

DELEGATED APPLICATION REPORT

SITE ADDRESS: Great Brighams Mead, Vastern Road, Reading
APPLICATION NUMBER: 220778/DDP
PROPOSAL: Application for prior approval of 72 proposed New dwellinghouses on Detached buildings in commercial or mixed use - Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 20, Class AA, for the proposed additional storeys to result in a maximum overall building height of 21.92m.
EXTENDED TARGET DATE: 02/08/2022

Introduction

The application site comprises a three-storey office building called Great Brighams Mead with a part brick façade, a hipped roof and a distinctive clocktower in a prominent position within the public realm, surrounded by mature trees to the south and west of the building. The site is located to the north of Reading Train Station, fronting onto the Caversham Road/Vastern Road roundabout. It is on the edge of a residential area comprising terraced Victorian houses and flats to the rear.

The site is located within Flood Zone 3, meaning there is a high probability of flooding. The River Thames is located to the rear of the site. The site is not statutory or locally listed, and there are no listed buildings or scheduled monuments in the immediate vicinity of the site. The site lies outside, but on the edge, of the Central Core Policy Area and the Office Core Policy Area.

Front of Great Brighams Mead



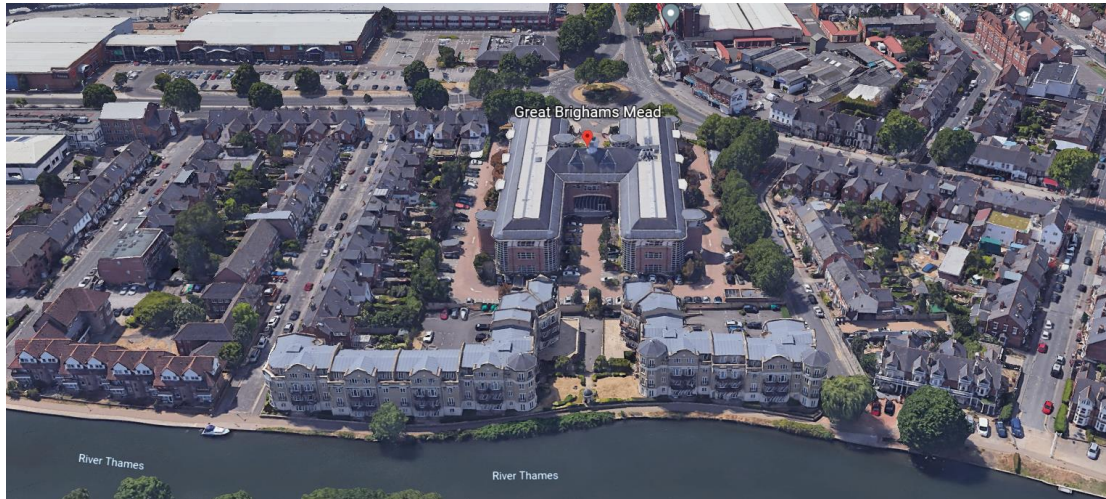
View from the East



View from the West



View from the North



South facing car park from walkaround photos showing scale of existing building in relation to neighbouring houses



Proposal

Prior approval is sought under Class AA, Part 20 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (Amended Description) for prior approval of an additional two storeys to provide 72 proposed new dwellinghouses on a detached building in commercial or mixed use and for the proposed additional storeys to result in a maximum overall building height of 21.92m, comprising 4,337sqm net additional gross internal area.

The proposal consists of the construction of a two-storey extension to accommodate 72 residential dwellings with associated landscaping, parking cycle stores and bin store.

The proposed development would add a third and fourth floor over the existing three storey office building. The proposal would be finished in glass and metallic panelling designed to complement the host building. Plans demonstrate a roof terrace with glass and metal balustrades and planters with roof access. This is effectively a fifth storey on the proposed property. There is no existing roof terrace or general access to the roof.

Proposed bin and bike stores are located to the rear of the site. The proposed bin store is located in the same position as outlined in approved planning permission 210567.

