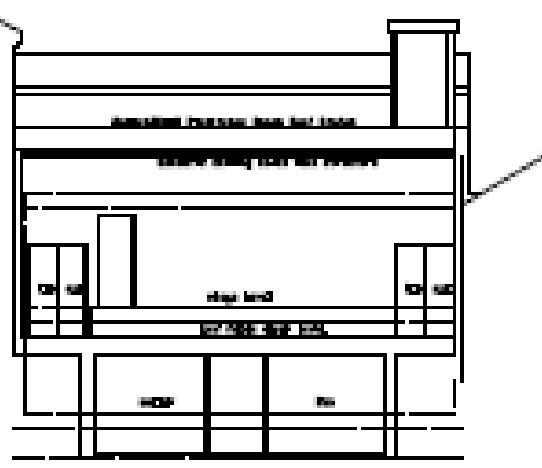
Proposed Rear Street-Scene Section



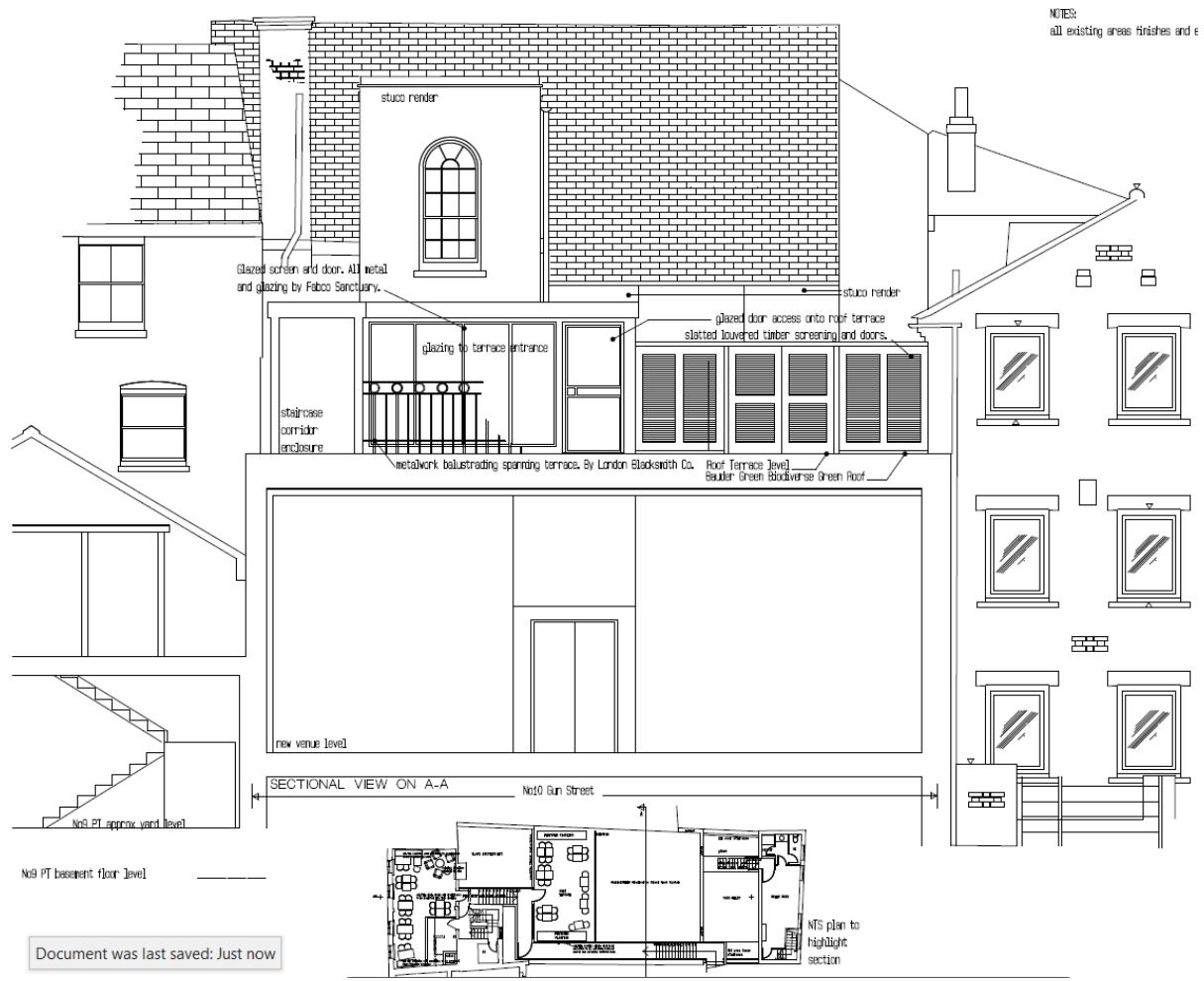
Proposed Side Elevation



## Proposed Building Sections



## Proposed Yard Section Drawing



Proposed more detailed Rear Elevation Section



Proposed Visual of First Floor Level Rear Terrace and Green Roof

## APPENDIX 1

The following planning permission and listed building consent were granted in 2016:

