

DELEGATED APPLICATION REPORT

Application No: 221908/FUL

Address: Unit 6, Proctor End South, Reading, RG2 0GG

Proposal: Use of Unit 6 (Unit C) for the sale of food, external alterations, installation of electric vehicle charging bays and associated alterations to car park.

Case Officer: David Brett

Applicant: Barclays Nominees (George Yard) Ltd

Received on (valid from): 20/12/2022

Target Date: 18/05/2023, extension of time on decision agreed with agent from 14/02/2023

Site Description and Surrounding Area

The application site comprises a large retail unit at the south-west corner of Reading Gateway, a retail and leisure park located adjacent to the A33. The unit was vacant at the time of the application, most recently occupied by Toys R Us in April 2018. At the time of the application, other units in Reading Gateway included a hotel, drive-thru restaurant and kitchen furniture shop. Landscaping, vehicle parking and access have been implemented in accordance with the original permission for the site. Reading Gateway forms part of the wider Worton Grange development.

The proposal site is not within a Conservation Area or Listed.



Fig 1. Front of Unit 6, Proctor End South. Photo taken by case officer on 06/02/2023



Fig 2. Aerial Image, site outlined in red. Image retrieved from Google Maps on 15/05/2023

Proposal

This application for full planning permission seeks the following:

- The use of Unit 6 (Unit C) for the sale of food
- Erection of a delivery pod to the rear
- Erection of a canopied entrance/exit lobby to the front
- Installation of electric vehicle charging bays and associated alterations to car park.

Plans/Documents Considered

The following plans and documents have been supplied for this application:

- Planning Statement - November 2022
- Technical Note 01 - 784-B038455
- Framework Travel Plan - 784-B038455-0003
- Transport Statement - 784-B038455-0004
- Reading Gateway Topographic Survey - 44/22
- Site Location Plan - 220534-1000-P3
- Existing Site Plan - 220534-1050-P2
- Existing Floor Plan - 220534-1100-P2
- Existing Roof Plan - 220534-1101-P2
- Existing Building Elevations - 220534-1200-P2
- Existing Site Elevations - 220534-1201-P2
- ~~- Proposed Site Plan - 220534-1300-P2~~
- ~~- Proposed Site Plan - 220534-1300-P3~~
- Proposed Floor Plan - 220534-1301-P3
- Proposed Roof Plan - 220534-1302-P3
- Proposed Building Elevations - 220534-1400-P3
- Proposed Site Elevations - 220534-1401-P2

Received on 20/12/2022

~~- Store Waste Management Plan~~

Received on 31/01/2023

- Bin Cage - AD5906

Received on 02/02/2023

- Technical Note 02 - 784-B038455

Received on 21/03/2023

~~- Proposed Site Plan - 220534-1300-P5~~

Received on 28/03/2023

- Proposed Site Plan - 220534-1300-P6

Received on 03/04/2023

- Proposed Drainage Layout - 79-E000 CDY XX XX DR D Ss_50_35_00 0050 A5 C01

Received on 20/04/2023

~~- Store Waste Management Plan - Rev A~~

Received on 28/04/2023

- Store Waste Management Plan - Rev A

Received on 04/05/2023

Relevant Planning History

200601/APC - Discharge of condition 7 (Travel Plan) of planning permission 190890/FUL - Conditions Discharged 28/07/2020

200356/APC - Discharge of condition 6 (Car Parking Management Plan) of planning permission 190890/FUL - Conditions Discharged 28/07/2020

200319/APC - Discharge of conditions 3 (cycle parking), 4 (refuse and recycling) and 5 (CMS) of planning permission 190890/FUL - Conditions Discharged 28/07/2020

190890/FUL - Change of use of unit from retail (Class A1) to gym (Class D2) and insertion of 1,105sqm GIA mezzanine floor - Application Permitted 05/12/2019 (Committee Decision)