Information Submitted

- The completed application form, including a written summary of the proposed development and the developer's contact details;
- Completed Community Infrastructure Levy forms
- Design and Access Statement (by PEEK)
- 330510783 Transport Statement, dated May 2022 (by Stantec)
- 330510783 Flood Risk Assessment (by Stantec), May 2022 and appendices A 330510783_FRA_LQ Site location plan, B Topographical survey, C Development proposal plans, D THM_124288 Detailed flood risk, EA, E Stantec modelled flood event maps, Flood Map Slice A
- Daylight Sunlight Assessment - 1.1 (by FPD), May 2022
- 48968, ATN01 Technical Note - Noise (by Stantec), 29 March 2021
- Ground Conditions Assessment, including figures Site location plan and Site layout plan (by Stantec), Appendix A Methodology for assessment of land contamination, B Ground conditions assessment site walkover, C Stantec Envirocheck report, D Ground conditions assessment Borehole logs, EF Ground conditions assessment Zetica UXO risk map, GHI Ground conditions assessment Table of estimated risk
- Structural letter (by MBP)
- MBP-8632 Structural Report (by MBP), 23 March 2022
- 272563949_1_1v Stantec VectorMap local
- P1048 Accommodation schedule 3rd, 4th and 5th storeys, March 22

- Site Location Plan P1048-EX112

Existing plans:

- P1048-PL111 Existing block plan
- P1048-EX001 Existing Ground Floor Plan
- P1048-EX002 Existing First Floor Plan
- P1048-EX003 Existing Second Floor Plan
- P1048-EX005 Existing Roof Plan
- P1048-EX006 Existing South Elevation
- P1048-EX007 Existing North Elevation
- P1048-EX008 Existing West Elevation
- P1048-EX009 Existing East Elevation

Proposed plans:

- P1048-PL103A - Proposed Third Floor
- P1048-PL103A - Proposed Third Floor tyoes
- P1048-PL104A - Proposed Fourth Floor
- P1048-PL104A - Proposed Fourth Floor types
- P1048-PL105A - Proposed Roof Plan
- P1048-PL112C Proposed Site Plan
- P1046-PL111-Proposed Location Plan
- P1048-PL107A Proposed North Elevation
- P1048-PL108 A Proposed South Elevation
- P1048-PL109 A Proposed East Elevation
- P1048-PL110 A Proposed West Elevation

Received by the Local Planning Authority on 26 May 2022

Policy Context

Legal context

The application has been submitted to determine whether prior approval is required in accordance with Schedule 2, Part 20, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Class AA - enlargement of a dwellinghouse by construction of additional storeys

Permitted development

AA 1) Development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the topmost storey on a detached building to which sub-paragraph (2) applies, together with any or all—

- (a) engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses;
- (b) works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwellinghouses;
- (c) works for the construction of appropriate and safe access to and egress from the new dwellinghouses and existing premises in the building, including means of escape from fire, via additional external doors or external staircases;
- (d) works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses.

(2) This sub-paragraph applies to a building which is—

- (a) used for any purpose within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes) or Class B1(a) (offices) of the Schedule to the 1987 Order, or as a betting office, pay day loan shop or launderette;
- (b) in a mixed use combining—
 - (i) two or more uses within paragraph (a); or
 - (ii) a use falling within Class C3 (dwellinghouses) of the Schedule to the 1987 Order, together with one or more uses within paragraph (a).

(3) In relation to Class AA, “the 1987 Order” means the Use Classes Order as in force on 5th March 2018.

Before development can be carried out under Class AA, the developer must submit a Prior Notification to determine if 'Prior Approval' of the Local Planning Authority is required in respect of the following matters:

- (a) transport and highways impacts of the development;
 - (b) air traffic and defence asset impacts of the development;
 - (c) contamination risks in relation to the building;
 - (d) flooding risks in relation to the building;
 - (e) the external appearance of the building, including—
 - (i) the design and architectural features of—
 - (aa) the principal elevation; and
 - (bb) any side elevation that fronts a highway; and
 - (ii) the impact of any works under sub-paragraph (1)(c) or (d) of Class AA;
 - (f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;
 - (g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light;
 - (h) impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses;
 - (i) impacts of the introduction of, or an increase in, a residential use of premises in the area on the carrying on of any trade, business or other use of land in the area;
 - (j) whether, because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012(a) issued by the Secretary of State, and the provisions of paragraph B (prior approval) of this Part apply in relation to that application.
 - (k) where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building;; and
 - (l) where the development meets the fire risk condition (see paragraph C(3) of this Part), the fire safety impacts on the intended occupants of the building
- Class AA requires development to be completed within a period of 3 years starting with the prior approval date. Any development under Class AA is permitted subject to the condition that before beginning the development, the developer must provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on occupiers of the building and adjoining owners or occupiers will be mitigated.

