

DELEGATED APPLICATION REPORT

SITE ADDRESS: 70 South View Avenue, Reading

APPLICATION NUMBER: 230268/VAR

PROPOSAL: Change of use from Class B1(a) (offices) to C3 (dwelling houses) to comprise 10 flats. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 without complying with condition 2 (plans), seeking approval of internal layout of the 10 flats, and condition 3 (floor levels) of 211028

APPLICANT: Delta House Developments Limited

Extended Target Date: 28/09/2023

1. INTRODUCTION

The application site is a detached two storey L-shaped brick building, with a tiled roof. It previously comprised 4 office suites with approximately 15 parking spaces and has been granted prior approval permission to change from office to residential use. It is set back from South View Avenue in a residential area of Caversham. To the rear of the building is South View Park business park.

The building has been in use previously as B2 General industrial use with an element of light electronics assembly in 1991 and since 1994 in use as offices, with a permitted change to a B1 which would include use as an administrative office.

It is in flood Zone 2, and on the edge of Zone 3, situated in an area of contaminated land and an AQMA.

Planning permission 211028 was granted 25 August 2021 for Change of use from Class B1(a) (offices) to C3 (dwelling houses) to comprise 10 flats, Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

During building works undertaken to implement the 211028 change of use, it became apparent that the original floor levels approved would result in difficulties in achieving the required internal layout due to limitations in floor to ceiling heights required for building control regulations.

After planning application 211028 was granted, the applicant submitted amended plans for an altered internal floor layout for planning application 211228 a for change of use from Class B1 (a) (offices) to C3 (dwelling houses) to comprise 11 flats under Prior Notification, Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

Application 211228 was refused 13 April 2022 as the works had already commenced for 211028. As part of the appraisal of application 211228, the Environment agency confirmed they had no objections to revised 'lower' minimum floor heights submitted by the applicant, which would be considered acceptable as part of preventative flood mitigation measures.

A S73 variation of condition planning application 220823/VAR was submitted to amend the originally approved 211028 prior approval application, to agree the revised ground floor levels

that had been considered and approved by the EA in the previously refused prior approval application 211228.

During a site visit in relation to planning application 220823, it became apparent that the revised floor levels had been part-completed and additional changes to the layout of the first floor had been carried out. Internal works resulting from the revised floor levels resulted in the ability to change a previously designated storage area into residential C3 living space with adequate floor to ceiling heights, without any changes to the external appearance for the building. Two units on the ground floor and one unit on the first floor had been completed and let to tenants, whilst the rest of the building remained a building site.

It was noted by the council that the layout of units on the first floor did not reflect the plans as agreed in the original application 211028. The RBC legal team confirmed that a recommendation for the 220823 variation of condition for revised ground floor levels would be acceptable if the Class O requirements were met, and the works were completed in accordance with the original plans. The VAR application 220823 was permitted on 24 January 2023 to approve a variation to the ground floor levels and position of the bin store. At the same time, a letter was sent to the applicant advising them that changes to the internal layout at ground and first floor level would need to be regularised as a matter of urgency to either, restore the layout to the originally approved plans in application 211028 or to submit another S73 variation. Otherwise the matter would be considered expedient to proceed with enforcement action. It was clarified to the agent that the original approved plans were to create 10 units, and that only 10 units would be permitted as a variation to the original application 211028. Internal changes to the building were still undergoing and the final floor plans yet to be confirmed due to the impact of the approved changes to the floor levels.

Application 230268 S73 variation of prior approval conditions application has been submitted to seek permission for an amended internal floor layout to the first floor and ground floor. The ground floor levels have changed on plans submitted. The Environment Agency has been consulted in respect of revisions and has objected to any reduction to previously approved floor levels. Following EA feedback the minimum floor levels for the ground floor previously deemed acceptable have been reinstated.

Two rear elevation first floor windows in Unit 8 and Unit 9 did not match the existing or proposed plans. These windows have now been reinstated to their original size. Artificial grass has been laid to the rear amenity of Unit 3 which is not shown on any site block plans submitted.

2. PROPOSAL AND SUPPORTING INFORMATION

The proposal is for the Change of use from Class B1(a) (offices) to C3 (dwelling houses) to comprise 10 flats. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 without complying with conditions 2 (Plans) and 3 (FRA floor levels) of 211028.