15/1281/FUL

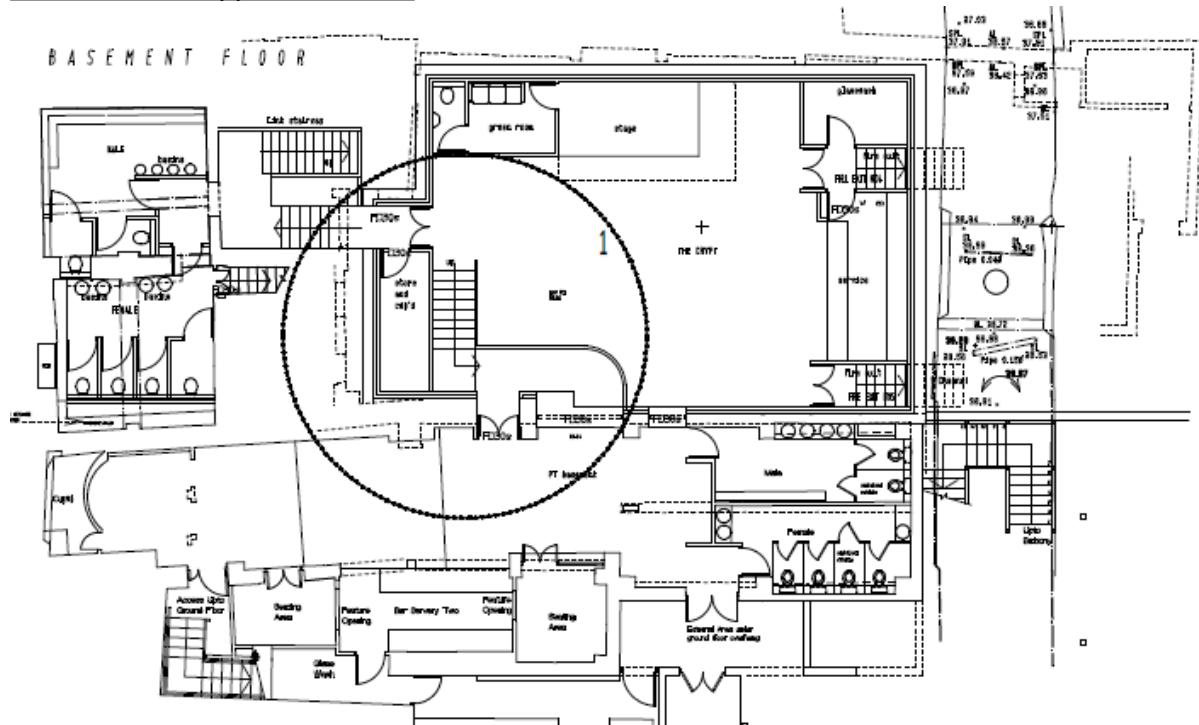
*Change of use from office (Class B1) to café/restaurant (Class A3) at basement to second floor level, including replacement ground and first floor rear extension; Excavation of basement to rear as extension to existing nightclub (Sui Generis) at No. 9 Gun St; Erection of replacement two storey building to rear for micro-brewery (Sui Generis) with associated access, part de-culverting of brook, external open area and various other alterations.*

15/1282/LBC

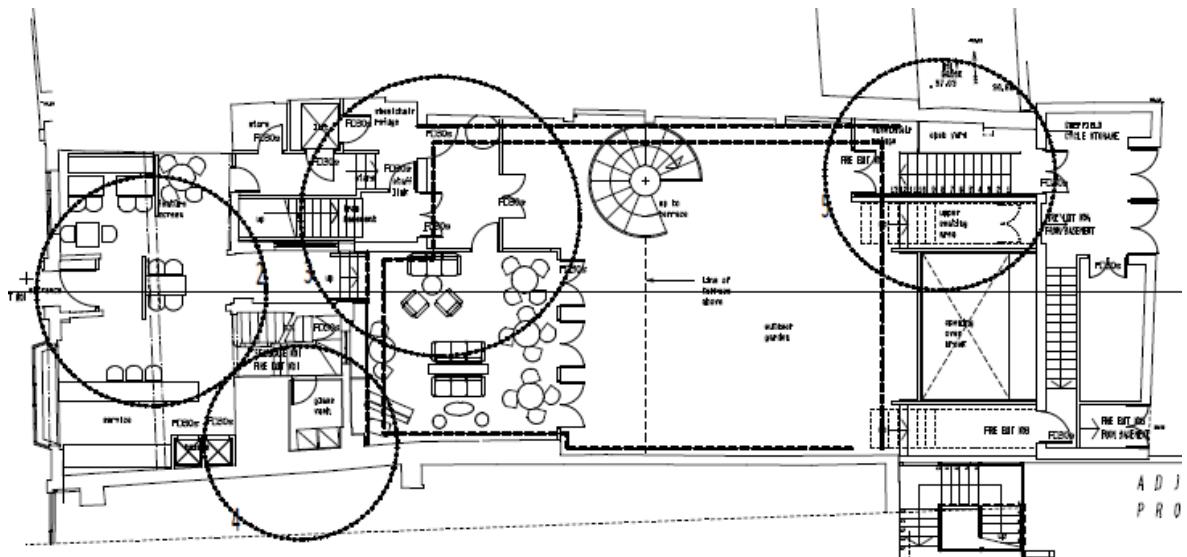
*Various internal and external alterations including demolition of existing ground/first floor rear extensions, in association with change of use from office (Class B1) to café/restaurant (Class A3) at basement to second floor level, including replacement ground and first floor rear extension; Excavation of basement to rear as extension to existing nightclub (Sui Generis) at No. 9 Gun St; Erection of replacement two storey building to rear for micro-brewery (Sui Generis) with associated access, part de-culverting of brook, external open area and various other alterations.*

