

COMMITTEE REPORT

**BY THE DIRECTOR FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 26th June 2019**

Ward: Whitley

App No: 190374

Address: Land to West of Drake Way, Kennet Island

Proposal: Creation of new and extended surface level car sales area including landscaping and associated works.

Applicant: Diageo Pension Trust Ltd

Date validated: 5 March 2019

Major Application 13 week target date: 4th June 2019

Extended deadline: 28th June 2019

Planning Guarantee 26 week target: 3rd September 2019

RECOMMENDATION

GRANT Full Planning Permission, subject to conditions and informatives.

Conditions to include:

1. Time limit for implementation (3 years)
2. Materials
3. Approved plans
4. External Lighting - limited hours and illumination levels set out
5. Landscaping details
6. Landscaping implementation
7. Landscaping Maintenance
8. Landscaping replacement within five years
9. Construction Method Statement
10. Vehicle Parking in accordance with plans
11. Vehicle Access in accordance with plans
12. CCTV system to face carpark
13. Sustainable Drainage - Details to be submitted
14. Sustainable Drainage - To be completed in accordance with approved details

Informatives to include:

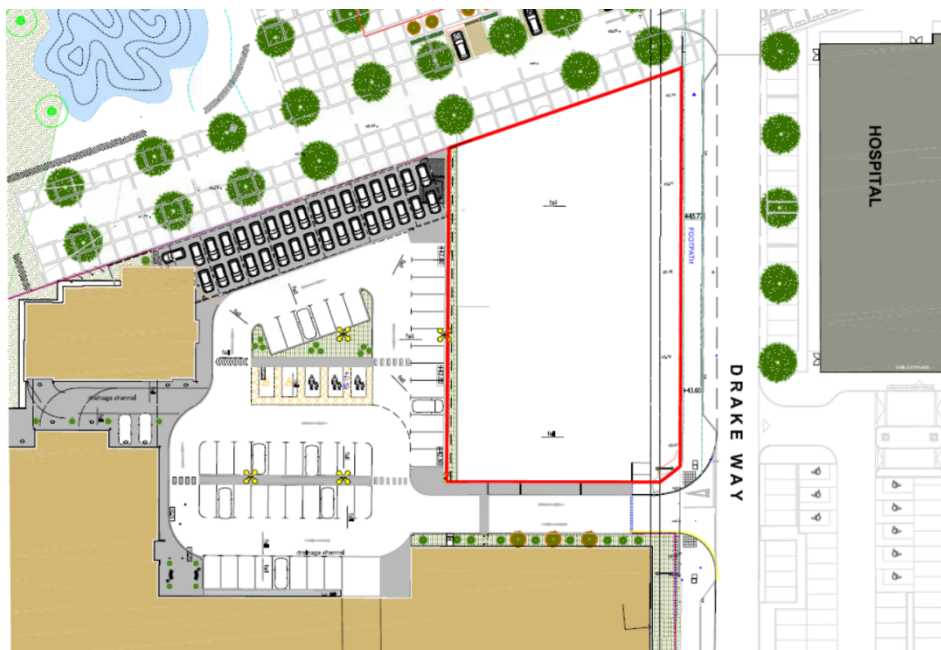
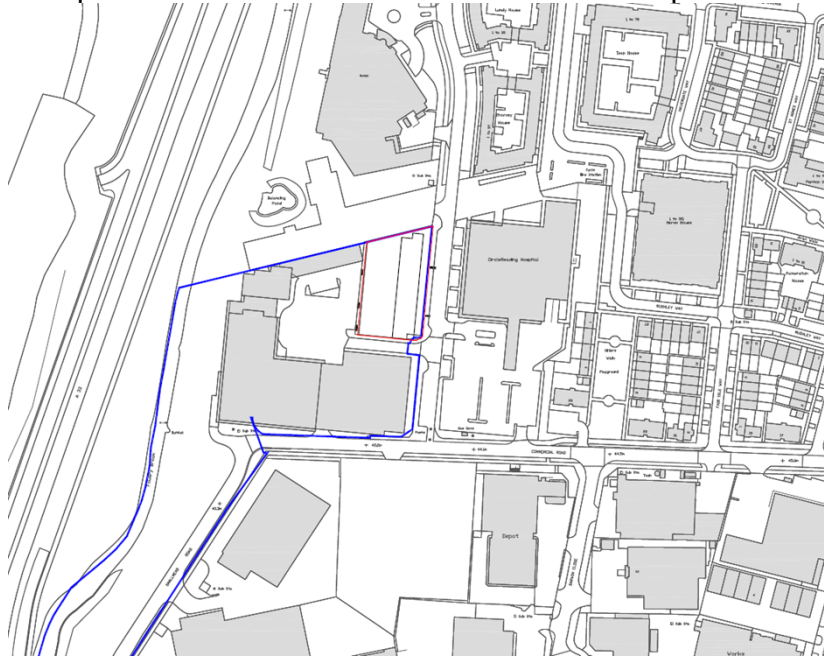
1. Positive and Proactive Statement
2. Terms and conditions
3. Need for building regulations
4. Complaints about construction
5. Construction hours
6. No Burning of Waste

