

DELEGATED APPLICATION REPORT

Ward: Abbey

App Ref: 220725/FUL

Address: 11-12 Market Place, Reading, RG1 2EG

Proposals: Demolition of existing fourth floor (Class E) and erection of replacement fourth floor for 2 residential units (Class C3) and associated works.

Case Officer: Mr Jonathan Markwell

Applicant: International Mobility Ltd

Date received (valid from): 20 June 2022

Target Decision date: Originally 15 August 2022, but extensions of time were agreed until 21 October 2022 in order to enable time for the s106 legal agreement to be completed.

1. INTRODUCTION

- 1.1 The application site comprises 11 - 12 Market Place, the upper floors of which formed part of the former NatWest Bank offices, which closed on 16th January 2020. At ground floor is an existing retail unit. Access to the upper floors is gained via a front entrance onto Market Place.



Photograph of the existing Market Place streetscape & site location plan indicating that the applicant also owns the neighbouring (listed former Nat West Bank) building.

- 1.2 The application site building is not listed, but is located within the Market Place / London Street Conservation Area. Within the Market Place / London Street Conservation Area Appraisal the application site building is NOT identified as a building of townscape merit. The neighbouring building to the north (former Nat West Bank at 13-16 Market Place) is Grade II listed, and the site location plan indicates this is under the ownership of the applicant too, although it does not form part of this proposal. Market Place is specified as a significant open space in the Appraisal and there are specified important views from the south looking north / north-west through Market Place. There are a variety of listed buildings / structures surrounding Market Place, including opposite the site to the west. Similar to the host building, the neighbouring (to the south) 9-10, 6-8 and 4-5 Market Place are neither listed buildings nor identified as being of townscape merit.

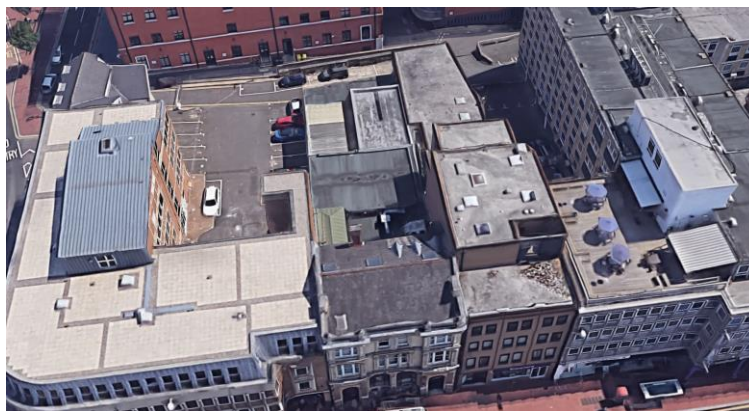
- 1.3 The site is within the Central Reading Area, within the following areas:

- Designated primary frontage in Central Reading (Policy CR7)
- Abbey Quarter Area (Policy CR15)
- Within the primary shopping area (Policy CR1)

- Within the office core (Policy CR1)
- Within the central core (Policy CR1)
- Within an area of archaeological potential (Policy EN2)
- Within an air quality management area (Policy EN15)
- Within a smoke control zone

1.4 In addition, the following is also of relevance:

- Market Place is part of the classified highway network (Policy TR3)
- Market Place is part of a cycle route (Policy TR4)
- Land directly to the south of the site is allocated in the Local Plan under Policy CR14e (3-10 Market Place, Abbey Hall and Abbey Square), for retail and related uses at ground floor and residential/offices on the upper floors, designed to enhance the conservation area and possibly provide a pedestrian link between Market Place and Forbury Square / Abbey Square, rear servicing and preservation of historic building line.



Aerial view looking east (from Google maps)

2. PROPOSAL AND SUPPORTING INFORMATION

2.1 The proposed development seeks permission for a number of works, summarised as:

- Demolition and erection of replacement fourth floor level.
- Change of use from the lawful Class E (Office) use to 2 x 1-bed residential units.
- In comparison with the existing footprint of the fourth floor level, the proposal effectively infills a front elevation inset, with a roof terrace with metal railings fronting onto Market Place too. The footprint also increases to the rear, effectively infilling the existing area of flat roof with built form, meaning the extent of the building at this point would become the same footprint as the third floor to the rear. The footprint of the proposed 4th floor is identical to that approved under 211808.
- Two windows are shown to be proposed on the south (side) elevation at fourth floor level (these were not proposed as part of application 211808)
- The resultant fourth floor level is proposed to finished in a zinc clad material, consistent with the 211808 approval.
- The proposed plans also show the provision of 17 cycle spaces internally at ground floor level (close to the Market Place entrance). Furthermore, to the rear at ground floor level is a bin store area and 2 parking spaces within an open sided undercroft area.
- The plans also show alterations to windows and the installation of replacement/new rooflights. Annotations on the plans specify these were approved under application 211808 (for which works have commenced on site and hence they are not assessed as part of this application).