The notable differences of the above previous proposed compared to the current proposals are that this previous proposals included part de-culverting of a section of the Holy Brook to the rear of the site, smaller part two part single storey rear extension, expansion of the Purple Turtle use into no. 10 Gun Street but at basement level only and provision of a micro-brewery in the proposed outbuilding to the rear of the site.

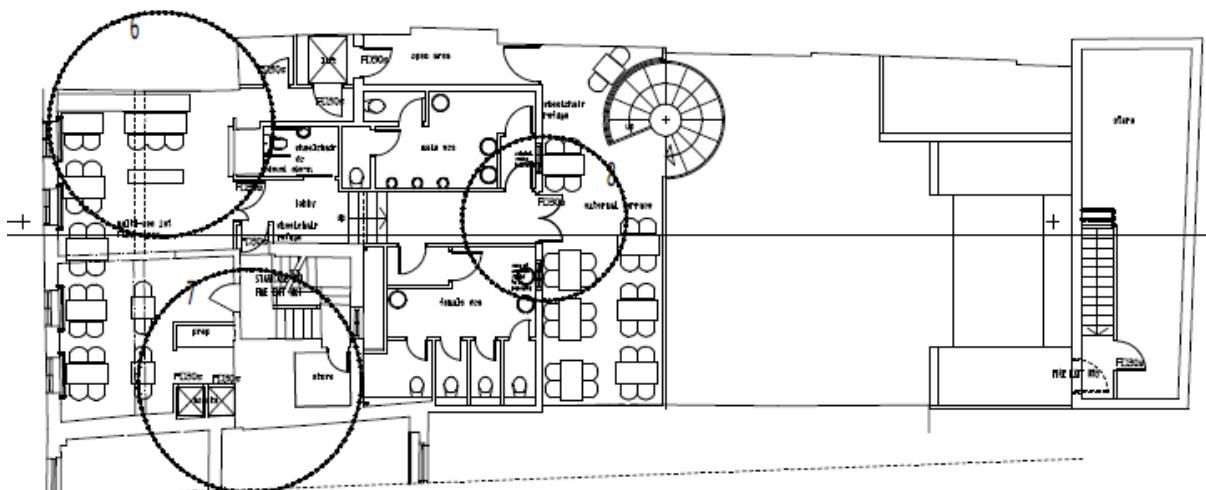
2016 Scheme Approved Plans:



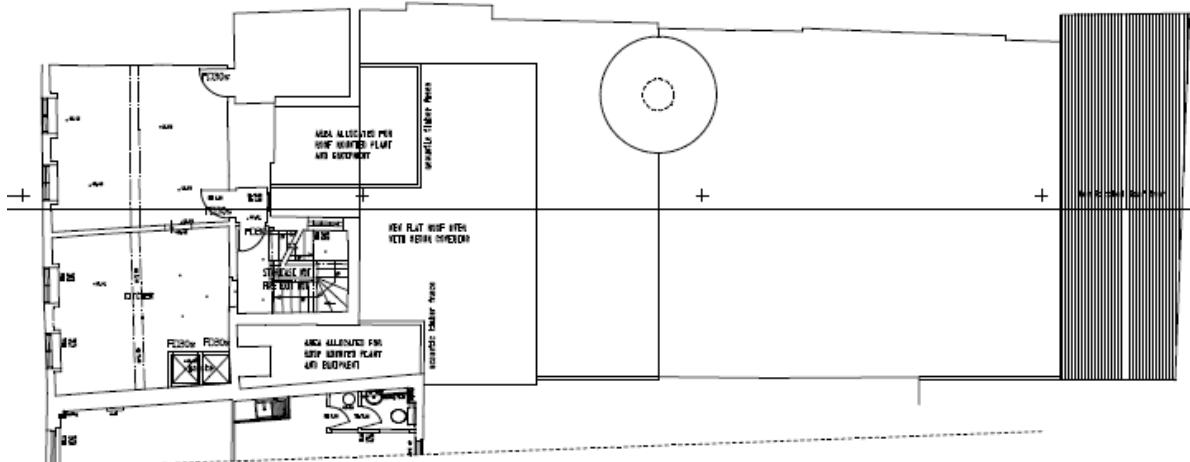
2016 Consented Scheme Proposed Basement Floor Plan