In assessing these issues, officers must have regard to the NPPF as if the application were a planning application, and also have regard to the Local Development Framework (the NPPF states that due weight should be given to the adopted policies of the Local Development Framework 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).

It is pertinent to note that new legislation was introduced from 1st August 2020 in relation to prior approval also being required in relation to natural light considerations.

Similarly, on 30th September 2020 the Housing Secretary announced that homes delivered through permitted development rights will have to meet with the nationally prescribed space standards at a minimum.

EN18 Flooding
 EM3 Loss of Employment Land
 TR3 Traffic Access and Highways Related Matters
 CC8 Safeguarding Amenity
 CC7 Design and the Public realm

The developer must notify the local planning authority of the completion of the development as soon as reasonably practicable after completion. The notification must be in writing and must include—

- (a) the name of the developer;
- (b) the address or location of the development; and
- (c) the date of completion.

Following the development, every dwellinghouse in the building must remain in use as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

Planning History

11/01019/ADV	Sponsorship signs on roundabouts in reading borough	GTD	14 November, 2011
07/01633/ADV	Erection of non-illuminated sign reading "ericsson".	GTD	12 March, 2008
06/01146/ADV	3x roundabout sponsorship signs. Standard roundabout Sponsorship sign with 'reading blooms' logo and aura logo.	GTD	17 November, 2006
03/01175/TELE	Telecommunications installation - 12.5 m high slim Streetworks monopole (including antennae) and equipment Cabinet.	GTD	13 November, 2003
97/01033/TL	Renewal of temp. Consent for car hire depot.	REF	04 August, 1998
91/00048/RM	A small office block fronting caversham road with Associated car parking. Former 82 caversham road	REF	29 August, 1991
90/01221/OA	Ld adj to c'sham rd vastern rd de montfort rd comm deve Comprising 3 & 4 storey b1 offices & 3 storey pri dwellings (46 Units) & car parking.	REF	23 May, 1991
210567	Change of use from office use Class B1(a) to use Class C3 to comprise 110 residential units. Prior Notification under Class 0, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015	PER	1 June 2021
220343	Application for approval of details reserved by conditions 3 (nature and	DIS	1 June 2021

	extent of contamination), 4 (remediation scheme) and 5 (validation report) of application 210567 (amended description).		
220717	External alterations in connections with conversion to residential use, including replacement of main revolving doors with double swing doors, new glazing to lobby, creation of side and rear door openings, new window openings and replacement windows.	Under consideration	

Consultations

Reading Borough Council, Transport - Response received on 13/07/2022

There are no Transport objections to this application. A CMS condition is advised given the extensive works proposed, in addition to:

DC20 PARKING PERMITS 1

DC21 PARKING PERMITS 2

IF3 Highways

I13 Parking Permits

The site is located at junction of A329 Caversham Road and Vastern Road and is located within Zone 2, the primary core area but on the periphery of the central core area which lies at the heart of Reading Borough, consisting primarily of retail and commercial office developments with good transport hubs. Reading Station North entrance is located within walking distance of the site.

Prior approval has been given for application 210567 to provide 110 residential units, comprising of 54 x 1- bed units

54 x 2- bed units

2 x 3 - bed units

This application seeks upward extensions of two floors, providing an additional 72 residential units comprising of:

36 x 1 Bed Units

36 x 2 Bed Units

Parking:

In accordance with the adopted Parking Standards and Design SPD, the following parking provision should be provided.

Type of Unit	No of units	Zone 1		Zone 2	
		RBC Standard	Required Provision	RBC Standard	Required Provision
1 & 2 Bed Units	72	0.5	36	1	72
Visitor Parking		0	0	1 space per 10 units	7
	72		36		79

Previously permitted application 210567					
1 & 2 Bed Units	108	0.5	54	1	108
3 Bed Units	2	1	2	1.5	3
Visitor Parking		0	0	1 space per 10 units	11
	110		56		122
Total for both applications			92		201

Based on Zone 2 requirements, the additional 72 units would require 79 parking spaces, the previously permitted development of 110 units required 122, therefore the total parking provision for the proposed 182 units would be 201.

The Transport statement states that the Great Brighams Mead development site will be provided with a total of 156 parking spaces (including 10 disabled bays). This falls short of the required standards for Zone 2. Given the close proximity to Zone 1 borders and the extensive on street parking restrictions in the area a lower provision can be considered in this instance.