A S73 application is sought as Class O Prior approval applications no longer exist and have been superseded by Class MA. The changes proposed are minor but considered too material to

be dealt with as a Non Material Amendment. The previously agreed S73 application only permitted changes to incorporate the minimum acceptable ground floor levels agreed by the EA, these floor levels are being retained for the current application. The current S73 application is an alternative application to regularise the changes to the internal layout of the flats at ground and first floor levels. The development must meet the original description of development to demonstrate a maximum of ten flats within the development, with no external changes to the building.

No material changes have occurred since the original permission was assessed and granted. The application description remains the same as the original.

Floor levels

211028 - 778 020 PL01 - Original ground floor plan - lowest entrance hallway by new steps 37.58, middle area hallway with steps 38.34

220823 - 778 020 PL05 Approved VAR, with EA consultation feedback with no objections, lowest entrance hallway with steps 37.6, middle area hallway with steps 37.87

230268 - 778 020 PL06 Current application proposes ground floor plan, lowest entrance hallway with steps 37.6, middle area hallway with steps 37.6

Floodplain floor levels for lobby areas at (1% AEP) at 37.54mAOD (ie below +37.6) were confirmed as acceptable by the EA in November 2022 during planning application correspondence.

Floor height levels were agreed by condition in the original 211028 planning application for the building and revised in VAR 220823 for lobby and entrance areas to levels accepted by the EA in November 2022. Further amendments are now proposed to the internal layout of flats within the building. Retrospective plans for application 230268 have been revised show that the internal ground floor flat levels and revised lobby ground floor levels have been constructed to meet the required levels. As such, the EA has not been re-consulted as their concerns have been addressed.

An additional flat was created on the first floor encompassing an area originally designated a cupboard space after development work commenced on site, following planning permission 211028. The remaining internal layout has been reorganised to ensure that the final completed development will provide 10 units to match the description of development. A retrospective variation of conditions - plans application has been submitted to regularise the work being undertaken on site. Works have commenced on the amended internal layout before the appropriate planning permission has been sought.

It is noted that 2 rear windows on the first floor south rear elevation of the building had been altered in size when compared to the original and proposed plans submitted. The original sizes have now been reinstated. Plan Description	Approved plans 211028	Proposed documents 220823	Proposed plans 230268

Site location & Block plan	778 001 PL00	778 001PL00	778 001PL00
Proposed site plan	778 015 PL00	778 015 PL01	778 015 PL01
Proposed ground floor	778 020 PL01	778 020 PL05	778 020 PL07
Proposed first floor plan	778 021 PL00		778 021 PL04
Topographical survey	20324		
FRA / Floor levels	QFRA 1754 Version 1.1 Flood Risk Assessment FRA Report Delta House 70 South View Avenue, dated 25/11/2020 by UK Flood Risk, Appendix A Collection of Figures, Appendix B Existing site and proposed Plans, Appendix C Environment Agency's Data and information	FRA Addendum - May 2022 CRA ENVPAC/1/THM/00626 - THM Ref: 182935 Addendum Summary Prior Notification Ref: 211028 THM 182935 Detailed FRA map THM 182935 Modelled floodplain flood levels	QFRA 1754 Version 1.1 Flood Risk Assessment FRA Report Delta House 70 South View Avenue, dated 25/11/2020 by UK Flood Risk FRA Addendum - May 2022 CRA ENVPAC/1/THM/00626 - THM Ref: 182935 Addendum Summary Prior Notification Ref: 211028 - FRA Addendum June 2023 EA consultation response 3 November 2022 Modelled floodplain levels EA Detailed FRA map
Contaminated lands reports	YE8922 Issue 01 - Phase 1 Desktop Report V2, dated September 2020 by Your environment 00503423 Geoenvironmental Desk Study		A220201-R01A Geoenvironmental Desk Study, Adeptus, February 2022
CIL		CIL	CIL
Planning statement letter		10258 Bell Cornwell Application planning statement letter, dated 6 June 2022	10258 Bell Cornwell Application planning letter, dated 28 February 2023
Emails		Email from the applicant dated 07/08/2022 16:25 with	

		email correspondence from the EA.	
Planning statement			10258 Bell Cornwell Application planning statement, dated February 2023, explaining the changes proposed for a s73 application (This is different to the planning application statement letter
			Lobby Topographical Survey

3. PLANS AND DOCUMENTS CONSIDERED

Proposed plans for 230268

10258 Bell Cornwell Application planning statement letter, dated 28 February 2023

10258 Bell Cornwell Application planning statement, dated February 2023, explaining the changes proposed for a s73 application