2016 Consented Scheme Proposed Ground Floor Plan



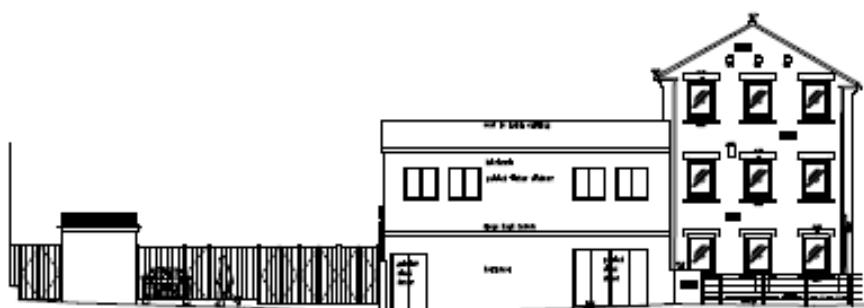
2016 Consented Scheme Proposed First Floor Plan



2016 Consented Scheme Proposed Second Floor Plan



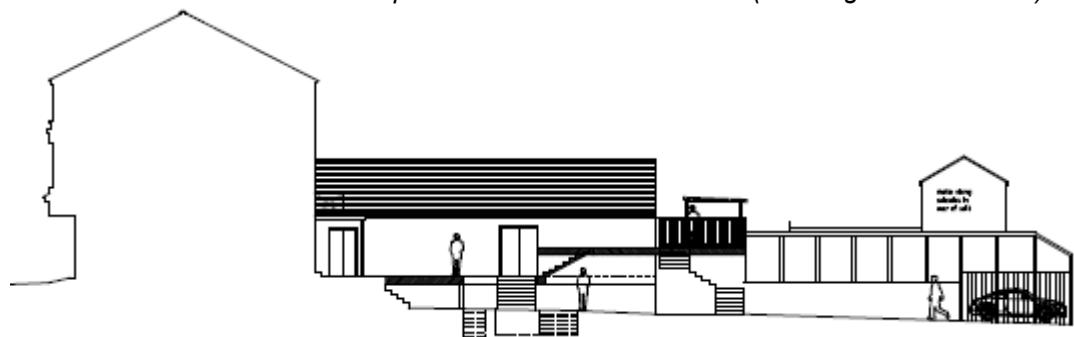
2016 Consented Scheme Proposed Front Elevation