1. INTRODUCTION

- 1.1 The application site is an undeveloped and unallocated plot of land, situated adjacent to the Cooper BMW car dealership accessed from Drake Way within Kennet Island, opposite the Circle Hospital. The site formed part of a hybrid planning application (12/01623/OUT) approved on 26th March 2013, granting permission for the following development:
A hybrid planning application for:

- Construction and operation of a car dealership (14,197 sq m GEA) including workshop for repairs, servicing and MOT, parts store and valeting, car parking and storage with associated roads, public realm and landscaping (submitted in full with no matters reserved); and
- Construction of B1 offices (2,295 sq m GEA) and C1 serviced apartments (1,400 sq m GEA) (submitted in outline with Appearance, Landscaping, Layout and Scale reserved).

1.2 The car dealership building (the detailed element of the permission) has been built, however reserved matters details for the B1 offices (outline element of the permission) have not been submitted so this element of the hybrid permission has lapsed. The plot has since remained vacant and undeveloped.





2. PROPOSALS

- 2.1 As a result of the increase in trade, this application seeks planning permission to extend the surface level car sales and display area for the adjacent Cooper BMW car dealership.
- 2.2 A requirement for an additional 60 to 70 display spaces has been identified for used BMW cars.
- 2.3 The proposed development will increase the amount of parking by 74 spaces.
- 2.4 As a result of the proposal, it is anticipated that the number of visitors will increase by 20 to 30 per week, and the number of full time employees will increase by a maximum of 6.

3. PLANNING HISTORY

Reference No.	Detailed Description	Outcome
101132	Pre-application advice for vehicle storage	Observations Sent on 12 May-10
110971	Pre-application for the erection of workshops and offices in association with the use of site as depot for bus/coach company.	Observations Sent on 12 Oct-12
120408 (original ref. 12/01623/OUT)	A hybrid planning application for: 1. Construction and operation of a car dealership (14,197 sq m GEA) including workshop for repairs, servicing and MOT, parts store and valeting, car	Application Permitted on 26 March-13

	parking and storage with associated roads, public realm and landscaping (submitted in full with no matters reserved), and; 2. Construction of B1 offices (2,295 sq m GE A) and C1 serviced apartments (1,400 sq m GEA) (submitted in outline with Appearance, Landscaping, Layout and Scale reserved).	
131696	Non-material amendments to planning permission 12/01623/OUT to alter the car dealership building, public realm area and landscaping proposals along the Foudry Brook.	NMA Agreed on 11 Jun-14

4. CONSULTATIONS

4.1 Statutory:
None

4.2 Non-statutory:

Natural Environment

4.2.1 The RBC Natural Environment Team provided comments on 11 March 2019 stating: *“The site is situated within a 10% or less canopy cover area, as defined in our Tree Strategy, hence it is one in which tree planting should be secured to comply with policy DM18, emerging Policy EN14 and our Tree Strategy.*

The outline part of Hybrid approval 12/01623 (120408) for the office block included tree planting within the car park for the offices, including on the Drake Way frontage.