The development site is located in an area where the Council's Residential Parking Permit Scheme operates. Under the Borough's current parking standards there should be an assumption that any future occupants of the units will not be issued with resident or visitor parking permits. This will ensure that the development does not harm the existing amenities of the neighbouring residential properties by adding to the already high level of on street car parking in the area.

The Council's Local Transport Plan 3 Strategy 2011 - 2026 includes policies for investing in new infrastructure to improve connections throughout and beyond Reading which include a network of publicly available Electric Vehicle (EV) charging points to encourage and enable low carbon or low energy travel choices for private and public transport. The Council's Local Plan was adopted in November 2019 and this includes a requirement at Policy TR5 for communal car parks for residential or non-residential developments of at least 10 spaces, 10% of spaces should provide an active charging point. The submitted Transport Statement states of the 156 parking spaces 23 will be provided with EVCP, this exceeds the required provision and is therefore deemed acceptable.

Access:

The Great Brighams Mead site is served by a single vehicle access via the Caversham Road / Vastern Road roundabout to the south of the site. No changes are proposed to the existing vehicle or pedestrian access.

Reading Borough Council, Environmental Protection - Response received on 05/07/2022

- Concerns raised regarding noise transmission between dwellings, contaminated land, construction and demolition phase and bin storage.

- The noise assessment submitted did not include the impact of road noise or mitigation measures. A noise assessment will be assessed against the recommendations for internal noise levels within dwellings and external noise levels within gardens / balconies in accordance with BS 8233:2014 and WHO guidelines for Community Noise. A condition for a

noise assessment prior to occupation is proposed as the site is next to a busy road to show that recommended noise levels in the table below can be met.

- Noise assessment data should also include noise events (L_AMax) and the design should aim to prevent noise levels from noise events exceeding 45dB within bedrooms at night, as this is linked with sleep disturbance.

Internal noise criteria (taken from BS8233:2014)

Room	Design criteria	Upper limit
Bedrooms (23:00 to 07:00)	<30dB L _{Aeq} ,8hour	
Living rooms (07:00 - 23:00)	<35dB L _{Aeq} ,16hour	
Gardens & Balconies	<50dB L _{Aeq} ,T	<55dB L _{Aeq} ,T

- Ventilation measures may also be required. Noise mitigation is likely to focus on the weak point in the structure; glazing. Given that the acoustic integrity would be compromised should the windows be opened, ventilation details must also be provided, where mitigation relies on closed windows. Ventilation measures should be selected which do not allow unacceptable noise ingress and should provide sufficient ventilation to avoid the need to open windows in hot weather, however non-openable windows are not considered an acceptable solution due to the impact on living standards.

- Air quality - increased exposure. The proposed development is located within an air quality management area that we have identified with monitoring as being a pollution hot-spot (may breach the EU limit value for NO₂) and introduces new exposure / receptors.

As the development is set back from the main road and is at third and fourth floors, it is considered unlikely that the new occupants will be exposed to NO₂ levels above the objective limit values. No further assessment is therefore requested.

The following conditions are recommended:

N9 NOISE ASSESSMENT & MITIGATION RESIDENTIAL (TO BE SUBMITTED)

No development shall commence on site until a detailed scheme, informed by an assessment of the current noise environment, for protecting the dwellings from the external noise environment of the area has been submitted to and approved, in writing, by the Local Planning Authority. The scheme itself shall be designed, specified and constructed so that the sound insulation performance of the structure and the layout of the dwellings are such that the indoor ambient noise levels do not exceed the values detailed in Table 4 of BS 8233:2014 and the and that the individual noise events do not exceed 45 dB L_A,max,F more than 10 times a night. Where opening windows will lead to an internal noise level increase of 5 dBA or greater above BS 8233:2014 recommended internal levels, the scheme shall include provision of alternative mechanical ventilation with minimum performance equivalent to a mechanical heat recovery (MVHR) system with cool air bypass as an alternative means of cooling and ventilation. Noise from the system should not result in BS8233 internal levels being exceeded.

Thereafter, the development shall not be carried out other than in accordance with the approved scheme which shall be completed before any part of the accommodation hereby approved is occupied, unless the Local Planning Authority otherwise agrees in writing.