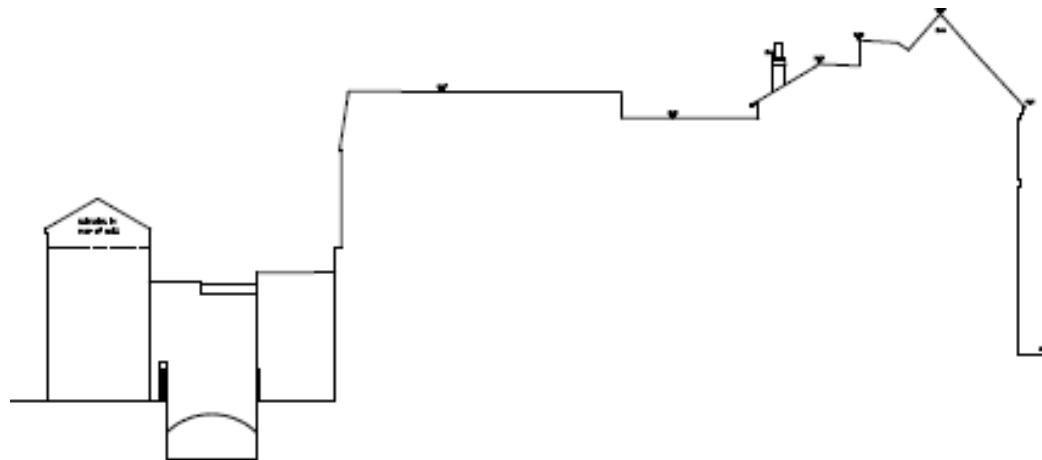


2016 Consented Scheme Proposed Rear Elevation (showing rear outbuilding)

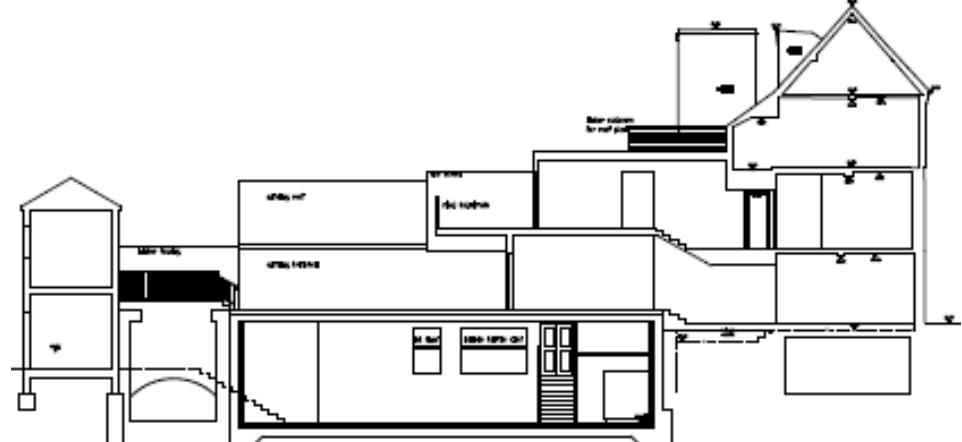
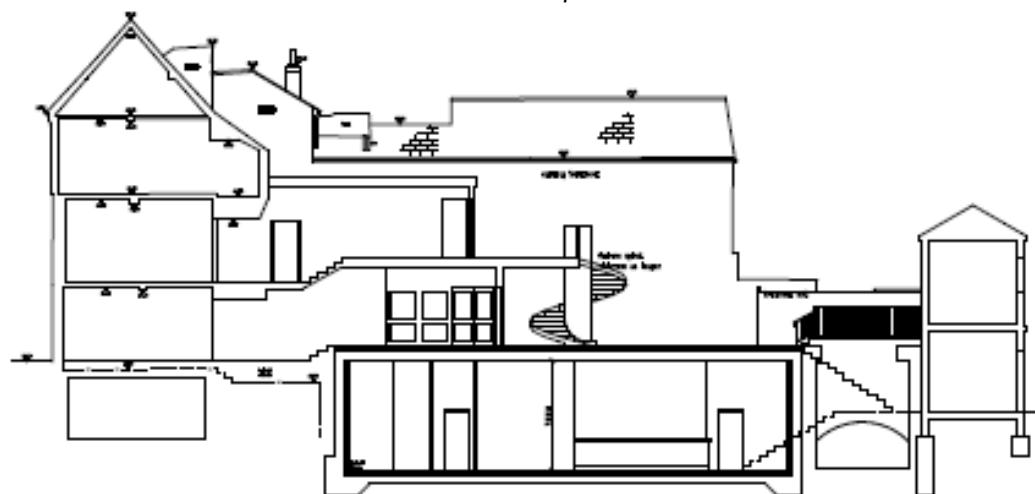


2016 Consented Scheme Proposed Rear Elevation Section (showing rear extension)





2016 Consented Scheme Proposed Side Elevation



2016 Consented Scheme Proposed Site Sections

The following planning permission and listed building consent was granted in 2020:

19/1243FUL

*Change of use from office (Class B1) to café / restaurant (Class A3) at ground to second floor level, including ground and first floor extensions following removal of previous. Erection of building to rear for microbrewery (Sui Generis) with associated access, external open area and various other internal and external alterations -*

*scheme almost identical to previous Consent 151281 but without basement nightclub extension and no de-culverting of brook.*