This current application only provides a planting strip along the Drake Way frontage which is annotated as a ‘planted verge consisting of low level shrub planting and ground cover’.

Low level planting alone is not acceptable. Tree planting should be incorporated along this boundary to comply with policy and to be in line with that shown under 12/01623 and to be consistent with street tree planting to the immediate south, north and the opposite side of Drake Way.

Ideally, tree planting should be incorporated within the car park but...tree planting on the Drake Way frontage is the minimum acceptable (alongside low level planting). The applicant should therefore confirm that tree planting is feasible and indicate this on plans”.

Planning Officer note: An amended plan was received on 28th May 2019. This showed proposed fastigiata trees fronting Drake Way, as well as some existing trees.

Upon review, the Natural Environment Team made the following comments on 6 June 2019:

“[The amended plan] now shows a suitable amount of tree planting and should be...listed as an approved plan. Conditions are then required to secure detailed

landscaping, maintenance and replacement planting. Standard conditions L2a, L2b and L3 are appropriate”.

Environmental Protection & Nuisance

- 4.2.2 The RBC Environmental Protection and Nuisance Team was consulted on 28 March 2019. Their comments received on 30 April 2019 stated:

Environmental Protection concerns considered:

- Noise arising from development
- Air Quality impact - increased emissions
- Contaminated Land
- Light - external / floodlighting
- Construction and Demolition phase

Noise generating development

The proposal is for a forecourt to display cars for sale. I do not anticipate any significant noise concerns. I therefore have no objections on grounds of noise.

Air Quality - Increased emissions

An air quality assessment has been submitted. Predicted pollutant levels show no impact / negligible impact and therefore no mitigation measures are required and I have no objections on grounds of air pollution.

Contaminated Land

The area was remediated as part of the Kennet Island development and the use is not a sensitive land use, therefore there are no contaminated land concerns and I have no objections due to contaminated land.

Light

The proposals include 6 metre high lighting columns but I have found no information relating to the luminaires, to see how they will be angled and glare / overspill controlled or the times they will operate. There is no isolux contour map. There is a hotel and hospital located adjacent and Thorney House (residential) nearby. If the lighting will be operating at reasonable times of day and therefore unlikely to impact on sleep etc. of local residents, then it could be acceptable not to submit the additional information as the impact on residents and users of the neighbouring buildings would be minimal. Is the applicant able to confirm the hours of operation? Will they use a timer system? If the lights are to operate 24/7 then I recommend refusal until more information has been submitted.

This information should include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type; mounting height; aiming angles and luminaire profiles) and an isolux contour map to show light spill levels (down to 2 lux if operating between 23:00 and 07:00, or down to 10 lux if operating only between 07:00 and 23:00). The plans should show neighbouring buildings so that the predicted impact on them can be assessed. The applicants should demonstrate that light levels will not exceed the relevant guidance lux levels specified in the table below. Information should also show how glare will be controlled.

Environmental Zone - Brightness	Light trespass (into windows) Ev [Lux]	
	Pre-curfew	Post-curfew

	<i>(before 23:00hrs)</i>	<i>(after 23:00)</i>
<i>E3 - Suburban</i>	<i>10</i>	<i>2</i>
<i>E4 - Urban</i>	<i>25</i>	<i>5</i>

Institute of Lighting Professionals: Guidance Notes for the Reduction of Obtrusive Light GN01:2011

An informative is recommended to help prevent complaints about construction works.

Planning Officer note: On 7 May 2019, the agent confirmed that the hours of operation for the lighting will be from 07:00 - 23:00 Monday - Sunday. It was also confirmed that a suitably worded condition relating to operating hours/max lux would be acceptable.