778 001 PL00 Site Location and Block Plan

778 015 PL01 Proposed site plan

A220201-R01A Geoenvironmental Desk Study, Adeptus, February 2022

~~QFRA 1754 Version 1.1 Flood Risk Assessment FRA Report Delta House 70 South View Avenue, dated 25/11/2020 by UK Flood Risk~~

~~FRA Addendum - May 2022 CRA ENVPAC/1/THM/00626 - THM Ref: 182935 Addendum Summary~~

Prior Notification Ref: 211028

CIL

As received 02 March 2023

Approved plans for 211028

778 020 PL01 Ground floor plan As received 6 June 2022

778 021 PL00 First Floor plan As received 18 June 2021

~~778 020 PL06 Proposed ground floor - with amended floor heights to replace 778 020 PL01~~

As received 6 June 2022

778 021 PL04 Proposed first floor - with amended floor heights to replace 778 021 PL00

As received 6 June 2022

FRA Addendum - June 2023

As received 16 June 2023

778 020 PL07 Proposed ground floor - with amended floor heights to replace 778 020 PL06

~~QFRA 1754 Version 1.1 Flood Risk Assessment FRA Report Delta House 70 South View Avenue, dated 25/11/2020 by UK Flood Risk~~

~~FRA Addendum - May 2022 CRA ENVPAC/1/THM/00626 - THM Ref: 182935 Addendum Summary~~

~~EA WA/2022/129974/01-L01, Consultation response 2 November 2022~~

~~EA Detailed FRA map centred on South View Avenue, 07/09/2020 Ref THM 182935~~

~~THM EA Modelled floodplain levels~~

Photos of windows reinstated

As received 10 August 2023

Photos of the floor level raised in the lobby

23 August 2023

93337/03 Lobby topographical survey, September 2023, P Stubbington Land Surveys Ltd

As received 12 September 2023

Email from Assure building control to confirm that the increase in the height of the lobby floor was acceptable, 31 July 2023 at 4.10:44

As received 18 September 2023

Proposed plans for 220823

10258 Bell Cornwell Application planning statement letter, dated 6 June 2022, explaining the changes proposed for a s73 application

778 015 PL01 Proposed site plan - Bin and cycle store have been relocated away from neighbouring property at 72 South View Avenue - to replace 778 001 PL00 Site location & Block plan

778 020 PL05 Proposed ground floor - with amended floor heights to replace 778 020 PL01

As received 6 June 2022

Email from the applicant dated 07/08/2022 16:25 with email correspondence from the EA.

FRA Addendum - May 2022 CRA ENVPAC/1/THM/00626 - THM Ref: 182935 Addendum Summary
Prior Notification Ref: 211028

THM 182935 Detailed FRA map

THM 182935 Modelled floodplain flood levels

As received 17 August 2022

00503423 Geoenvironmental Desk Study

As received 10 November 2022

~~778 021 PL00 Proposed first floor plan~~ This plan does not represent an accurate layout of works undertaken to the first floor to create a one bedroom flat that comprises a previously designated storage cupboard area.

~~Resubmitted 23 November 2022~~

3. RELEVANT PLANNING HISTORY

200551/CLE Certificate of Lawfulness for existing use as offices. Granted 28 July 2020

201411 Change of use of building from Class B1(a) (offices) to C3 (dwelling houses) to comprise 1 x studio, 2 x 1-bed and 4 x 2-bed flats. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Granted 18 February 2021

211028 Change of use from Class B1(a) (offices) to C3 (dwelling houses) to comprise 10 flats. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Granted 25 August 2021 - [IMPLEMENTED](#)

211228 Change of use from Class B1 (a) (offices) to C3 (dwelling houses) to comprise 11 flats. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Refused 13 April 2022

220536/APC Application for approval of details reserved by condition 4 (Ground Investigation) of application 211028 Discharged 31 May 2022

220823/VAR Change of use from Class B1(a) (offices) to C3 (dwelling houses) to comprise 10 flats. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 without complying with conditions 2 and 3 of 211028 Permitted 24 January 2023

5. CONSULTATIONS

The Environment Agency (EA) objected to the application on 24 July 2023 and recommend that planning permission is refused based on plan 778-020-PL06.

The following documents were reviewed by the EA with regards to our planning remit:

- Flood Risk Assessment Addendum dated June 2023
- Flood Risk Assessment (reference: QFRA 1754 Version 1.1) prepared by UK Flood Risk, dated 25 November 2020
- Proposed Ground Floor Plan (ref: 778-020-PL06) prepared by Morse Webb Ltd dated February 2023
- Proposed First Floor Plan (ref: 778-021-PL04) prepared by Morse Webb Ltd dated February 2023

The application site lies within Flood Zones 2 and 3, which is land defined by the Planning Practice Guidance (PPG) as having a medium and high probability of flooding respectively.