2.2 It should be noted that prior approval was granted (ref 211312) for the change of use from offices to 14 residential units on 5 October 2021, with a more recent prior approval for 17 residential units was approved on 15 February 2022 (Ref 211811). This later prior approval included 2 x 1 bed units at fourth floor level.

2.3 During the course of the application two originally proposed bedrooms (which include new windows on the south side elevation) were omitted and altered to be non-habitable ancillary gym rooms with showers/toilets. As such, rather than 2x2-bed units, 2x1-bed units are proposed as part of this application.

2.4 Plans and information considered:

21/28/01A - Site Location Plan
As received 31/05/2022

21/28/03C - Existing Plans
21/28/04A - Existing Elevations
As received 18/05/2022

21/28/51 - Proposed Elevations
21/28/52A - Proposed Elevations
21/28/53A - Block Plan
21/28/54 - Demo and CIL Plans
As received 31/05/2022

Materials Specification by Danks Badnell Architects Ltd Ref 21/28 dated May 2022
As received 31/05/2022

Design and Access Statement by Danks Badnell Architects Ltd Ref 21/28 dated April 2022
As received 01/06/2022

Affordable Housing Statement by Danks Badnell Architects Ltd Ref 21/28 dated May 2022
As received 21/06/2022

Energy Statement by Mesh Ref 22-0146 dated 15/06/2022
As received 20/06/2022

Clean SAP Calculations - Flat 16
Clean SAP Calculations - Flat 17
Be Lean SAP Calculations - Flat 16
Be Lean SAP Calculations - Flat 17
Be Green Clean SAP Calculations - Flat 16
Be Green SAP Calculations - Flat 17
As received 20/06/2022

21/28/50B - Proposed Plans
As received 03/08/2022

2.4 In terms of CIL, the completed CIL form outlines that 107.7sqm at fourth floor level will be demolished and 168.3sqm is proposed. Given the building has not been occupied for 6 months in the past 3 years (the CIL form states the building was last occupied on 16/01/2020, meaning that 2 ½ years post that date was 16/07/2022 - or put another way, the building has not been in lawful use for 6 months in the previous 3 years to the development being permitted), involves at least 100sqm floorspace and creates 2 dwellings, it will be a CIL liable development. The applicant has submitted a plan detailing the areas counted for the purposes of the CIL calculation. At this juncture, this

is not agreed, as it appears to exclude corridors of permanent essential nature, plant rooms, lift rooms and stairwells. Such areas are not referenced as exclusions within the RBC CIL Advice to Applicants document. Based on the applicant's stated floorspace figure of 168.3sqm and the 2022 CIL charging rate for residential of £156.24 per sqm, the total CIL liability would be £26,295.19. This will be separately discussed with the applicant in due course.

3. RELEVANT PLANNING HISTORY

Application site

- 3.1 890144 - Change of use of ground floor from shop (A1 use class) to offices (A2 use class). Refused 13/10/1989.
- 3.2 890756 - Change of use of ground floor from retail (Class A1) to Estate Agents (Class A2). Refused 14/12/1989.
- 3.3 890972 - Change of use of ground floor from retail (Class A1) to Estate Agents (Class A2). Refused 14/12/1989.
- 3.4 900156 - Illuminated fascia sign. Approved 21/11/1990.
- 3.5 901111 - Externally illuminated fascia sign. Refused 10/02/1991.
- 3.6 991506 - Erection of new fascia sign to be lit by existing spot lighting. Granted 19/10/1999.
- 3.7 051331 - A sign to display the new name of the premises. Replaces existing sign with sign of same size and construction. Approved 28/09/2005.
- 3.8 211312 - Change of use from Class E (1)(offices) to C3 (dwelling houses) to comprise 14 Apartments. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Approved 05/10/2021. Not implemented in full or completed, but it would appear (based on unaccompanied site visits to the exterior of the building) that works have commenced (although it is unclear whether it is this prior notification or 211811 which is in the process of being implemented).
- 3.9 211811 - Change of use of 1st to 4th floors from Class E (offices) to C3 (dwelling houses) to comprise 17 1-bed apartments. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Approved 15/02/2022. Not implemented in full or completed, but it would appear (based on unaccompanied site visits to the exterior of the building) that works have commenced (although it is unclear whether it is this prior notification or 211312 which is in the process of being implemented).
- 3.10 211808/FUL - Front and rear extensions (Class E office space) at fourth floor level, replacement and enlarged upper floor windows on north (side), east (rear) and west (front) elevations, new upper floor windows on south (side) elevation and replacement rooflights above the first floor (rear) level (amended description). Granted 01/04/2022.
- 3.11 220599/NMA - Non material amendments to planning permission 211808 (granted on 1/4/22 for 4th floor extensions and associated works) to alter the timing for submission of details in relation to condition 4 (BREEAM). Agreed 06/05/2022.
- 3.12 220600/APPCON - Discharge of condition 7 (Construction Method Statement) of planning permission 211808. Condition discharged 09/06/2022.

- 3.13 221043/APPCON - Application for approval of details reserved by condition 4 (BREEAM interim certificate) of Application 211808. Not yet determined.