171137/FUL - Installation of 6 No. louvres onto the external elevations of an existing retail unit. Installation of 2 No. natural ventilation turret onto the roof of an existing retail unit - Application Permitted 01/09/2017

151944/FUL - A hybrid application seeking outline planning permission for the development of up to 175 new homes, including affordable housing (with all matters reserved apart from access) and full planning permission for the development of 12 commercial units in flexible use within Classes B1c, B2 and B8, two car showrooms with MOT and servicing (Sui Generis), three retail warehouse units (Class A1), 120 bed hotel (Class C1), pub with restaurant facility (Class A4), coffee shop (Class A1), restaurant (Class A3), and bank (Class A2). New vehicular access from Basingstoke Road and Imperial Way. Bus stop facilities, hard and soft landscaping and other ancillary development (summarised description) - Application Permitted 14/04/2016

Internal Consultations

Reading Borough Council, Environmental Protection - First response received on 17/01/2023

- Noise arising from development
- Delivery hours/waste collections/opening hours
- Air Quality impact - increased emissions
- Light - external / floodlighting
- Construction and Demolition phase
- Bin storage - rats

Reading Borough Council, Transport Development Control - First response received on 10/02/2023

- Insufficient information has been provided within the Transport Statement to determine whether this application is acceptable from a Transport and Highways position. Therefore, the applicant is requested to address the points above before I can assess the full transport and highway impacts of the development.

Officer Note: The proposed development has been altered during the course of the application to address the concerns raised by Transport Development Control. The development itself has also necessitated the need for a Traffic Regulation Order. This will be discussed in the Transport section of the appraisal for this report.

Reading Borough Council, Natural Environment - Response received on 15/03/2023

- During the development of 'Worton Grange', the incorporation of a buffer on the Basingstoke Road frontage was important in ecological terms given the green link (ref EN12) that runs along here, hence the provision of a green/soft strip with tree planting to

set back structures - it was raised as important from early pre-app stages. Landscaping was subsequently approved to enhance this strip / green link.

- The proposal takes out a significant section, bringing the parking right up to the back of the pavement. It also involves the removal of 1-2 of the approved trees, not mentioned in submissions.
- As these are not acknowledged, no mitigation is offered as would be the requirement, albeit in this case the principle is not acceptable for the reasons given above.
- Impingement into the landscape buffer to covert to hard landscaping is not acceptable and goes against the principle of the buffer established through the original planning approval for Worton Grange. Concessions were already made during the development in the buffer being reduced from the ideal 10m originally required. Further reduction and impact on its effectiveness is not acceptable and is contrary to EN12 with tree loss and no mitigation contrary to EN14.
- Removal of the additional 3 spaces, if acceptable to Transport, would resolve the objection.

Reading Borough Council, Ecology - Response received on 10/02/2023

- The proposals would not maintain, protect, consolidate, extend or enhance the green link, and would not contribute to enhancing the green network. As such they are clearly not in accordance with policy EN12 of the local plan. It may be possible of the applicant to change the proposals so that it complies with this policy by omitting these new HGV parking spaces or seeking an alternative location for the HGV parking.

Officer Note: The concerns raised by 'Natural Environment and Ecology will be discussed in the appraisal of this report in the "Natural Environment and Ecology' section.

Environment Agency - No response received.

External Consultees

43 Kingsley Close, Reading, RG2 8TU - No response received.

44 Kingsley Close, Reading, RG2 8TU - No response received.

51 Kingsley Close, Reading, RG2 8TX - No response received.

52 Kingsley Close, Reading, RG2 8TX - No response received.

Unit 5 Proctor End South, Reading, RG2 0GG - No response received.

Unit 7, Proctor End South, Reading, RG2 0GG - No response received.

Equality Act 2010

In determining this application, the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

Relevant Planning Policy and Guidance

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. The Development Plan for Reading relevant to the application site comprises the Reading Borough Local Plan (adopted November 2019).