The submitted FRA (ref: QFRA 1754 Version 1.1, prepared by UK Flood Risk, dated 25 November 2020) and addendum dated June 2023 do not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change Planning Practice Guidance and its site-specific flood risk assessment checklist. The FRA does not therefore adequately assess the flood risks posed by the development.

In particular, the FRA fails to:

- reflect the latest changes to the development, the FRA provided is for a previous application
- use the most up to date available information to assess flood risk
- demonstrate the flood modelling used within the FRA is appropriate
- demonstrate the development will be safe for its lifetime as the finished floor levels proposed are below the 1% annual exceedance probability (AEP) plus an appropriate allowance for climate change flood level

This objection is in accordance with paragraph 164 of the NPPF which states the development must be safe for its lifetime without increasing flood risk elsewhere and paragraph 167 of the NPPF which states development must be appropriately flood resistant and resilient. This proposal is also contrary to Policy EN18 of the Reading Borough Council Local Plan adopted November 2019 which states climate change must be taken into account.

A revised FRA would be required to address the highlighted points above. If this cannot be achieved, the EA is likely to maintain their objection. A revised FRA will need to demonstrate that all finished floor levels are set above the 1% AEP plus climate change flood level as a minimum to reduce the risk of flooding to people and property. Ideally, a freeboard set at least 300mm above the 1% AEP plus appropriate climate change level is required. However, there are instances where a freeboard of 300mm above the climate change flood level may not be possible. A sequential test and exception test would require further consideration by the Local Authority. Other consents may be required from the EA.

RBC Transport team had no objections as the proposed changes involve altered internal layout of the building whilst continuing to deliver 10 residential dwellings. The changes do not change the previous Transport comments provided for application 230268. Previously advised conditions and informatives apply.

The Planning (Natural Environment) Team confirmed that there were no objections to the siting of the bin store as it was already located partly on an area of hardstanding.

Neighbour notifications

A site notice was displayed at the site for a period of 21 days consultation and a letter was sent to 72 South View Avenue. A letter of objection has been received raising concerns about loss of privacy and overlooking. *Case officer comment: **This prior approval relates only to the change of use of existing floor space and land and would be acceptable if all Class O conditions are met.***

RELEVANT POLICY AND GUIDANCE

From a procedural perspective, relevant guidance from PPG in terms of procedure of dealing with section 73 applications is set out below:

Paragraph: 015 Reference ID: 17a-015-20140306

What is the effect of a grant of permission under section 73?

Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the extant permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.

A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the extant

planning permission, unless they have already been discharged. Further information about conditions can be found in the guidance for use of planning conditions.

As a section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the extant permission. If the original permission was subject to a planning obligation, then this may need to be the subject of a deed of variation.

Paragraph: 017 Reference ID: 17a-017-20140306

Is there a definition of 'minor material amendment'?

There is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

Pre-application discussions will be useful to judge the appropriateness of this route in advance of an application being submitted.

Paragraph: 019 Reference ID: 17a-019-20140306

What is the application considered against?

Development plan and material considerations, under section 38(6) of the 2004 Act, and conditions attached to the existing permission. Local planning authorities should, in making their decisions, focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.

In what form must the decision be issued?

Grant: new decision notice referring to the permission as being granted under s73, the conditions attached to the new permission and restating the conditions imposed on earlier permissions that continue to have effect.

Relevant Planning Policies

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) (2019) - among them the 'presumption in favour of sustainable development'. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making.

APPRAISAL

Condition 2 - Amended plans, Bin storage and FRA flood levels

An application submitted under s73 allows the local planning authority to only consider the proposed amendments to the conditions and any other changes in circumstances or policies since the original grant of planning permission. The application does not reopen assessment

of the development as a whole, only whether it should be granted subject to conditions differing to those of the extant planning permission. If permission to vary is granted, this has the effect of granting a new planning permission for the development.

The proposed alterations to plans, FRA floor levels and the changes to the internal layout to provide 10 flats as outlined in the original prior approval application are considered to comply with the requirements of (c) Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 in respect of

- (a) transport and highways impacts of the development, - **Acceptable**
- (b) contamination risks on the site, - **Acceptable**
- (c) flooding risks on the site, and **Acceptable**
- (d) impacts of noise from commercial premises on the intended occupiers of the development - **Acceptable**
- (e) the provision of adequate natural light in all habitable rooms of the dwellinghouses - **Acceptable**

(c)

Plans were revised to overcome EA concerns and a site visit was undertaken by the case officer to confirm that the floor levels were completed to the minimum levels previously outlined by the EA as acceptable. It was therefore not deemed necessary to re-consult the EA in this instance.