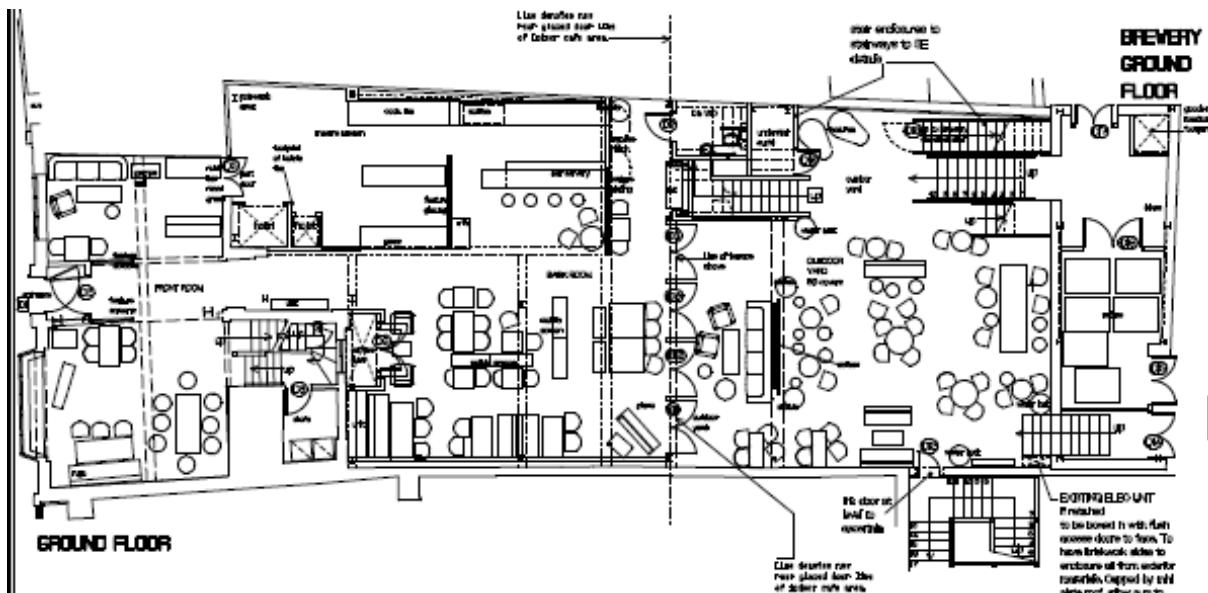
19/1244LBC

Various internal and external alterations including demolition of existing ground/first floor rear extensions, in association with change of use from office (Class B1) to café / restaurant (Class A3) at ground to second floor level, including ground and first floor extensions following removal of previous. Erection of building to rear for microbrewery (Sui Generis) with associated access, external open area and various other alterations.

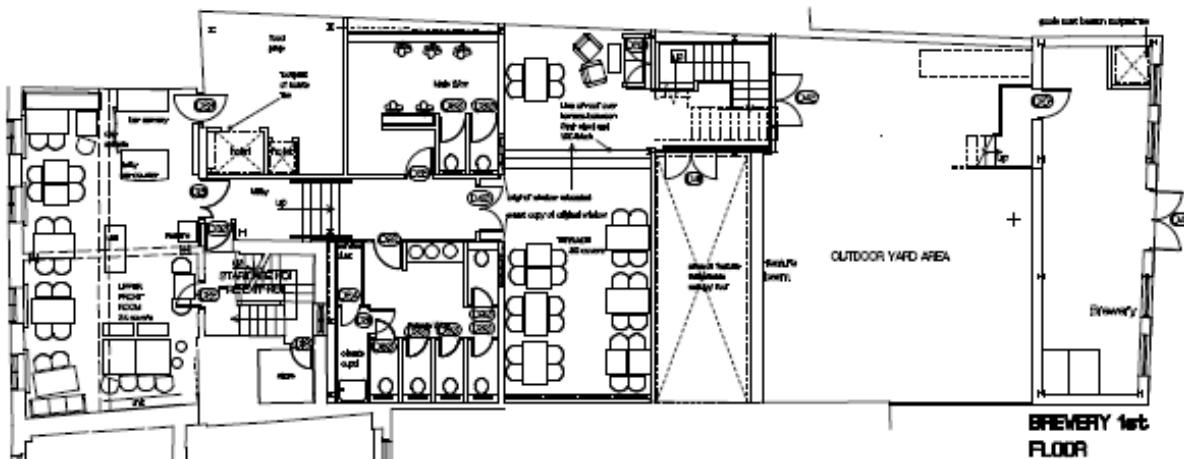
The above scheme was very similar to the consented 2016 scheme but no longer proposed to expand the Purple Turtle into 10 Gun Street with basement extension removed. This approval however did propose a slightly larger part two part single storey rear extension, but no longer proposed to part de-culvert a section of the Holy Brook to the rear of the site.

The key differences of the consented 2020 scheme to the current proposals under consideration as part of this report, are that the expansion of the Purple Turtle is again now proposed (as per the 2016 scheme) but at basement and ground floor level. In addition, a larger part two, part single storey rear extension is proposed and the outbuilding to the rear of the site is now proposed for storage and green room use, rather than as a micro-brewery.

