

DELEGATED HOUSEHOLDER APPLICATION REPORT

Ward: Coley

App Ref: 220762/VAR

Address: Rose Kiln Service Station, Rose Kiln Lane, Reading

Proposals: Single storey extension to forecourt shop following demolition of car wash without complying with condition 2 (approved plans) of planning permission 212073 (Amended Description).

Case Officer: Beatrice Malama

Applicant: Motor Fuel Limited

Date received (valid from): 24 May 2022 **Agreed Decision date:** 23 August 2022

1. Site Description and Surrounding Area

The application site comprises a service station, adjacent to Reading Link Retail Park. To the rear of the service station forecourt and shop is a hand car wash. The service station is open to members of the public 24 hours daily. Non-designated trees are located to the southern site boundary. The site is located within Flood Zone 1, and is not subject to any other relevant land designation. The surrounding area comprises a mix of commercial and storage/distribution uses.

2. Background and Proposal

Planning application 212073 was approved on 10th February 2022 for a single storey extension to forecourt shop following demolition of car wash. The however this has not been implemented yet.

The current application has been submitted under s73 of the Town and Country Planning Act (1990), to vary condition 2 (approved plans) of original planning permission 212073/FUL. The variation sought involves the following:

- a) The external ATM pod has been removed and a new internal ATM has been introduced into the manager's office with the office window being replaced with the ATM with brickwork around the remaining window opening to match the existing; a new store door formed in the external wall.
- b) The section of the proposed extension, directly off the store area, is to be slightly extended to accommodate drainage that is now known to be in that location.
- c) The disabled parking space is to be moved to where the ATM pod was previously intended.

Plans considered:

Drawing No: WPS-MFG-475-P-01 Rev. A - Site Location and Block Plan

Drawing No: WPS-MFG-475-P-06 Rev. B - Existing and Proposed Building Plans

Drawing No: WPS-MFG-475-P-04 Rev. B - Proposed Site Plan

Drawing No: WPS-MFG-475-P-05 Rev. B - Proposed Elevations

3. Relevant Planning History

Planning application ref: 212073 - Single storey extension to forecourt shop following demolition of car wash - application permitted - 10 February 2022

4. Consultations

Internal: Transport development Control - a no objection comment was received on 2 August 2022 as below:

“The proposed changes do not change the Transport comments provided for application 212073”.

External:

A confirmation that the site notice was displayed on site on 13th July 2022 was received.

No comments were received from the public.

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.

5. Legal and Planning Policy Context

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'.

The following local and national planning policy and guidance is relevant to this application:

National Policy

National Planning Policy Framework

Reading Borough Local Plan (2019)

Policy CC7 - Design and the Public Realm

Policy CC8 - Safeguarding Amenity

Policy EN14 - Trees, Hedges and Woodland

Policy TR3 - Access, Traffic and Highway-Related Matters
Policy TR5 - Car and Cycle Parking and Electric Vehicle Charging
Policy OU4 - Advertisements

6. Assessment

An application submitted under s73 allows the Local Planning Authority to only consider the variation to the individual condition sought. All other matters remain as approved under planning permission 212073/FUL. If permission to amend the condition is granted, this has the effect of granting a new planning permission for the development, with any other relevant conditions reattached if applicable.

As condition 2 relates to approved plans, the main considerations of this application are the impact of the changes to this condition on the character and appearance of the area, impact on neighbouring amenity, Transport and Natural Environment.

Design and impact on the character of the area

Policy CC7 requires that all development be of a high design quality that maintains and enhances the character and appearance of the area in Reading in which it is located. The proposed alterations which include the relocation of the disabled parking, external ATM pod, minor extension of the approved side extension and the introduction of a new external door in the south-western elevation are considered to be minor and would not significantly change the proposal from what was initially approved. The materials proposed would match the existing. The proposal therefore accords with the requirements of Policy CC7.

Impact on neighbouring amenity

The service station is located in an established area of commercial activity, adjacent to the busy A33. The closest residential properties are located approximately 180m west of the site. The proposed development would not be any more harmful to neighbouring residential amenities than the existing operation. On this basis, the proposal would accord with Policy CC8.

Transport matters

The proposed alterations would not alter existing accesses onto the surrounding highway network, or result in changes to vehicle movements for users of the service station. Similarly, the proposed relocation of the accessible parking to the northern side of the property would not have any adverse impact on the movements of the service station users. The proposal therefore would comply with Policies TR3 and TR5.

Natural Environment

The further extension of the approved side extension which is regarded as a minor alteration to the approved plan would be constructed on an existing hardstanding surface. Trees of amenity value are located to the southern corner of the site, however they are separated from the area of the proposed extension by a wide strip of tarmac/hardstanding. It is unlikely that tree roots extend across the site to the area of the proposed extension. Officers are satisfied that no significant harm would be caused to existing trees or protected/priority species as a result of the proposal. On this basis, the proposal would accord with Policy EN14.

7. Conclusion

The proposal has been assessed and found to be acceptable as it accords with the identified policy and guidance.

8. Recommendation

It is recommended that permission be granted for the Section 73 to vary condition 2 (approved plans) of planning permission 212073/FUL subject to relevant conditions.

Recommended Conditions:

- Time Limit S73/Variation
- Approved Plans
- Materials (To Match)