On 14 May 2019, Environmental Protection and Nuisance confirmed this was acceptable, and provided a suitably worded condition.

Transport

4.2.3 The Transport Department was consulted on 28 March 2019. Their initial comments were received on 3 May 2019 and requested further information relating to:

- how many sales vehicles will be provided across the two sites (internal capacity and the proposed car sales area)
- how many customer parking spaces are available for this element of the business
- details regarding the management and routing between the Commercial Road compound and the proposed surface level car sales area
- clarification on how vehicles will be delivered to the additional sales area, as there is no direct access between Commercial Road and Drake Way
- will there be a physical barrier between northern boundary and the public realm area?

After further information was provided, revised comments were received, on 6 June 2019, which made the following comments:

- The site is located with Zone 3 of the adopted Supplementary Planning Document for Parking Standards and Design. In accordance with the Council's adopted standards, vehicle sales require a parking standard of 1 space per 1 FTE staff and 1 space per 10 display cars for customer parking. As part of the approved application (12/01623/OUT), a total of 16 customer parking spaces were associated with the vehicle sales. This was based on 165 display sale vehicles. To ensure the increased car sales area will retain a sufficient level of customer parking, the applicant has provided the following information;
 - **How many sales vehicles will be provided across the two sites (internal capacity and the proposed car sales area)** - 239 sales vehicles in total (165 existing and 74 proposed) with 128 inside.
 - **How many customer parking spaces are available for this element of the business** - 24 spaces will be provided for customer parking associated with the vehicle sales.
- Based on the proposed number of 239 sales vehicles, a customer parking provision of 24 spaces will be provided which complies with the Council's adopted standards.
- The proposed vehicle storage area will be accessible from the northern side of the site access road from Drake Way. The storage area will be guarded by a series of telescopic bollards, which will retract when access to the storage facility by vehicle is required. The existing dropped kerb will need to be

modified, however, this is not adopted highway and no highways licence will be required to undertake these works.

- It is not envisaged that there would be any significant change in the number of visitors to the car dealership throughout the week given that the development proposal is intended to address an existing vehicle capacity issue. However, it is accepted that an increase in area for the display of vehicles for sale may result in some increase in visitors which is likely to be focussed around the weekend. The operators of the existing car dealership envisage that this increase could equate to around 30 additional visitors per week.
- Given that the proposal is intended to address an existing vehicle capacity issue associated with the Cooper BMW car dealership, it is unlikely that the development will have any detrimental effect upon highway safety or impact upon the wider highway network.
- The applicant has confirmed that vehicles to be displayed within the new car sales area will be brought through the existing sales building off Commercial Road as per the existing arrangements.
- The applicant has also confirmed that there will be a physical barrier (existing security hoops) between northern boundary and the public realm area.
- There are no further transport objections to this application subject to conditions.

SuDS

- 4.2.4 The RBC SuDS Manager provided comments on 14 June 2019, which advise that the submitted SuDS document confirms a strategy which would be as per that agreed for the wider site and in principle this is acceptable subject to two conditions.

4.3 Public consultation:

- 4.3.1 A site notice was displayed and the application was advertised in the local Press. One letter of representation was received, which states:

"I am in support of this application but as a resident on Kennet Island I would be interested in knowing how much additional traffic this would bring through the development? The island is already used as a 'rat run' by employees working in surrounding businesses and the existing traffic light phasing from the A33 to the Kennet Island development is already unsuitable for the amount of traffic entering and exiting the development at peak times given the levels using the hospital, car show room and hotel on top of the already growing development where people live. Coopers are a welcome addition to Kennet Island, but I would ask that planners would take heed and listen to comments continually raised by residents here about traffic and the phasing of the lights".