The 'National Planning Policy Framework' ('NPPF') 2021 states clearly that its content is to be a material consideration in the determination of applications. The 'NPPF' states that due

weight should be given to the adopted policies of the Local Plan according to their degree of consistency with the 'NPPF' (the closer the policies in the plan to the policies in the 'NPPF', the greater the weight that may be given).

Relevant Policies

The application has been assessed against the following policies:

National

National Planning Policy Framework 2021;

National Planning Policy Guidance 2014 onwards;

Reading Borough Local Plan (November 2019)

CC1: Presumption in favour of sustainable development

CC8: Safeguarding amenity

CC9: Securing infrastructure

EN15: Air quality

EN16: Pollution and water resources

EN17: Noise generating equipment

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

RL5: Impact of main town centre uses

OU4: Advertisements

OU5: Shopfronts and cash machines

Other documents

Sustainable Design & Construction SPD (2019)

Revised Parking Standards and Design SPD (2011)

Appraisal

The main issues considered for these three separate applications are as follows:

- a) Land Use Principles
- b) Design and Access
- c) Safeguarding Amenity
- d) Transport
- e) Natural Environment and Ecology
- f) Air Quality
- g) Pre-Commencement Conditions

- a) Land Use Principles

The existing unit has a lawful Class A1 use (now Class E), granted permission under 151944/FUL as part of the wider Worton Grange development. This permission included a range of uses across the site. The proposed use under this application is for the sale of food for consumption of premises and is therefore comes under Class E. Full planning permission was granted for the change of use of the site to a D2 use class (reference 190890/FUL), however, this permission has not been implemented.

Condition 42 of approval 151944 states:

The retail premise (Units A, B and C) hereby permitted shall not be used for the sale of goods other than: DIY goods and services; garden stick and equipment; furniture (pre-

assembled, fitted and self-assembly), fixings and fittings; floor coverings; household textiles, soft and hard furnishings and homewares; automotive parts and accessories; bicycles, bicycle parts and accessories; electrical goods (including personal mobile communication equipment and accessories); gas appliances; pets, pet goods (including pet food) and pet services; office furniture and equipment; toys and indoor/outdoor play equipment/products; arts and crafts, entertainment and educational goods; sports goods / equipment and sportswear and goods sold ancillary to the above ranges (such goods to account for no more than 5% of the net sales area of each unit and for no other purpose within class A1.

Reason: To ensure the development could not adversely impact on the existing retail units within the borough in accordance with the NPPF paragraphs 26 and 27, policies CS25 and DM14

The proposed development seeks the use of the unit by Aldi, a Limited Assortment Discounter (food). Therefore, either a s73 application is required to vary condition 42 of approval 151944 or full planning permission is required for the proposed use to be lawful.

Policy RL5 of the Reading Borough Local Plan (2019) states:

- *Proposals that include more than 1,000 sq m (gross) of new or additional floorspace for main town centre uses in an edge-of-centre or out-of-centre location should demonstrate that there will be no significant adverse impact on existing centres. Ensuring that centres within areas of deprivation are not adversely affected is of particular local importance.*

As the proposed development does not meet the threshold of Policy RL5, the submission of an impact assessment is not required.

In accordance with paragraphs 87 and 88 of the NPPF, a Sequential Test needs to be carried out where a main town centre use is proposed outside of an existing centre. The retailer's requirements (in this case Aldi) are as follows:

- A site that can accommodate a store in excess of 1,700sqm gross to allow for provision of a discount food retail format based on a full product range offer. There is no prospect for disaggregation to separate, smaller sites in this instance;
- A site that can allow for the safe manoeuvring of customer vehicles and delivery vehicles on site;
- A prominent site with the ability to attract passing trade, or else there is no commercial rationale for the occupation;
- A site that is easily accessible by a choice of means of transport;
- Given the bulky nature of food shopping, a site that is able to offer ample, dedicated surface level car parking, so that customers can easily transfer goods to their vehicles, as they can from all similar foodstores. To have otherwise would severely impact the appeal and viability of the store; and
- Provision of a dedicated servicing including the ability to accommodate HGVs.