Nearby sites

13-16 Market Place (neighbouring site to the north)

- 3.14 211664/FUL - Demolition of existing ground and first floor additions and erection of a replacement rear extension at basement and ground floor level and associated works, all associated with Class E use (amended description). Granted 27/06/2022.
- 3.15 211665/LBC - Various internal and external works associated with the demolition of existing ground and first floor additions and erection of a replacement rear extension at basement and ground floor level and associated works (amended description). Granted 27/06/2022.

6-8 Market Place (neighbouring site to the south)

- 3.16 210478 - Change of use of part of the ground floor, part basement, and upper floors from office use Class B1(a) to C3, 144 studio apartments. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Refused 13/05/2021. Allowed on Appeal (Ref APP/E0345/W/21/3284108) on 25/05/2022.
- 3.17 211261 - Change of use of Soane Point from Class B1(a) (offices) to C3 (dwelling houses) to comprise 93 Dwellings. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Prior Approval given 22/09/2021. Not implemented.

4. CONSULTATIONS

- 4.1 **Public consultation** - The following addresses were consulted by letter on 22/06/2022:

1 Forbury Square; Davidson House, Forbury Square; 9-10 Market Place; Soane Point 6-8 Market Place; 9-10 Market Place; 13 Market Place, 19 Market Place.

- 4.2 In addition, the application erected a site notice on 22/06/2022, expiring on 14/07/2022 (and provided photographic evidence of this being in place). A press notice was published on 30/06/2022, expiring on 21/07/2022.

- 4.3 No responses were received.

- 4.4 **Local Groups** - Reading CAAC was formally consulted. No response was received.

- 4.5 Internal consultation:

Environmental Protection

- 4.6 Specify that a noise assessment should have been submitted (new residential use in a noisy area) and without one an early-stage condition should be secured (including mitigation measures if required). Recommended informative in terms of sound insulation in accordance with Building Regulations Document E. Recommended pre-commencement condition in relation to noise, dust and pest control measures as part of the demolition and construction phases of development. Further condition in relation to demolition and construction hours.

Valuations

- 4.7 Confirmed that the Valuations provided by the applicant (provided by Romans and Haslams) are reflective of the market, with it known that a similarly sized property had been sold on nearby Garrard Street for £250,000 and there are others in this price range on the market at present. Therefore the financial contribution to be secured towards affordable housing (secured in full via s106 legal agreement), in line with Policies H9 and CC9 and the Affordable Housing SPD formula should be:

Average total valuation of the 2 valuations received: £477,500

Percentage of this required in line with SPD: 5%

Total financial contribution required: £23,875

- 4.8 This is above the contribution referenced in the report by the applicant, who interpreted “offers in the region of £230,000 to £240,000” to equate to one of £230,000 and one of £235,000, whereas officers consider it to equate to two offers of £235,000. As such, the financial contribution of £23,750 is not accepted by officers and it is instead considered that £23,875 should be secured via legal agreement.

Conservation and Urban Design Officer

Fig. 1: Website: c.1890. Photo of listed building to the north.

(<http://archive.historicengland.org.uk>)



Fig. 2: Market Street elevation. 11-12 Market Place on the right, with modern ochre brick facade. (RBC December 2021)



Fig. 3: Aerial views of the site. The area of the building impacted by proposed works are circled.



Fig. 4: Application 211808 - Approved

The area of the building impacted by the proposed works are circled

- Main changes cladding the rear Service plant with metal side panels.
- Upgrading the front roof terrace balustrade.
- Lowering the window cills to about 900mm above the floor level.

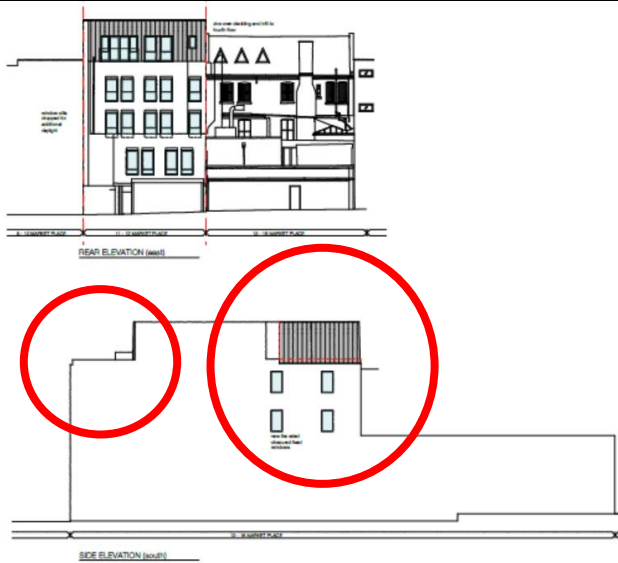


Fig. 5. Amendments as proposed for this Planning Application 220725.



Proposed Front Elevation

Fig. 6. Existing Elevation



Fig. 7. Photo demonstrating that the existing 4th floor is Can hardly be seen so has minimal impact if any.



Photograph of the front of the existing building, - the fourth floor is not visible.