REASON: These details are required due to insufficient information being contained within this submission and in order to safeguard the amenity of occupants in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

CO6 UNIDENTIFIED CONTAMINATION

In the event that contamination is found at any time when carrying out the approved development not previously identified, development shall be halted on that part of the site the contamination reported in writing to the Local Planning Authority.

An assessment of the nature and extent of contamination shall be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, shall be submitted in writing to the Local Planning Authority for its written approval.

The measures in the approved remediation scheme shall be implemented in accordance with the approved timetable. Halted works shall not be re-commenced until the measures identified in the approved remediation scheme have been completed and a validation report has been submitted to and been approved in writing by the Local Planning Authority.

REASON: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy EN16 of the Reading local Plan 2019.

CONSTRUCTION METHOD STATEMENT (TO BE SUBMITTED)

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

- a) Required measures to control the emission of dust, dirt and other airborne pollutants during demolition and construction; [EP REQUIREMENT]
- b) Provisions to be made for the control of noise coming from the site during demolition and construction; [EP REQUIREMENT]
- c) Full details of pest control measures following any demolition required. Where necessary, capping of drains/sewers and baiting arrangements. [EP REQUIREMENT]

The measures within the approved Statement shall be adhered to throughout the demolition and construction period unless otherwise agreed in writing by the Local Planning Authority.

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 Policy CC8 and TR3 of the Reading Borough Local Plan 2019.

C1 HOURS OF CONSTRUCTION/DEMOLITION

No construction, demolition or associated deliveries shall take place outside the hours of [0800hrs to 1800hrs] Mondays to Fridays, and [0800hrs to 1300hrs] on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior written approval from the Local Planning Authority.

REASON: In order to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

C4 NO BONFIRES

No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.

REASON: In the interests of air quality, the amenity of neighbours, and to promote more sustainable approaches to waste management in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

- The developer is advised that the contaminated land statement identifies that in a 1998 site investigation, some contaminants of concern were found. It is not clear in the submitted report how many exceedances of the residential without gardens guidelines were found and further information should be submitted to clarify this, as well as to confirm whether any further sampling for contaminants should be carried out, and what impact the presence of soft landscaping will have on the risk posed to new occupants. A contaminated land to be submitted and remediation scheme and implementation schedule to be submitted is advised. *Case officer - as most works to the main building will be to an existing condition is the proposal were considered satisfactory, a condition to halt development and report contamination if contamination is found is considered more relevant in this instance.*

Environmental Protection Informatives

Noise between residential properties - sound insulation of any building

Informative

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.

- Informative recommended to any approval regarding insulation requirements set out in Building Regulations Approved Document E.

- An informative is recommended regarding construction and demolition phases to take into account the living conditions of neighbours during construction and adverse impacts such as potential noise, dust and bonfires.

- A condition has been recommended regarding bin storage due to a widespread problem in Reading with rats as the rats are being encouraged by poor waste storage which provides them with a food source. Where developments involve shared bin storage areas e.g. flats and hotels there is a greater risk of rats being able to access the waste due to holes being chewed in the base of the large wheelie bins or due to occupants or passers not putting waste inside bins, or bins being overfilled. It is therefore important for the bin store to be vermin proof to prevent rats accessing the waste.

Fire Brigade

- The fire brigade (Royal Berkshire Fire and Rescue Service) confirmed that at this stage there is no duty placed upon the Fire Authority under the aforementioned legislation to make any comment relative to the application. However, the application's plans have been briefly examined and the applicant should be reminded that access for fire-fighting,

particularly vehicular access, must comply with Part B5 of the Building Regulations guidance.

- Any structural fire precautions and all means of escape provision will have to satisfy Building Regulations' requirements. These matters are administered by the local authority Building Control or approved inspectors, who are required to consult with this fire authority.

- Please be advised that any comments made by the Fire Authority must not be taken as formal approval that your plan/s conform to current Guides or Codes of Practice for means of escape in case of fire.

Planning Natural Environment Team

- The site is situated in a low canopy cover area, within the AQMA and all Plane trees along the south (frontage) and west boundaries are protected by TPO 80/05 - other trees are likely to have formed part of the landscaping secured for the original development of GBM. As such, the application should ensure that sufficient greening is provided for future residents and works do not impact on the protected or other retained trees (see also comments for application 220717/FUL).

- The proposed extension is at second floor level, hence does not impact the footprint hence does not impact trees on site directly, however the proposed works to remove a brick building and create a play and picnic area with a rubber surface may impact tree roots in the vicinity. A tree survey and an Arboricultural impact assessment are likely to be required for any proposed works impacting trees.