5. RELEVANT PLANNING POLICY AND GUIDANCE

- 5.1 National Planning Policy Framework 2019
National Planning Practice Guidance 2019

- 5.2 Reading Borough Local Development Framework Core Strategy (RCS) (Adopted January 2008 - amended 2015)

CS1 Sustainable Construction and Design
CS3 Social Inclusion and Diversity
CS4 Accessibility and Intensity of Development
CS7 Design and the Public Realm
CS10 Location of Employment Development
CS13 Employment Development
CS20 Implementation of Reading Transport Strategy
CS23 Sustainable Travel and Travel Plans
CS24 Car / Cycle parking
CS34 Pollution and Water Resources

CS38 Trees, Hedges and Woodlands

- 5.3 Sites and Detailed Policies Document (2012)(Altered 2015)
- SD1 Presumption in Favour of Sustainable Development
 - DM1 Adaptation to Climate Change
 - DM4 Safeguarding Amenity
 - DM12 Access, Traffic and Highway-related Matters
 - DM18 Tree Planting
 - DM19 Air Quality
 - SA1 South Reading Development Principles

6. APPRAISAL

Legal context

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

Main Issues

- 6.2 The main issues are considered to be:

- (i). Principle of development
- (ii). Design and appearance
- (iii). Transport and parking
- (iv). Residential amenity
- (v). Landscaping and ecology
- (vi). Flood risk/SUDS

(i) Principle of Development

- 6.3 The principle of developing this plot for commercial use has already been deemed acceptable within the previous application. Although the hybrid permission granted outline approval for B1 use, the proposed extension for a car showroom use would be a quasi-employment use and is therefore considered acceptable, subject to meeting other policy considerations.

- 6.4 As the previous application is deemed as 'soft commitment', and the element on this aspect of the site was never implemented, there is no loss of employment. The Policies set out within the Local Development Framework which cover loss of employment, are in relation to existing employment, and do not cover anticipated uses, which have previously been granted permission. It is therefore considered that there is no 'loss' of employment in this situation, and in fact due to the proposal creating 5 to 6 permanent positions, there will be an increase in employment, which is looked upon favourably.

(ii) Design and appearance

- 6.5 Core Strategy Policy CS7 requires that all development must be of a high design quality that maintains and enhances the character and appearance of the area of Reading in which it is situated

- 6.6 The application site is currently unused turfed land bounded by a 2m high fence, and therefore does not contribute positively to the appearance of the overall area. The proposed scheme would be for a parking area and would form an extension of an existing commercial premises within this already primarily commercial section of Kennet Island, with the hotel to north and the hospital to the east. Trees are proposed along the Drake Way frontage, which would improve the appearance of

the site. The nearest residential flats are diagonal to the site and separated by a wide boulevard at some distance from it (38 metres).

- 6.7 From a design and appearance perspective, the proposed development is not considered to have a significant detrimental impact upon the character of the surrounding area or the street scene. Landscaping is proposed (see section below) and this will help to screen the view of parked vehicles. As such the proposal is considered to comply with Policy CS7 of the Core Strategy.

(iii) Transport and Parking

- 6.8 The current car dealership complies with policies in relation to parking. As a general location for such a use, the application is considered to comply with Policy CS4 in that it is considered to be a suitable location in the Borough for a car-oriented use. The proposal is to further extend the parking area for the dealership and as such there are no concerns in relation to the number of parking spaces being provided.

- 6.9 In regards to traffic, there is anticipated to be an increase in vehicles coming and going from the site. This will be in the form of more customers, and more staff. The numbers for these have been predicted at 20 to 30 more visitors per week, and the number of full time employees will increase by 5 or 6. Transport Strategy conducted their assessment on the basis of an additional 11 employees, which could result in an additional 11 arrivals during the AM peak period and 11 departures during the PM peak period respectively; assuming a worst case scenario where all of the employees arrive and depart during the peak periods by private car.

- 6.8 Drake Way is wide enough for two vehicles to pass and the minimal increase in traffic are considered to not have a detrimental impact upon the amenity of neighbouring properties.