- 4.9 CUDO comments - The proposed changes will not have any impact or at the most very little impact on the character and setting of the Market square as they are clearly set back from the façade, which overlooks the historic marketplace.
- 4.10 The proposed works to number 11-12 Market Place, are generally considered to only have a minimal impact on the neighbouring Listed Grade II building, and conservation area. There are no objections to the proposed works. There are no objections to the current proposal and it is recommended for Approval, subject to a standard material condition to ensure the proposed works are similar to that approved in Application 211808.

4.11 Planning Constraints

Planning (Listed Buildings and Conservation Areas) Act 1990

- Adjacent to Grade II, Listed Building in a Conservation Area.
- Section 16(2) requires the local planning authority to have special regard to the desirability of preserving the listed building or its setting or any features of special interest which it possesses.
- Section 72 (1) 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.

National Planning Policy and Guidance

- National Planning Policy Framework (NPPF) - Section 16
- National Planning Practice Guidance

Reading Borough Council - Local Plan 2019

- Conservation Area: Market Place/London Street
- Policy EN1: Protection and Enhancement of the Historic Environment
- Policy EN3: Enhancement of Conservation Areas
- Policy EN6: New Development in a Historic Context

Other guidance

- Historic England Good Practice Guide Note Number 2: managing significance in decision-taking.
- Principles of Conservation (Historic England, 2008)
- Guide to the Conservation of Historic Buildings (British Standards Publication BS 7913:2013, 2015)

Relevance of NPPF in assessing application

<https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>

Where changes are proposed, the National Planning Policy Framework sets out a clear framework for both plan-making and decision-making in respect of applications for planning permission and listed building consent to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development.

Transport

- 4.12 As per the previously approved application, no on-site parking is to be provided (in this case for the 4th floor residential units); Given the central location of the site and the extensive parking restrictions in place preventing unauthorised parking in the area, a car free development can be considered in this location; future occupants of the proposed units should be aware that they would not be eligible for any resident or visitor parking permits and this will be covered via the application of the appropriate conditions and informatives.
- 4.13 In accordance with the Borough's Parking Standards and Design SPD, a minimum provision 1.0 cycle storage spaces should be provided per flat, therefore a total of 2 secure and covered storage spaces should be provided in addition to those proposed for previous applications for this site. 9 cycle stands are proposed at ground level (as per previous applications) therefore 18 storage spaces will be available for all the 17 units (in the

development as a whole, providing a prior approval is fully implemented). This is deemed acceptable and the appropriate compliance condition will be applied.

- 4.14 As per previous applications vehicular access to the rear for the ground floor commercial use via the Forbury. The bin stores are also located to the rear of the building for residential element. This is deemed acceptable and an appropriate compliance condition is applied.
- 4.15 A Demolition and Construction Method Statement would be required for the development, as secured via condition to protect the amenity of nearby occupiers (and the general public) and ensure that there are no harmful impacts on the highway network. The dense urban nature of the application site, together with the nature of the proposals (replacement 4th floor) means this is necessary and relevant in this instance.
- 4.16 In overall terms Transport do not have any objections as the additional units would not have a material impact on the character of the traffic in the vicinity of the site given the extensive parking restrictions in the area.

GS Ecology

- 4.17 It is confirmed that a bat/bird survey in respect of the demolition and replacement of the 4th floor of the building is unnecessary in this instance.

5. Equality Act 2010:

- 5.1 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.

6. LEGAL AND PLANNING POLICY CONTEXT

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'.
- 6.2 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.
- 6.3 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.
- 6.4 The following local and national planning policy and guidance is relevant to this application:
- 6.5 **National Policy**
National Planning Policy Framework 2021
National Planning Practice Guidance
- 6.6 **Reading Borough Local Plan (2019)**

CC1 Presumption in Favour of Sustainable Development
 CC2 Sustainable Design and Construction
 CC3 Adaption to Climate Change
 CC6 Accessibility and the Intensity of Development
 CC7 Design and the Public Realm
 CC8 Safeguarding Amenity
 CC9 Securing Infrastructure
 EN1 Protection and enhancement of the historic environment
 EN2 Areas of archaeological significance
 EN3 Enhancement of conservation areas
 EN6 New Development in a historic context
 EN12 Biodiversity and the Green Network
 EN15 Air quality
 EN16 Pollution and Water Resources
 EM3 Loss of Employment Land
 H1 Provision of Housing
 H2 Density and Mix
 H3 Affordable Housing
 H5 Standards for New Housing
 H10 Private and Communal Outdoor Space
 TR3 Access, Traffic and Highway-related matters
 TR5 Car and Cycle Parking and Electric Vehicle Charging
 CR1 Definition of Central Reading
 CR2 Design in Central Reading
 CR6 Living in Central Reading
 CR14 Other sites for development in Central Reading
 CR15 Abbey Quarter Area

6.7 **SPG/SPD & other guidance**

Revised Parking Standards and Design SPD (2011)
 Sustainable Design and Construction (2019)
 Affordable Housing SPD (2021)
 Planning Obligations under Section 106 SPD (2015)
 Market Place / London Street Conservation Area Appraisal
 [and see the Conservation & Urban Design officer comments above for further relevant documents]