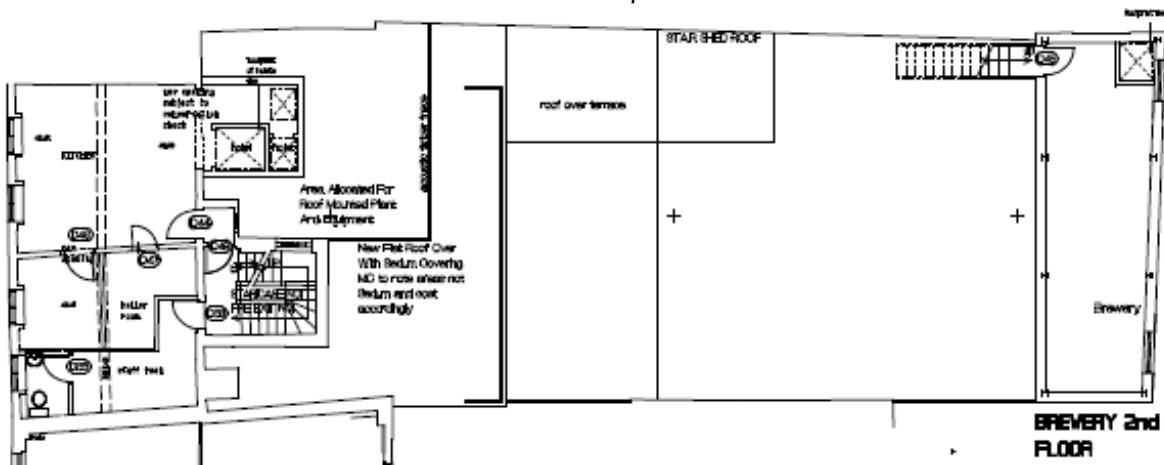
## 2020 Scheme Approval Plans:



## *2020 Consented Scheme Proposed Ground Floor Plan*



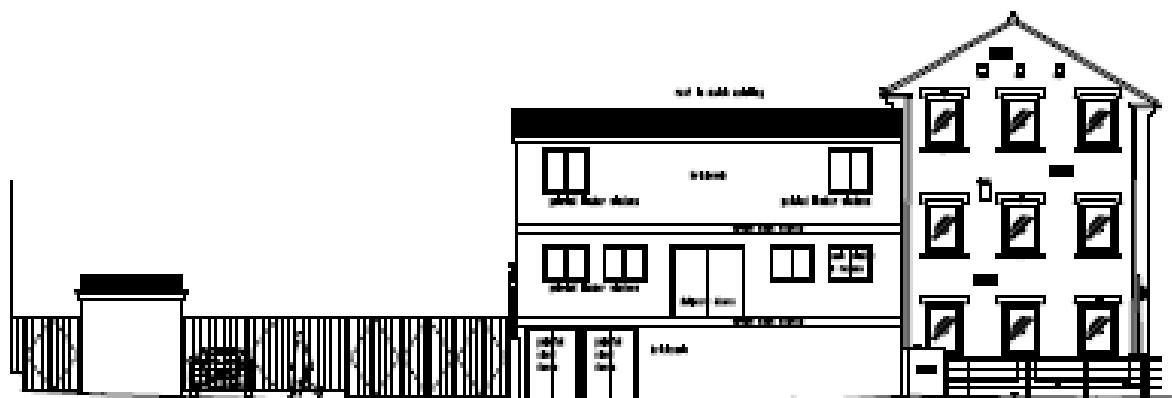
2020 Consented Scheme Proposed First Floor Plan



## *2020 Consented Scheme Proposed Second Floor Plan*



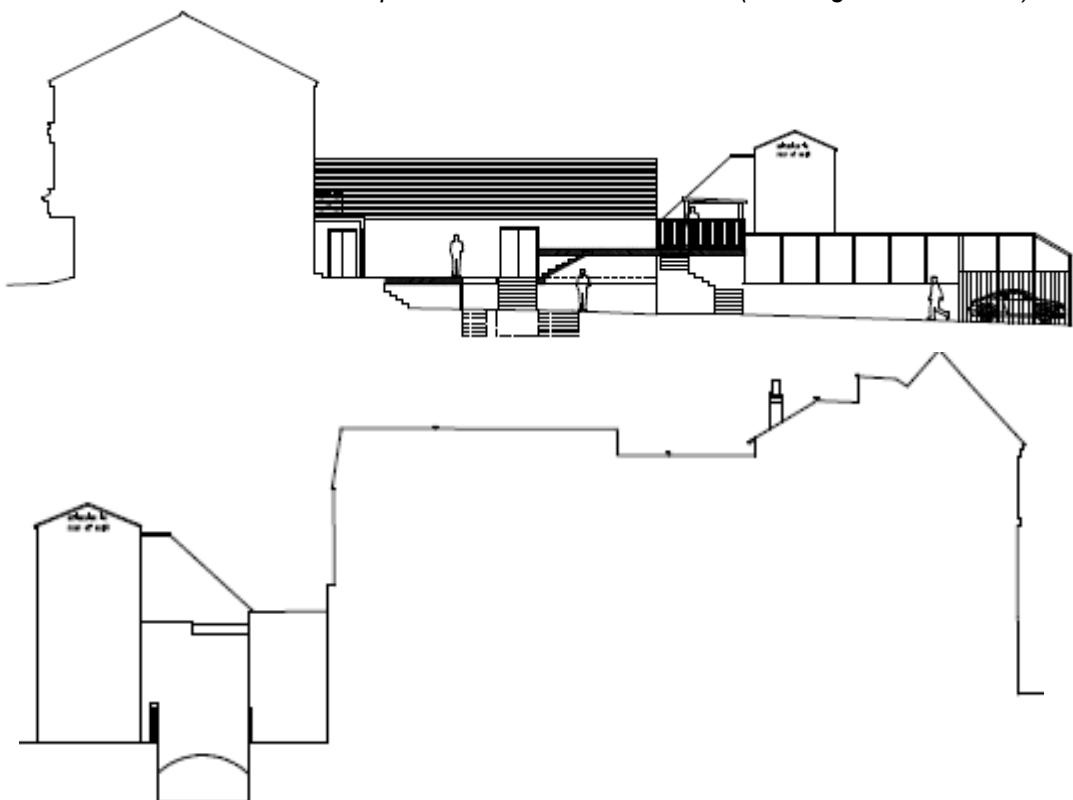
### *2020 Consented Scheme Proposed Front Elevation*



