

DELEGATED PLANNING APPLICATION REPORT

Ward: Redlands

App Ref: 221270/VLB & 221277/NMA

Address: 17 Eldon Square, Reading, RG1 4DP

Proposals: Construction of 3 x 2 bedroom terraced houses (with rooms in the roof space), associated amenity space, bin and cycle storage and undercroft vehicular access from Eldon Terrace to a parking area without complying with condition no. 2 (approved plans) and condition no. 3 (materials) of listed building consent ref. 200975 to replace previously approved coarse faced limestone exterior finish with proposed limestone colour sand and cement render to the external wall finish of the side elevation flank walls

Case Officer: Mr Matthew Burns

Date received (valid from): 30 August 2022

Target Decision date: 25 October 2022

1. SITE DESCRIPTION

The application site consists of a cleared area of land to the rear garden of no. 17 Eldon Square, a four storey Grade II listed Edwardian villa building (converted into 5 flats). The site formerly contained a terrace of single storey flat roof garage buildings which fronted Eldon Terrace, however these have recently been demolished under planning permission 191734VAR and 191759LBC. The garages contained four parking spaces which served the existing flats at no. 17.

The site is located within the Eldon Square Conservation Area, within an air quality management area and just outside of the designated Reading Central Area.

Planning permission ref. 180274 and listed building consent ref. 180275 were granted on the site in August 2019 for 'Demolition of existing Garages and erection of 2 x two-bedroom and 1 x one-bedroom terraced houses with associated amenity space and vehicular access to a parking area'. This planning permission and listed building consent were then varied under applications 191734VAR and 191759LBC to add two dormer and two roof lights to the development. The garages that that previously stood on the site have been demolished since this previous planning permission was granted.

A further variation of the planning permission and listed building consent was permitted under applications 200974FUL and 200975LBC to correct a drafting error on the approved plans.

2. PROPOSAL AND SUPPORTING INFORMATION

The application seeks to vary the approved plans and materials under conditions 2 and 3 of listed building consent ref. 200975LB to replace previously approved coarse faced limestone exterior finish with proposed limestone colour sand and cement render to the external wall finish of the side elevation flank walls.

A non-material amendment application (ref. 221277NMA) has also been submitted alongside this application to secure the same change to the approved plans and materials in respect of the associated planning permission ref. 200974FUL.

Plans and Documents considered:

- Weston + Co Architects supporting letter ref. 19008_6.1_VC_22.08.26

Received by the Local Planning Authority on 30th August 2022

- Drawing no. 19008-PL-51 Rev A - Proposed East & West Elevations

Received by the Local Planning Authority on 7th November 2022

3. RELEVANT PLANNING HISTORY

17 Eldon Square

221277NMA - Non material amendment to planning permission 200974FUL for replacement of previously approved coarse faced limestone exterior finish with proposed limestone colour sand and cement render to the external wall finish of the side elevation flank walls - Under Consideration.

211023APC - Application for approval of details reserved by conditions 3 (Construction Method Statement), 4 (Landscaping), 6 (Biodiversity Enhancements), 7 (Contamination Assessment), 8 (Contamination Remediation), 9 (Contamination Validation Report) and 22 (Emissions) of planning permission ref. 200974 - Details Approved.

211024APC - Application for approval of details reserved by condition 3 (Materials) of Listed Building consent 200975 - Details Approved.

200974FUL & 200975/LBC - Construction of 3 x 2-bedroom terraced houses (with rooms in the roof space), associated amenity space, bin and cycle storage and undercroft vehicular access from Eldon Terrace to a parking area - Granted (S106 linked)

191734VAR & 191759LBC - Demolition of existing garages and erection of 2 x two bedroom and 1 x one-bedroom terraced houses with associated amenity space and vehicular access to a parking area without complying with condition 2 (Approved Plans) of planning permission ref. 180274 to add 4 roof lights to the front (north elevation roof) of the terrace of houses and 2 additional roof lights and 2 additional dormer roof extensions to the rear (south elevation roof) of the terrace of houses - Granted (S106 linked).

180274FUL & 180275LBC - Demolition of existing Garages and erection of 2 x two bedroom and 1 x one-bedroom terraced houses with associated amenity space and vehicular access to a parking area - Granted (S106 linked).

12 Eldon Terrace

180467FUL - Demolition of existing dwelling with garages and erection of replacement two storey (and roof space accommodation) building comprising 3x1-bed residential units (Class C3) with associated bin and cycle storage - Granted (S106 linked).

200973FUL - Erection of two storey (and roof space accommodation) building comprising 3 (2x1 & 1x2-bed) residential units (Class C3) with associated bin and cycle storage - Granted (S106 linked).

211357APC - Discharge of conditions 4 (materials), 5 (construction method statement), 7 (bin details), 10 (SAP assessment), 13 (landscaping) and 14 (biodiversity enhancements) of planning permission 200973. Current application under consideration - Details Approved.