Permission should be sought from the Natural Environment team in respect of any works to the bin storage area that may impact trees on site. These works would not be covered under the prior approval application. The proposed location complies with advice provided by the Transport team.

A site visit on 19 September 2023 confirmed that the floor levels had already been implemented and the application is part retrospective to regularise the changes. A number of other internal changes previously made that did not reflect the previously approved plans, had been reinstated and corrected. Application 230268 is sought part-retrospectively for the revised internal layout. Two rear elevation first floor windows that differed from the approved plans and have been reinstated to their original size. An enforcement investigation may have otherwise been required. At least half of the flats are currently occupied, whilst works continue in the rest of the building. Notwithstanding, legal advice is that there is no reason to withhold the issuing of this s73 planning permission.

RECOMMENDATION - GRANT S73 subject to varied conditions from Application 211028

Condition 1 - Time limit	IMPLEMENTED, time limit to begin no later than 3 years from date of original planning permission
Condition 2 - Plans	VARIED - New plans submitted for floor levels and internal layouts
Condition 3 - FRA Floor levels	VARIED - Proposed floor levels amended from 38.34 to 37.82 metres above Ordinance Datum (AOD)

Condition 4 - Contamination	COMPLIED WITH, discharged under APC application 220536
Informative 2 - Permission required for alterations	VARIED - Reference made to amended plan
Informative 10 - Building regulations required	VARIED

The proposal comprises the request to amend conditions 2 plans, internal layout and 3 flood risk mitigation from the permission granted for the change of use of the building from Class B1(a) office space to Class C3 (dwellinghouse) with the proposal to be considered against the criteria and conditions contained within Part 3, of Class O (a)-(g), of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Any permission granted should comply with the original proposed 3 year time scale for commencement of development.

The Courts have accepted that the s73 amendment route applies equally to prior approval decisions as it does to a planning permission granted under s70 of the Act (*Pressand v The Council of the London Borough of Hammersmith and Fulham* [2016] EWHC 1763 (Admin)).

Other Matters

i) External Alterations

Prior Approval applications cannot make external modifications to the existing building. Separate planning permission would be required following confirmation that prior approval is not required. Any replacement windows should match the windows in the existing building.

ii) Internal Alterations

It has been established during the course of the application that the construction that has taken place does not accurately reflect that which was approved. This application seeks to regularise these works.

Any completed internal works undertaken at 70 South View Avenue should correspond with the plans approved by 230268. Otherwise the works must be either regularised or reinstated according to the original approved plans.

iii) Impact on neighbour amenity

The revised internal layout could result in the overlooking of 70 South View Avenue. An obscure window panel has been inserted on the first floor front elevation window in the kitchen of Unit 10 to reduce any overlooking and to enable light into the kitchen. Impact on amenity is not a consideration in the assessment of a Class O prior approval application.

7. CONCLUSION

No material changes have occurred since the assessment and approval of application 211028. As no external changes have been made to the front elevation and other conditions have been met, the proposed layout complies with the prior approval legislative requirements. All fenestration on the proposed plans should match the original plans.

The location of the bins and cycle store will result in less disturbance for the neighbour at 72 South View Avenue. No further ground works for the current proposal are proposed, however, in the event that any unexpected contamination is found, works should be ceased and the Local Authority notified. An informative is recommended to advise that any works that might impact tree roots by the bin storage should contact the Natural environment team to ensure that the established tree will not be detrimentally impacted due to proposed works. It is noted that most of the bin store will be located on an existing pavement.

Recommendation: APPROVE

Grant variation of condition 2

In line with the PPG, all of the original conditions (as part of 211028) are reproduced below in blue, with the altered worded conditions (bearing in mind the PPG) in red (changed areas highlighted in yellow). Officer notes explaining the changes are also detailed in green.

Conditions

1. The development hereby permitted shall begin no later than three years from the date of planning permission 211028 issued on 25 August 2021.

REASON: For the avoidance of doubt and to ensure that any conditions imposed on the original permission remain in force other than as expressly hereby varied and development must be started in accordance with Section 73(5) of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

The altered condition ensures the applicant does not have further time to implement the permission, the time limit cannot change under s73. Class O development no longer exists under permitted development.