- Proposed Site Plan PL112 C indicates some new landscaping and the agent should be advised that additional permissions may be required to condition the completion and maintenance of any works potentially affecting trees.

An informative is advised that any works affecting trees or tree route areas during any construction and storage are likely to require additional permissions.

You are advised that Permitted Development (PD) rights (provided via the Town and Country Planning (General Permitted Development) Order) do not override a Tree Preservation Order or the status of trees within a Conservation Area. Any grounds works and methods of construction of any structure within Root Protection Areas (defined as per BS5837:2012) and/or any pruning of such trees, required to implement Permitted Development, must be approved in writing by the Local Planning Authority (LPA) prior to works taking place. You are further advised that the LPA's agreement to tree pruning in order to alleviate concerns relating to proximity of structures built under Permitted Development will have limited weight in tree work applications, as future conflict should be considered from the outset.

The following addresses were consulted by letter

Regents Riverside flats, Brigham Road, Reading
1 -39 (Odd numbers) De Montfort Road, Reading
1-9 Brigham Road, Reading
17 Vastern Road, Reading
106 Caversham Road, Reading
Brigham Mews, Brigham Road

Publicity

A site notice was displayed at the application site on 15/06/2022 for a period of 21 days, expiring on 5/07/2022. 26 letters of objection have been received to the public consultation, raising the following concerns:

- Redevelopment an intrusion and invasion of privacy to peaceful environment

- Oppressive and overbearing scale, dominance and feeling of being hemmed in
- Will impact the river path, planning creep is ruining the riverside
- Previous planning application for additional floors was refused due to intrusion and loss of light, no material changes have occurred since
- Please retain sloping roof, original roof was designed for less impact on neighbouring properties, even if roof wasn't increased the flat roof itself would obstruct more light.
- Position of bins will be next to adjacent properties
- Overdevelopment of site, increasing number of units by 2/3, will be much taller and block like, will dominate the view
- Reduction of light to garden amenity disproportionate effect in loss of sunlight from additional storeys, gardens already overshadowed by existing building.
- The 8220;Daylight and Sunlight Assessment& 8221; for 1-31 De Montfort Rd is based on incorrect information regarding existing rear elevations (fig 12 page 15) and therefore the VSC conclusions are incorrect.
- Proposed balconies and flats have serious overlooking of gardens, terraces and balconies, bedrooms and living rooms at close proximity, first and second storey windows look directly into office windows, number of units that will overlook will more than double
- Devalue property, benefits developers not residents
- Increased traffic from residents, vehicles and delivery drivers, egress onto roundabout and parking to be affected
- Less use of parking as offices as most employees used public transport
- Additional construction noise and activity at Great Brighams Mead as previous use only during weekdays and not in the evenings or at weekends. Increased noise from future residents and their balconies
- Impact of noise dust and fumes
- Would increase carbon emissions
- Out of scale with the character and appearance of the area
- The new building would be wider at all points above the second floor
- Lack of facilities and impact on community
- Surrounding trees should be protected as provide some privacy
- Concern regarding proposed side entrance

Case officer - only material considerations can be taken into considerations that fall under Class AA prior approval as outlined below.

Communications with agent

The agent agreed to accept planning conditions from the environmental protection team. The case officer was on annual leave and offered to transfer the application to a manager. Without prejudice, an extension was agreed to enable the application to be reviewed and additional internal consultations to be provided. Due to the amount of changes that would be required to the plans submitted, it was not possible to achieve a satisfactory outcome for the Prior approval application proposed. The case officer contacted the agent to discuss the application and an email was sent outlining options available. The agent confirmed that the application should be determined.

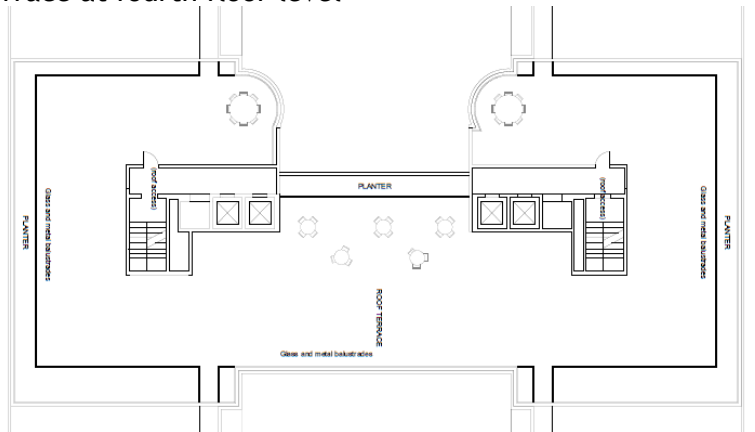
Appraisal

The proposal must comply will all requirements of a Class AA development.