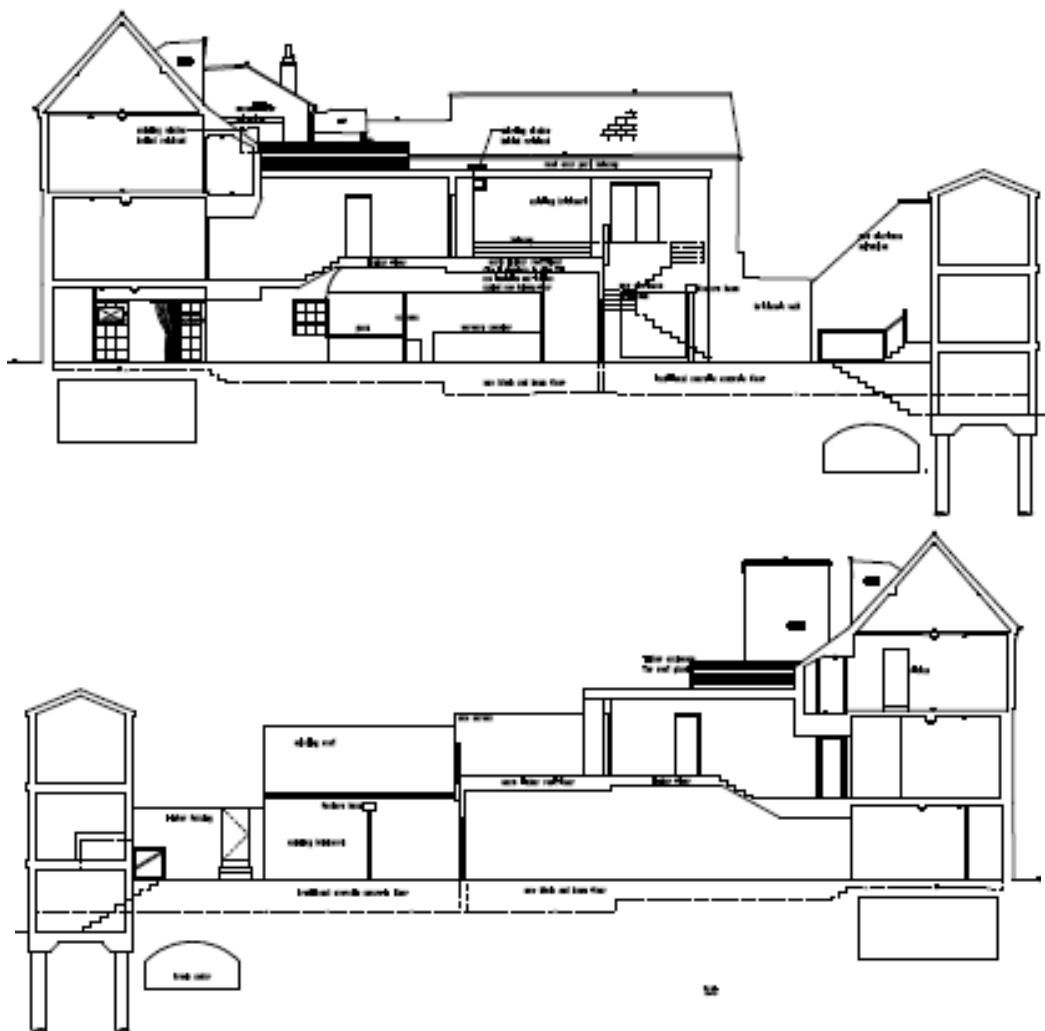
2020 Consented Scheme Proposed Rear Elevation (showing outbuilding)



2020 Consented Scheme Proposed Rear Elevation Section (showing rear extension)



2020 Consented Scheme Proposed Side Elevations



## *2020 Consented Scheme Proposed Site Sections*