2. The development shall be carried out only in accordance with the submitted information and details:

Approved plans 211028

778 021 PL00 Proposed first floor plan

20324 Topographical survey

As received 18 June 2021

Revised plans submitted for 230258

778 001 PL00 Site Location and Block Plan

778 015 PL01 Proposed site plan

A220201-R01A Geoenvironmental Desk Study, Adeptus, February 2022 QFRA 1754

As received 02 March 2023

778 021 PL04 Proposed first floor - with amended floor heights to replace 778 021 PL00

As received 6 June 2022

FRA Addendum - June 2023

As received 16 June 2023

778 020 PL07 Proposed ground floor - with amended floor heights to replace 778 020 PL06

QFRA 1754 Version 1.1 Flood Risk Assessment FRA Report Delta House 70 South View Avenue, dated 25/11/2020 by UK Flood Risk

FRA Addendum - May 2022 CRA ENVPAC/1/THM/00626 - THM Ref: 182935 Addendum Summary EA WA/2022/129974/01-L01, Consultation response 2 November 2022

EA Detailed FRA map centred on South View Avenue, 07/09/2020 Ref THM 182935

THM EA Modelled floodplain levels

Photos of windows reinstated

As received 10 August 2023

Photos of the floor level raised in the lobby

23 August 2023

93337/03 Lobby topographical survey, September 2023, P Stubbington Land Surveys Ltd

As received 12 September 2023

Email from Assure building control to confirm that the increase in the height of the lobby floor was acceptable, 31 July 2023 at 4.10:44

As received 18 September 2023

Reason: In order to comply with the provisions of Part W of the Town and Country Planning (General Permitted Development) (England) Order 2016.

Officer note: This condition has been updated to reflect the plans submitted in this application.

3. The development shall be carried out in accordance with the submitted flood risk assessment (ref: FRA - Addendum - May 2022) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 37.82 metres above Ordnance Datum (AOD) or otherwise as shown on the approved plans.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Officer note: This condition has been updated to reflect the documents submitted in this application.

DISCHARGED BY APPLICATION 220536

4. Prior to occupation, ground investigations and an assessment of the nature and extent of contamination should be submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess

any contamination on the site, whether or not it originates on the site. Moreover, it must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

REASON: These details are required due to insufficient information being contained within this submission and to ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy EN16 of the Reading local Plan 2019.

Officer note: This condition remains unchanged but has now been discharged by application 220536.

Informatives:

1. The proposal meets the relevant criteria set out in Class O and the proposal is not considered to have an adverse impact in relation to transport and highways matters, contamination risks on the site, flooding risks on the site; or impacts of noise from commercial premises on the intended occupiers of the development.

AMENDED

2. This prior approval relates only to the change of use of existing floor space and land. If there are any external alterations or extensions to the building and additional structure in this case the bike and bin store shown on plan **778 015 PL01** Proposed site plan, planning permission is required for these.

Officer note: This informative has been updated to reflect the revised approved plans.

3. The applicant is advised that as an application for prior approval under Class O, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2016, as amended by The Town and Country Planning (General Permitted Development)(Amendment) (England) Order 2016, this prior approval notice relates to the change of use of the building from Class B1(a) to C3 (dwellinghouses) only and no other use.

4. This prior approval relates only to the change of use of existing floor space and land. If there are any external alterations or extensions to the building, planning permission is required for these.

5. To minimise the disturbance by noise of future residential occupiers of the flats and its effect on neighbouring residents, residential accommodation must be designed and constructed or converted so as to achieve the insulation requirements set out in Building Regulations Approved Document E.

6. Noisy construction, demolition and associated activities should be restricted to between the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, with no noisy works taking place at any time on Sundays and Bank or Statutory Holidays. There should be no burning of waste on the site.

7. i) The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.

ii) Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.

8. The occupiers of the residential unit(s) will not be automatically entitled to an on-street car parking permit. Current and new occupiers should be informed of this and be advised to find out more about parking permits on the Council's website. There is already a high level of on street car parking in the area and the site is located close to local facilities, with frequent public transport services on nearby roads.

9. The local planning authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted for the decision to be issued.

10 Building control INFORMATIVE

Your attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. The planning permission granted neither implies nor conveys building regulations approval. Please contact Building Control on 0118 937 2449 for advice.

Officer note: This informative has been added due to changes internally that would require building regulations approval, as the planning permission granted neither implies nor conveys building regulations approval.