AA (1) Development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the topmost storey on a detached building to which sub-paragraph (2) applies, together with any or all—

(a) engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses; **Does not comply.** The plans have been assessed and in this instance, it is considered that the proposal comprises more than 2 additional storeys. It is noted that an additional two storeys are proposed to provide 72 new dwellinghouses over and additional 2 floors on top of a detached building in commercial or mixed use, however the use of the roof level is also part of the development as proposed. These rooftop terrace works are considered beyond actions reasonably necessary to construct the two additional storeys.

Proposed roof terrace at fourth floor level



(b) works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwellinghouses; **Complies** No plant is proposed on the roof. It is not clear where plant will be located.

(c) works for the construction of appropriate and safe access to and egress from the new dwellinghouses and existing premises in the building, including means of escape from fire, via additional external doors or external staircases; **Complies** No specific fire statement has been provided as part of this submission. The fire brigade was consulted and it was advised that the development should confirm to fire safety standards and a fire safety condition is recommended.

(d) works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses. **Does not comply.** Ancillary facilities proposed have been considered beyond reasonably necessary at roof level. A rooftop terrace is not an ancillary facility reasonably necessary to support the new dwellinghouses.

As such, the development it is not considered to meet the principal criteria for Class AA Permitted development paragraph AA.1.

The proposal is to be considered against the criteria and conditions contained within Schedule 2, Part 20, of Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Criteria AA.1.—(1) Development is not permitted by Class AA if—

(za) the permission to use the building as a dwellinghouse has been granted only by virtue of Class MA of Part 3 of this Schedule

Complies - Permission was granted to use the existing building as a dwellinghouse by virtue of Class O. It is noted that Class O was superseded by class MA but as Class O is not directly listed in the legislation, and has been considered compliant due to the omission of Class O from AA.1 (za) requirements.

(a) above ground level, the building is less than three storeys in height;

Complies - The building is three storeys in height.

(b) the building was constructed before 1st July 1948 or after 5th March 2018;

Complies - The building was constructed circa 2000.

(c) on 5th March 2018 the building was in a use other than—

(i) a use or mixed use within paragraph AA(2)(a) or (b); or

(ii) a use falling within Class C3 of the Schedule to the Use Classes Order;

Complies - The use of the existing building was as offices. Conversion to residential Under Class O has been granted on the basis that the building was in use as offices on 30 May 2019. The building has been in use as B1(a) since it was constructed in 2000.

(d) the additional storeys are constructed other than on the principal part of the building;

Complies - The additional storeys are to be constructed on the principal part of the building with a central core providing circulation and services/amenities.

(e) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of—

(i) 3 metres; or

(ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing building;

Complies. The proposed floor to ceiling height is 2.5m to match the floors below as shown on drawing. PL106 A Proposed North Elevation.

(f) the new dwellinghouses are not flats;

Complies - Development is not permitted if the new dwellinghouses are not flats. The proposed development will be 72 flats

(g) the height of the highest part of the roof of the extended building would exceed the height of the highest part of the roof of the existing building by more than 7 metres (not including plant, in each case);

Complies - The height of the highest part of the extended building would not exceed the height of the highest part of the roof of the existing building by more than 7 metres.

(h) the height of the highest part of the roof of the extended building (not including plant) would be greater than 30 metres;

Complies - The proposed height of the building would be 21.92m.

(i) development under Class AA(1)(a) would include the provision of visible support structures on or attached to the exterior of the building upon completion of the development;

Complies - The provision does not include visible support structures as shown on drawing PL105 A. and the application letter ref. 22.43 dated 31 March 2022 from MBP.