- 6.9 Transport Strategy raised initial queries with this application, however after further information was received to address these, it is now confirmed that they have no objections to the proposal in relation to transport. Overall, the proposal complies with relevant transport policies.

(iv) Residential Amenity

- 6.10 Core Strategy Policy CS34 states that development will only be permitted where it would not be damaging to the environment through air, land, noise or light pollution and SDPD Policy DM4 seeks to protect residential amenity. Lighting is proposed as part of this application in the form of 6 metre high lighting columns with CCTV. The Environmental Protection and Nuisance Team has suggested a suitably worded condition to limit the hours of use for the lighting as well as the illumination in order to prevent harm to neighbouring properties. In addition to this, the plans show the lights angled towards the car park, and not towards Drake Way. As such it is considered that there would be limited light spill towards neighbouring properties.

- 6.11 With regard to the proposed CCTV the agent has confirmed that a condition limiting the cameras to only face the proposed car park, and not cover public areas or private land not within the ownership of the applicant; would be acceptable. As such this is recommended. This will be secured via condition.

- 6.12 The comments provided above in the transport section confirm that local residents are unlikely to be negatively affected by the additional traffic arising from this proposal and therefore it meets the requirements of Policy DM4.

(v) Landscaping and Ecology

- 6.13 Core Strategy Policy CS36 requires development to retain, protect and incorporate features of biodiversity within it. SDPD Policy DM17 requires that new developments demonstrate how proposed landscaping and water features would link into the existing Green Network. SDPD Policy DM18 requires that new development shall make provision for tree planting within the application site. The application site is in close proximity to a Green Link and the Air Quality Management Area.
- 6.14 With the previous applications the Ecologist advised that there are no recorded ecological constraints regarding the site itself, although it is noted that the previous applications (which covered a wider area) did require habitat surveys to be carried out. This is because to the West of the site, the area, which is already developed, falls within an area with a habitat and land-use constraint.
- 6.15 The current application site does not fall within the habitat constraint area and there are no ecological concerns raised. It is relevant that the recommended condition to restrict the hours of external lighting to between 11pm and 7am, and the strength of lighting, mainly to address residential amenity concerns, would also limit the impact with respect to ecology.
- 6.16 Natural Environment have confirmed that the submitted plan is acceptable from a landscaping perspective, and the tree planting will comply with policy as well as being in-line with that shown under 12/01623, whilst being consistent with street tree planting to the immediate south, north and the opposite side of Drake Way.

(vi) Flood risk /SuDS

- 6.19 The Long-Term Flood Risk Flood Maps locate the site entirely within Flood Zone 1 (Low Probability of Flooding). The intended use of the site is classified as 'less vulnerable' to flooding according to Table 2 of the NPPG Flood Zone and Flood Risk Tables. The recommendations of the NPPG, deem the proposal as acceptable in terms of flooding.
- 6.20 It is worth noting that the car parking spaces - which occupy the majority of the site area - are proposed to be permeable block paving. This would allow water to soak into the ground. The SuDS Manager is satisfied that Policy CS35 has been satisfied.

(vii) Equality

- 6.21 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation.
- 6.22 There is no indication or evidence (including from consultation on the application) that the protected groups have or would have different needs, experiences, issues and priorities in relation to the particular planning application. In terms of the key equalities protected characteristics, it is considered there would be no significant adverse impacts as a result of the development.

7. CONCLUSION

- 7.1 With the addition of appropriate conditions, the proposed development is considered to not have a detrimental impact upon the character of the area, nor will it have a detrimental impact upon the amenity of neighbouring properties. Further to this, no concerns are raised with regards to flooding, ecology, landscaping or transport. As such planning permission is recommended for approval.

Case Officer: James Overall

Plans:

Plan Type	Description	Drawing Number	Date Received
Location Plan		PP-001	5 Mar-19
Site Plan	Existing	PP-002	5 Mar-19
Site Plan	Proposed	PP-003 Rev B	28 May-19