7. APPRAISAL

7.1 The main considerations relevant to the determination of this application are considered to be:

- Land use principles
- Affordable Housing
- Design, including impact on heritage assets
- Quality of accommodation
- Amenity for nearby occupiers
- Transport
- Sustainability/energy
- Ecology/biodiversity
- Conditions

7.2 Accordingly, each main consideration is appraised in turn.

Land use principles

- 7.3 The starting point for the assessment of this proposal is justifying the loss of the existing office floorspace at fourth floor level of the building. Policy EM3 specifies a range of factors to consider when assessing the loss of employment land outside of identified (by policy EM2) Core Employment Areas such as this. Whilst the building is unquestionably in an accessible location and the use does not presently have a detrimental impact on amenity/character of the area, the continued use of the 4th floor on an individual basis (when other upper floors are being converted to residential - see relevant history above), would be unlikely to be viable given the small floorspace involved. It is also considered that the need for additional residential accommodation in the borough (as per the separate Housing policies of the local plan) means the need for this is stronger than the retention of solely the fourth floor office accommodation. In addition, the proposals also need to be considered within the context of prior approval having already been granted for the use of the existing floor (and other upper floors of the building) for residential use. This provides further context in concluding that the loss of the existing use is appropriate in land use principle terms. When all factors are taken into account the loss of the existing use is justified by Policy EM3.
- 7.4 In relation to the proposed use, the provision of 2 x 1-bed residential units would be welcomed. The principle of providing additional residential units aligns with the broad objectives of policy H1, in assisting to meet the annual housing targets. This is a planning benefit of the proposed development. The proposed unit mix will be secured via condition to ensure compliance with Policy H2 (noting that the exact mix is not referenced in the description of development, this also ensures that the mix does not change and in-turn alter (either inflate or deflate) the affordable housing contribution to be secured.
- 7.5 The proposals do not alter or compromise the ground floor retail use, so no impacts on the regional centre of Reading are anticipated. As such, from a land use principle perspective, the loss of the existing employment use is accepted, as is the proposed residential use.

Affordable Housing

- 7.6 In line with Policy H3 and the Affordable Housing SPD the applicant has submitted valuations from two local estate agents. This is to generate the financial contribution to enable the equivalent of 10% of the housing to be provided as affordable housing in the Borough. On this basis, as per the Valuations advice in section 4 above, a financial contribution of £23,875 will be secured. With the above contribution secured via legal agreement, the proposals are policy compliant, making an appropriate contribution towards affordable housing to meet the needs of Reading. The affordable housing obligation would comply with the National Planning Policy Framework and Community Infrastructure Levy (CIL) in that it would be: i) necessary to make the development acceptable in planning terms, ii) directly related to the development and iii) fairly and reasonably related in scale and kind to the development.

Design, including impact on heritage assets

- 7.7 The proposal involves the demolition of the existing fourth floor level and replacement with a new fourth floor level which covers an increased footprint both at the front and, more significantly at the rear. This proposal goes over and above separate permission 211808, where extensions to the fourth floor were stated to be proposed, but it was not indicated as part of that application that the existing would be demolished. The existing fourth floor is not considered to be of any special architectural or historic value in its own right to warrant its retention in its own right, providing that the replacement is of suitable design.
- 7.8 The footprint and design / finished appearance of the proposed 4th floor is virtually the same as that approved under 211808. The only difference is the provision of two windows

on the south side elevation, which raise no design / heritage issues. Accordingly, similar to the conclusions reached in relation to 211808, the zinc finish potentially marks an improvement over the existing appearance, with the proposals not being highly visible from the public realm and would only have a minimal (non-harmful) impact on the neighbouring listed building and conservation area. At the outset of the application the applicant has submitted material details, confirming identical materials are proposed to those considered appropriate by the Council's Conservation and Urban Design Officer previously. Accordingly, given the prevailing policy and local context has not changed since the 211808 permission in April 2022, the same conclusion regarding the acceptability of the proposals from a design perspective is reached in this instance. A compliance condition will secure the materials submitted with the application in practice.

- 7.9 Officers have also again been mindful of the impact of the proposals on the Abbey Quarter area and also the land allocated for development directly to the south of the site. In short, it continues to be considered that no adverse impacts would occur to the Abbey Quarter area as a result of the proposed works; with the proposals in-fact assisting in a modest improvement in comparison with existing. In terms of the site allocation to the south, the proposals are not considered to unduly compromise the ability of that site coming forward in the nature intended in the local plan from a design perspective.

Quality of accommodation

- 7.10 The proposed units are sufficiently sized and regularly shaped 1-bedroom units. They both also benefit from a second non-habitable room, specified on the plans as ancillary gym rooms with showers/toilets. Flat 16, which fronts onto Market Place, also includes a small external balcony. Both units comply with the nationally-described space standards for 1-bed units, despite not strictly being required to owing to being located within the central Reading area. Occupiers will have sufficient outlook and access to natural light from the proposed habitable rooms. As such, a suitable standard of accommodation is provided for future occupiers. Further details in respect of specific Policy H5 matters are detailed within later sections of this report.