Section 4 of the Planning Statement submitted for this application sets out the Sequential Approach to Site Selection. The approach assesses the above requirements against the suitability of local and district centres within a 5-minute drive of the proposal site, including those on Shinfield Road and out of borough. The assessment has not identified any available, suitable or viable alternative sites. The Sequential Approach to Site Selection has been considered by officers and there are no policy objections to the proposal.

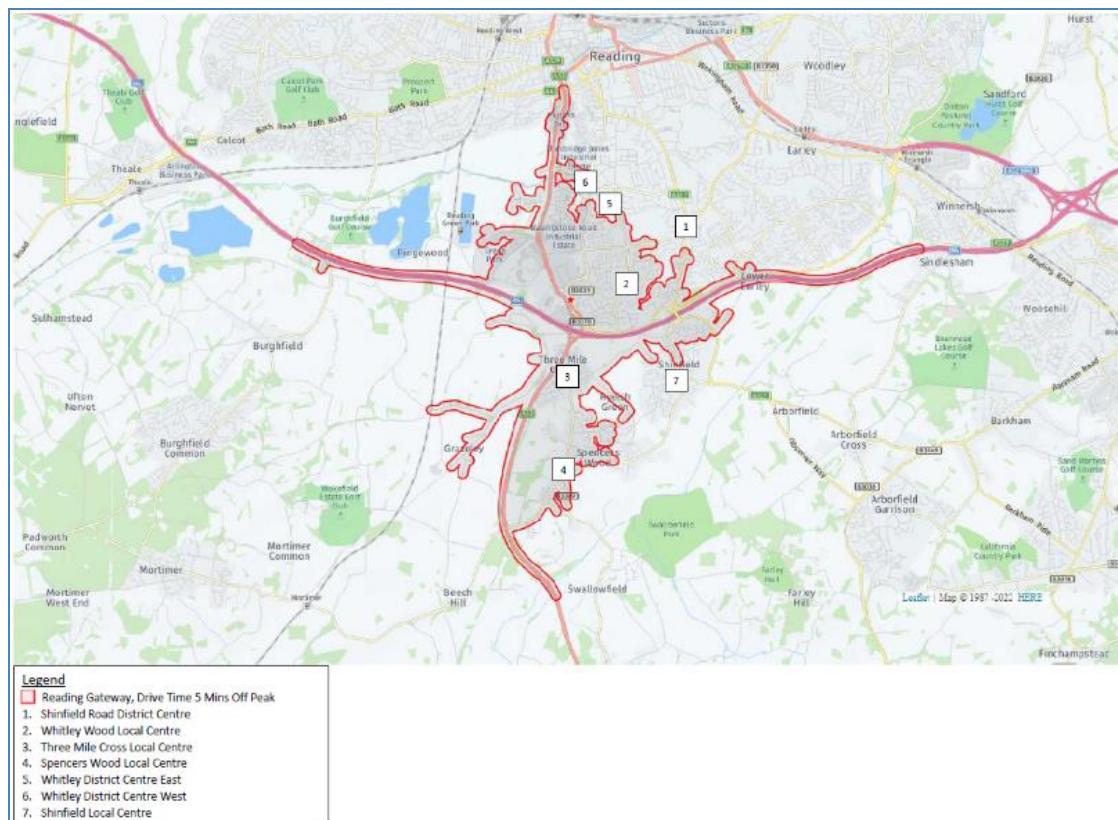


Fig 3. Catchment Plan in support of Sequential Approach to Site Selection.

Therefore, the principle of the development and the proposed sale of food from the site is acceptable, provided that the policy requirements of the Reading Borough Local Plan are satisfied.

b) Design & Access

Policy CC7 of the Reading Borough Local Plan requires all development to be of high-quality design and maintain and enhance the character and appearance of the surrounding area. In this specific case, this concerns the following components:

- Layout
- Landscape
- Density and mix
- Scale: height and massing; and
- Architectural detail and materials

As existing, Unit 6, Proctor End South appears as a commercial building located within a commercial estate - Reading Gateway. The building is similar in design to that of the building to the northwest of the site, which is currently occupied by The Wren and Nando's.