211466NMA - Non-Material Amendment for permitted application 200973 - Proposal for the external wall finish of the rear flank elevation walls to be limestone colour sand and cement render replacing the previously approved coarse faced limestone exterior finish - Granted.

4. CONSULTATIONS

The following addresses were consulted by letter.

19 Eldon Square, Reading, Berkshire, RG1 4DP
Flat 4, 15 Eldon Square, Reading, RG1 4DP
Flat 2, 15 Eldon Square, Reading, RG1 4DP
Flat 1, 15 Eldon Square, Reading, RG1 4DP
Flat 5, 15 Eldon Square, Reading, RG1 4DP
14-16 Eldon Terrace, Reading, RG1 4DX
12 Eldon Terrace, Reading, RG1 4DX
Flat 6, 15 Eldon Square, Reading, RG1 4DP
Flat 3, 15 Eldon Square, Reading, RG1 4DP
Flat 4, 15 Eldon Square, Reading, RG1 4DP

A site notice was also displayed at the application site.

No letters of representation have been 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.

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:

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.

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.

National Policy and Guidance

National Planning Policy Framework

National Planning Practice Guidance

Reading Borough Local Plan (2019)

CC7: Design and the Public Realm

EN1: Protection and Enhancement of the Historic Environment

EN3: Enhancement of Conservation Areas

Other Local Documents

Eldon Square Conservation Area Appraisal (2007)

Equality Act 2010:

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APPRAISAL

Policy CC7 (Design and the Public Realm) seeks to preserve or enhance the character of the area in which a development is located and Policies EN1 (Protection and Enhancement of the Historic Environment) and EN3 (Enhancement of Conservation Areas) state that development should preserve or enhance the historic character of heritage assets including listed buildings and conservation areas.

All heritage assets have a setting. The NPPF defines the setting of a heritage asset as: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

It is acknowledged that the change from a coarse faced limestone exterior finish to the now proposed limestone colour sand and cement render finish could be considered as an unfortunate and regrettable step in terms of design quality. This is particularly the case when considered within the context of paragraph 135 of the NPPF 2021, which states:

Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

The Applicant has explained the reasons for the proposed change as follows:

- The cost of the originally approved materials presenting significant viability issues.
- The side elevations where the alternate material is proposed are not readily visible from public vantage points within the conservation area.
- The change in material on the side elevations would enable the originally approved material to be maintained on the front and rear elevations, which are more prominent within the conservation area.
- There being a number of examples elsewhere within the conservation area where render is present on the side elevations of buildings
- The exact same change in materials has recently been approved as a non-material amendment (211466NMA) in relation to planning permission ref. 200973FUL for a similar development at the adjoining site at 12 Eldon Terrace (Erection of two storey (and roof space accommodation) building comprising 3 (2x1 & 1x2-bed) residential units (Class C3) with associated bin and cycle storage).

In light of the justification above, it is considered on balance that the proposed changes are a) acceptable in themselves and b) considered to be non-material changes to the scheme within the context of the permission as a whole. More specifically, whilst mindful of the NPPF, the viability issues, limited visibility from public viewpoints and the prevailing context elsewhere in the conservation area tip the balance in favour of the proposal. Moreover, the retention of the original material on the front/rear elevations means in overall terms the proposals would still have an overriding positive impact on the character and appearance of the Eldon Square Conservation Area and would still preserve the setting of the host grade II listed building at no. 17 Eldon Square. The examples of where stone front facades are complemented with plainer (i.e. rendered) side elevations also weigh in favour of the proposals. Ultimately the proposals will assist in the development being implemented. The changes have been a result of design development, which can be expected in a project of this nature.

In terms of such whether the NMA application route is appropriate in relation to the planning permission, there is no statutory definition of NMA applications. Set within the context of the extent and nature of the original permission alterations to the materiality only of the rear/side elevation material are not considered so significant to go beyond the scope of the original permission. It is therefore considered that the change can be made through the non-material amendment procedure. More specifically, it is not considered that the amendment

will have a significant material impact on the overall design idiom, heritage impact, neighbour amenities, landscaping proposals, transport, highway safety, sustainability or ecological intentions or any other consideration, set within the context of the original permission. This is primarily owing to the context of the overall original scheme and the nature of the surrounding context, with the proposed change being of a relatively minor scale and nature in this context. The change proposed as part of this application is therefore considered appropriate and suitable to progress through the non-material amendment procedure.

An informative is recommended in relation to the NMA consent which states that this decision shall only be read in the context of planning permission 200974, and is bound by all the conditions attached to that permission. A further informative is recommended which states: In reaching this decision, the local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.

RECOMMENDATION

GRANT Variation of conditions 2 and 3 of listed building consent ref. 200975

AGREE Non-material amendment to planning permission 200974