Amenity

- 7.11 Considering outlook, visual dominance, overbearing / sense of enclosure and day/sunlight considerations first, the proposed replacement works at fourth floor level are not considered to significantly impinge on any neighbouring or nearby occupier to such an extent to seek to resist the proposals on this basis.
- 7.12 More specifically, two windows are being introduced on the south (side elevation), which may result in overlooking / loss of privacy to future occupiers of the prior approval permitted scheme at Soane Point (see relevant history above) or negatively impact on the future development of the neighbouring site to the south. This neighbouring site is specifically allocated for development (unlike the application site) under Policy CR14e. Officers are also mindful of Policy CR2f of the Local Plan, which states development should be designed with consideration of adjacent development sites, and should not prevent or cause unreasonable burdens on the future development of those sites. Accordingly, during the course of the application, the originally proposed habitable bedrooms have been altered (as annotated on the proposed floorplan) to be non-habitable ancillary gym rooms with showers/toilets. Moreover, planning conditions will secure the units as 1-bedroom flats (rather than 2-bed as originally proposed) and the proposed windows will be obscure glazed and only top openable above 1.7m. Such conditions will protect the future amenity of nearby occupiers to the south, either as part of the permitted prior approval scheme or a future redevelopment scheme as part of the site allocation. The proposed external terrace on the front elevation is limited in depth (2.1m) and set back from the frontage so as to not impinge significantly on nearby

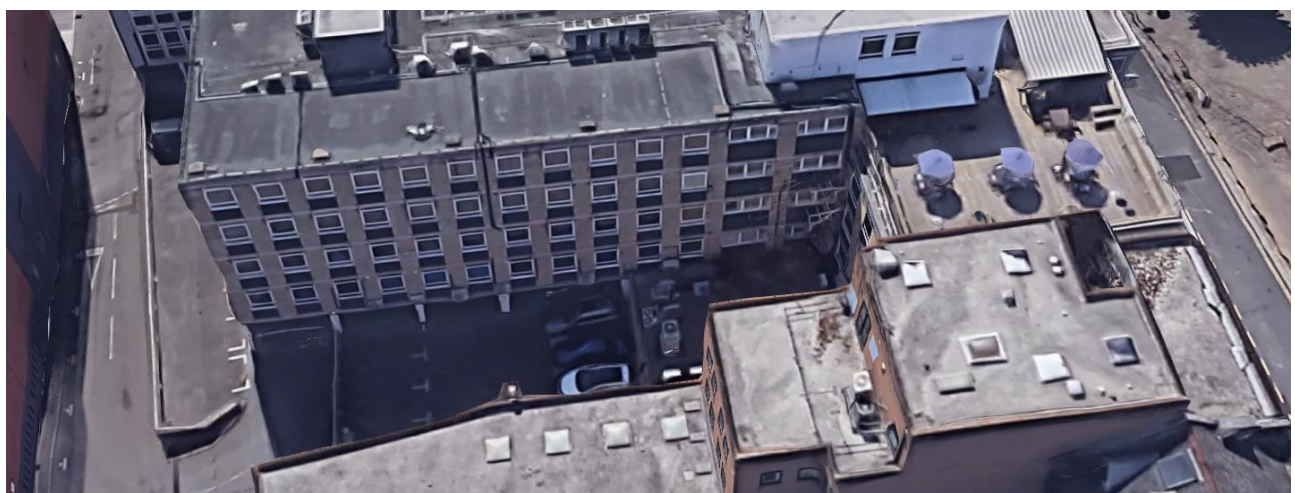
occupiers (noting an existing terrace at the neighbouring building to the south and design details being secured via condition).

- 7.13 In terms of noise and disturbance, dust and fumes and crime and safety, it is considered that the RBC recommended CMS will assist in ensuring these impacts are minimised through the construction period. This is for the benefit of both nearby occupiers/users and the general public passing by on the busy Market Place. In overall terms it is considered that the amenity of nearby occupiers will be protected, in line with Policy CC8. Accordingly, the amenity impacts of the proposals are considered to comply with Policy CC8.

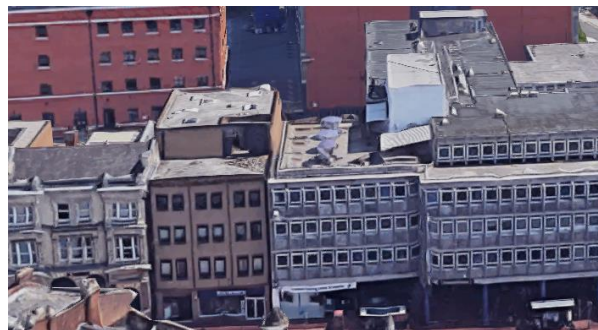


View looking west & relationship with buildings to the south (photograph from 25/07/22)

There is a 10m gap between the Soane Point building (north facing elevation) and the application site building. On 210478 each of the fourth floor windows serve a single aspect north-facing unit (some have one window, some have two)



Various aerial views of the application site from Google Maps.