The external alterations proposed to the front of the building (facing inward towards the Reading Gateway car par) consists of the erection of an entrance canopy, minor rearrangement to windows and doors, and the removal of an existing signage feature to the northeast elevation. The changes proposed to the front of the building are considered to have a neutral impact on the character and appearance of the commercial estate and the surrounding area.

The proposed alterations for the rear of the building consist of a rear extension to facilitate a new delivery bay, and alterations to existing doors and windows. The proposed rear extension has a depth of 7.6m and a width of the 8.8m. The extension features a pitched roof with a

maximum height of 7m. The highest point of the rear extension is set down from the eaves of the existing building by 1.5m. The external walls to the rear extension consist of anthracite grey cladding. The proposed extension is considered subservient to the existing building, with views of the rear extension limited to from Basingstoke Road. When viewed from the south, the rear extension would largely be obscured by trees and vegetation to the corner of the site.

The proposed external alterations are considered to have a neutral impact on the existing building and the character and appearance of the surrounding area. The proposed development is therefore considered in accordance with Policy CC7 of the Reading Borough Local Plan.

c) Safeguarding Amenity

This proposal has also been assessed against Reading Borough Local Plan policy CC8: Safeguarding Amenity, which states that proposals are acceptable where they will not cause a detrimental impact on the living environment of existing residential properties with regard to various factors, including (amongst others):

- Noise and disturbance
- Artificial lighting

Concerns by the Council's Environmental Protection Team have been raised regarding the hours of deliveries and waste collections associated with the use of the site as a food store. Concerns have also been raised with regards to noise and disturbance to neighbour residents located east of the site at Kingsley Close. Further details were also required regarding on site waste management during use, and measures in place to stop vermin from accessing the bin storage.

It is acknowledged that there are currently no restrictions on Unit 6 with regards to hours of delivery and waste collections. It is, however, considered that the use of the site to sell food will likely generate more trips from HGVs and waste collection vehicles than the uses detailed under condition 42 of approval 151944. It is therefore considered reasonable to include a condition to any approval that restricts deliveries and waste collections from the site to certain hours. It is acknowledged that the wider surrounding area is largely commercial, with busy highways nearby such as the A33 and the M4. With regards to this site, Kingsley Close is located close by, with the nearest dwelling located within 70m of the delivery bay. Therefore, it is considered reasonable to restrict the hours of deliveries and collections during use due to the proximity of the development to residential properties, and use of the site that is likely to generate more trips from HGV vehicles.

With regards to details of bin storage and waste management; details of bin storage have been provided on a plan, along with a waste management plan. The details submitted are considered acceptable and detail routines and measures that staff will carry out to ensure that waste is managed on site appropriately to avoid vermin issues.

The proposal was further considered against the criteria specified within Policy CC8 of the Reading Borough Local Plan. The proposed development would not harm the amenity of the surrounding area in accordance with Policy CC8 of the Reading Borough Local Plan.

d) Transport

During the course of the application, discussions took place between the Council's Transport Development Control Team, the agent, and the applicant's Transport Planner. A more detailed technical note was provided which contained details and advice on trip generation methodology. In terms of parking, there is sufficient capacity within the existing car parking provision to accommodate any increases in parking demand. The existing accesses to the site are sufficient

given the existing commercial use of the site, with no alterations to vehicle or pedestrian accesses proposed.

Due to the tarmacking of the delivery area for the site, further details were requested to determine the impact of the development on the existing Sustainable Drainage Systems (SuDS). A proposed drainage layout for the site has been submitted for consideration, with the details of the plan agreed by Transport Development Control. The timetable for the implementation of the proposed drainage layout will be secured via condition to any approval of this application.