Transport

- 7.14 RBC Transport, as per section 4 above, have provided comments on the proposals. Planning conditions are recommended to ensure that future occupiers are not automatically entitled to parking permits in this central location. It is considered that cycle and waste storage details, as shown at ground floor level, will be secured in practice via compliance based conditions. A D&CMS is required given the nature of the 4th floor level works, and bearing in mind the busy Market Place context. The future occupiers of the residential units will not be eligible for on-street parking permits, with this too secured via condition. The 2 residential units created therefore raises no specific transport concerns, subject to these conditions.

Sustainability / Energy

- 7.15 As part of the application the applicant has submitted an energy report. This considers the two residential units proposed to be created and details that through a combination of 'Be Lean' measures (building fabric efficiencies) resulting in a 10.69% carbon reduction, 'Be Clean' measures and 'Be Green' air source heat pumps providing a further 15.75% reduction, the scheme is anticipated to result in a total carbon saving of 26.44%. As a consequence it has been demonstrated at application stage that at least a 19% reduction in CO2 emissions is anticipated to be achieved, as required by Policies CC2 and H5, as well as the Sustainable Design and Construction SPD. Accordingly, a pre-commencement condition is not required in this instance, as the design stage SAP assessment has effectively been provided at application stage. It is however still necessary to secure the as built assessment condition prior to first occupation, to ensure that the measures/savings are actually carried out in practice. With this condition secured the proposals will demonstrate full policy compliance in this regard.

Ecology / biodiversity

- 7.16 As per the observations from GS Ecology, it is considered that no bat survey is required in this instance, although the standard informative will be included on the decision notice. In terms of biodiversity net gain, the applicant has not included any specifically detailed information to demonstrate compliance with Policy EN12 or relevant elements of the NPPF. In this instance it is considered appropriate to secure details via pre-commencement condition, which in practice will comprise details of a habitat enhancement scheme to be submitted to and approved in writing by the Local Planning Authority. There is considered to be scope for this to reasonably be provided in the proposed development, given the flat roof area proposed.

Conditions

- 7.17 Pre-commencement conditions in respect of habitat enhancements and demolition / construction details are considered to be required. In line with section 100ZA(5) of the Town and Country Planning Act the wording of these conditions have been agreed with the agent (on behalf of the applicant) prior to the determination of the application (email from officer to agent on 18/08/2022; reply from agent on 19/08/2022).

7 CONCLUSION

- 7.1 The proposed development has been assessed and the proposed works are considered to be in accordance with the above relevant policies and planning permission can be granted, subject to conditions and the completion of the s106 legal agreement.

8 RECOMMENDATION

- 8.1 Grant planning permission subject to conditions and a section 106 legal agreement to secure the following:

- A financial contribution towards affordable housing elsewhere in the Borough of £23,875

Conditions

1.

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.

2.

AP1 APPROVED PLANS

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

21/28/03C - Existing Plans
21/28/04A - Existing Elevations
As received 18/05/2022

21/28/51 - Proposed Elevations
21/28/52A - Proposed Elevations
21/28/53A - Block Plan
21/28/54 - Demo and CIL Plans
As received 31/05/2022

Materials Specification by Danks Badnell Architects Ltd Ref 21/28 dated May 2022
As received 31/05/2022

21/28/50B - Proposed Plans
As received 03/08/2022

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.

3.

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.

REASON: In the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policies CC7, CR2, EN1 and EN3 of the Reading Borough Local Plan 2019.

4.

SU4 SAP ASSESSMENT MINOR - AS BUILT (TO BE APPROVED)

The development hereby permitted shall not be occupied until written verification has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwellings hereby permitted have achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate as defined in The Building Regulations for England Approved Document L1a: Conservation of Fuel and Power in New Dwellings (2013 edition), and built to the higher water efficiency standard under Regulation 36(3). Such evidence shall be in the form of an 'As Built' Standard Assessment Procedure (SAP), produced by an accredited energy assessor.

REASON: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policies CC2 and H5 of the Reading Borough Local Plan 2019.

5.

PD3 OBSCURE GLAZING

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed windows on the south (side) elevation shall be top openable above 1.7m as a minimum when measured from the floor level of the respective rooms, and glazed with obscure glass before occupation of the development hereby approved and shall be permanently maintained as such.

REASON: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

6.

C2 DEMOLITION AND CONSTRUCTION METHOD STATEMENT (TO BE SUBMITTED)

*** No development shall commence on site, including any works of demolition, until a site specific Demolition and Construction Method Statement has been submitted to and been approved in writing by the Local Planning Authority. The Statement shall provide for WHERE REQUIRED:**

- a) Space on site where vehicles of site operatives and visitors can be parked with details of how site operatives and visitors will be required to make use of the parking area provided;

- b) Location on site for storage of plant and materials used in constructing the development;
- c) The erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site;
- d) Identification of any footpath closures or road closures needed during construction;
- e) Required wheel washing facilities on site;
- f) A scheme for recycling waste resulting from the construction works.
- g) Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- h) Required measures to control the emission of dust, dirt and other airborne pollutants during demolition and construction;
- i) Provisions to be made for the control of noise coming from the site during demolition and construction;
- j) Full details of pest control measures following any demolition required. Where necessary, capping of drains/sewers and baiting arrangements.