The development is considered in accordance with Policies TR3 and TR5 of the Reading Borough Local Plan.

e) Natural Environment and Ecology

The development originally proposed extending the car park due to a loss of customer vehicle parking spaces for the delivery area. Objections to this were raised by the Natural Environment Team, and Ecology as it would have seen an erosion of the existing landscaping buffer between the development and the highway, which as secured under approval 151944.

The proposed site layout has been revised and no longer results in the erosion of any existing soft landscaping. Transport Development Control have agreed that the level of parking is sufficient for the development without the need for additional spaces that would result in the loss of soft landscaping.

Therefore, the development is considered in accordance with Policies EN12 and EN14 of the Reading Borough Local Plan.

f) Air Quality

This proposal has been considered against Reading Borough Local Plan policy EN15, as the proposal site is within an Air Quality Management Area (AQMA). As demonstrated in the policy, this proposal does not meet the requirements for an Air Quality Assessment (AQA) and is considered not enough of a detrimental impact air quality.

g) Pre-Commencement Conditions

All pre-commencement conditions were agreed with the agent in accordance with Section 100ZA (5) of The Town and Country Planning Act 1990.

Conclusion

The development has been assessed and the works are considered to be in accordance with the above relevant policies and planning permission can be granted.

Recommendation

GRANT

Conditions

TL1: Time Limit (Standard)

The development hereby permitted shall begin no later than three years from the date of this planning permission.

REASON: In pursuance of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) in order to prevent an accumulation of unimplemented planning permissions.

AP1: Approved Plans

The development hereby permitted shall ONLY be carried out in accordance with the following approved plans:

- Site Location Plan - 220534-1000-P3
- Proposed Floor Plan - 220534-1301-P3
- Proposed Roof Plan - 220534-1302-P3
- Proposed Building Elevations - 220534-1400-P3
- Proposed Site Elevations - 220534-1401-P2

Received on 20/12/2022

- Bin Cage - AD5906

Received on 02/02/2023

- Proposed Site Plan - 220534-1300-P6

Received on 03/04/2023

- Proposed Drainage Layout - 79-E000 CDY XX XX DR D Ss_50_35_00 0050 A5 C01

Received on 20/04/2023

- Store Waste Management Plan - Rev A

Received on 04/05/2023

REASON: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

M3: Materials (As Specified)

The materials to be used in the construction of the external surfaces of this development shall be as specified on the plans and/or application forms unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

DC1: Vehicle Parking (As Specified)

Sustainable Drainage Timetable (To Be Approved)

SU8 SUSTAINABLE DRAINAGE (AS SPECIFIED)

N2: Mechanical Plant (Noise Assessment Required)

Hours of Deliveries/Waste Collection

Hours of Opening/Operation

DC8 Refuse and Recycling (As Specified)

DC23 Delivery and Servicing Single Unit (To Be Approved)

Informatives

IF1: Positive and Proactive Working - approval

The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the agreed timescale for the decision to be issued.

Pre-Commencement Conditions

In accordance with Article 35 (DMPO 2015) some conditions have been highlighted to make clear that they require approval from the Local Planning Authority before any development begins. This is because the details need to be designed or works implemented before any other works start on the site or are of a nature that it would be impractical to consider after work has started.

IF3: Highways

- 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.

IF5: Terms

Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.

IF6: Building Control

Your attention is drawn to the possible requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.

IF7: Complaints about construction

Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires associated with the burning of waste on site. The developer is reminded that construction and demolition associated with the approved development will be subject to environmental health law.

Encroachment

During the course of construction, the developer should take care to ensure that no part of this development (foundations, eaves, guttering, etc.) would encroach on, under or across the boundary line with the adjoining property, as the requisite Notice has not been served on the owner of that property. This permission does not confer any right of access onto land that is not under the developer's control. The developer should also be mindful of the obligations and requirements of the Party Wall Act (1996) details of which can be found at:

<https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>