The measures within the approved Statement shall be adhered to throughout the demolition and construction period.

REASON: These details are required due to insufficient information being contained within this submission and in the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety in accordance with Policies CC8, EN15 and TR3 of the Reading Borough Local Plan 2019.

7.

DC5 CYCLE PARKING (AS SPECIFIED)

No residential unit hereby permitted shall not be occupied until the bicycle parking facility has been provided in accordance with the plans hereby approved. The facility shall be kept available for bicycle parking at all times thereafter.

REASON: To encourage travel by sustainable alternatives to driving a motorcar in accordance with Policies TR1 and TR5 of the Reading Borough Local Plan 2019.

8.

DC8 REFUSE AND RECYCLING (AS SPECIFIED)

No residential unit hereby permitted shall not be occupied until the refuse and recycling storage facility has been provided fully in accordance with those details shown on the approved plans and thereafter retained for use by occupiers of the building at all times.

REASON: In the interests of the visual amenity of the area and to ensure that bins can be easily accessed when required in accordance with Policy CC7 of the Reading Local Plan 2019.

9.

DC20 PARKING PERMITS 1

No residential unit hereby approved shall be occupied until the Local Planning Authority has been notified in writing of the full postal address of the unit(s) hereby approved. The notification shall be sent to the Local Planning Authority quoting the application reference specified on this Notice.

REASON: In order that the Council can update its records to ensure that parking permits are not automatically issued to the occupiers of the new residential units hereby approved, and thus ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area in accordance with Policies TR3 and TR5 of the Reading Borough Local Plan 2019.

10.

DC21 PARKING PERMITS 2

Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the residential unit(s) hereby approved, the prospective occupier/transferee shall be informed that there is no automatic entitlement to a car parking permit for any existing residential parking permit schemes and future schemes on adjacent and surrounding streets. All material used for advertising or marketing the residential unit(s) for letting or sale shall make it clear to prospective tenants and occupiers that they will not be automatically entitled to a parking permit, but any application for a parking permit will be considered on its merits.

REASON: In order that the prospective occupiers are made aware of the fact that while they can submit an application they will not be automatically entitled to an on-street car parking permit. In the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area Policies TR3 and TR5 of the Reading Borough Local Plan 2019.

11.

L10 HABITAT ENHANCEMENT SCHEME (TO BE APPROVED)

* No development shall commence on site (including demolition or preparatory works) until details of a habitat enhancement scheme are submitted to and approved in writing by the Local Planning Authority. The scheme is to include a programme for implementation and ongoing maintenance. The habitat enhancement scheme shall thereafter be implemented and adhered to in accordance with agreed programme.

REASON: Details are required prior to commencement as insufficient information was submitted with the application and in order to secure biodiversity enhancement in the long term. This accords with Paragraph 180 of the NPPF (2021), Policy EN12 of the Reading Borough Local Plan 2019, the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017.

12.

DS4 DWELLING MIX (RESTRICTION)

No change to the unit mix of 2 x 1-bedroom residential units shall be made to the development hereby permitted without written approval from the Local Planning Authority.

REASON: In order to ensure that the proposed development provides an appropriate range of housing opportunities / dwelling types to meeting requirements for different groups, in accordance with Policy H2 of the Reading Borough Local Plan 2019.

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 extended timescale for the decision to be issued.

IF2 Pre-commencement conditions

In accordance with Article 35 (DMPO 2015) some conditions have been highlighted (with a *) 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 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.

IF8 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: www.communities.gov.uk/publications/planningandbuilding/partywall

IF4 S106

A section 106 Agreement has been completed for this development. A copy of the S106 Legal Agreement is available on the Council's Public Register of Planning

I10 Noise between residential properties - sound insulation of any building

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.

I11 Community Infrastructure Levy (CIL)

The Council introduced the Community Infrastructure Levy (CIL) on 1st April 2015. CIL is a way of securing financial contributions towards infrastructure from new development, and partially replaces the Section 106 planning obligation regime. It is a set charge per sq m of floorspace for different uses, and, unlike Section 106, it is non-negotiable. It applies to developments which result in at least one dwelling; where the space has not been in lawful use for 6 months within the last 3 years or 100 sq m of new floorspace. For this approved development the CIL status is CHARGEABLE. If chargeable you will be sent a CIL Liability Notice with the calculated amount soon. CIL becomes payable on commencement of the development or by instalments.

For more information go to:

http://www.reading.gov.uk/media/2791/Community-Infrastructure-Levy-Advice-to-Applicants/pdf/CIL_Advice_to_Applicants.pdf

I12 Bats & works to roofs

Work on a loft or roof may affect bats. The applicant will need to consider protected species when planning work of this type. A survey may be needed, and if bats are using the building, a licence may be required. To view specific information regarding bats use the following link:

<https://www.gov.uk/wildlife-licences>

I13 Parking Permits

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.