(j) development under Class AA(1)(a) would consist of engineering operations other than works within the existing curtilage of the building to—

(i) strengthen existing walls;

(ii) strengthen existing foundations; or

(iii) install or replace water, drainage, electricity, gas or other services;

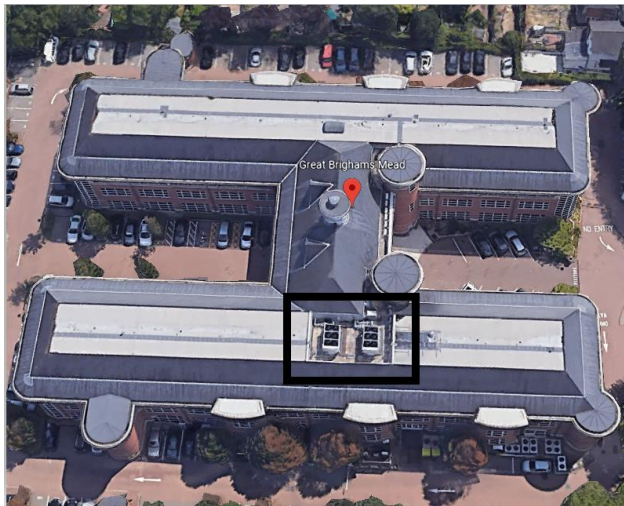
Complies - No engineering operations outside of the existing curtilage are proposed, as confirmed on the drawings and structural report/letter ref. MBP-8632.MB (23 March 2022) from MBP.

(k) in the case of Class AA(1)(b) development there is no existing plant on the building;

Does not Comply - The existing plant is contained within the roof level, with the existing roof enclosing it like a parapet wall. The new location of any plant is not on the plans.

(l) in the case of Class AA(1)(b) development the height of any replaced or additional plant as measured from the lowest surface of the new roof on the principal part of the extended building would exceed the height of any existing plant as measured from the lowest surface of the existing roof on the principal part of the existing building;

Does not comply - The existing plant is contained within the roof level, with the existing roof enclosing it like a parapet wall. No plant is shown on the plans however there is the possibility for the displacement of plant which is not shown on any of the plans submitted. There is a failure to demonstrate that this is compliant.



(m) development under Class AA(1)(c) would extend beyond the curtilage of the existing building;

Complies - The development would not extend beyond the curtilage of the existing building.

(n) development under Class AA(1)(d) would—

(i) extend beyond the curtilage of the existing building;

(ii) be situated on land forward of a wall forming the principal elevation of the existing building; or

(iii) be situated on land forward of a wall fronting a highway and forming a side elevation of the existing building; or

Complies - it is noted that ancillary structures for bin and bike stores are proposed to be located beyond the existing building footprint but within the curtilage of the site.

(o) the land or site on which the building is located, is or forms part of—

(i) article 2(3) land;

(ii) a site of special scientific interest;

(iii) a listed building or land within its curtilage;

(iv) a scheduled monument or land within its curtilage;

- (v) a safety hazard area;
- (vi) a military explosives storage area; or
- (vii) land within 3 kilometres of the perimeter of an aerodrome.

Complies

Conditions of Class AA

MA.2.—(1) Where any development under Class AA is proposed, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for prior approval of the authority as to—

(a) transport and highways impacts of the development;

Complies. There are no transport or highways concerns, subject to a construction method statement due to the scale of works proposed and an informative regarding vehicle parking permits and protection of the highway (as per the transport observations above). The site is accessible by a network of public services. Two cycle sites are proposed, within the building and to the northern boundary. The application letter states that there would be a net reduction in trips compared with trip generation associated with the existing building.

The Environmental Protection have required a bin store condition to avoid any detrimental impact on neighbouring properties and future residents. The location of bin storage has been demonstrated on a bin store plan. The bin store is located to the north of the building and will not disrupt pedestrian movement or compromise highway safety around the site. The bin storage location was approved in the previous planning application 210657 and is considered acceptable.

(b) air traffic and defence asset impacts of the development;

Complies. This proposed development would not have a detrimental impact on air traffic and defence assets.

(c) contamination risks in relation to the building;

Complies. A condition regarding contamination risks is required due to the history of the site. In the event that contamination is found at any time when carrying out the approved development not previously identified, development shall be halted on that part of the site the contamination reported in writing to the Local Planning Authority. The applicant has agreed to a contamination condition in the event of a positive recommendation/decision.

(d) flooding risks in relation to the building;

Complies. The proposal site is within Flood Zone 3 where there is a high probability for flooding. As the proposed development is on the top of the building, it is not considered to be at significant flooding risk, although it is advisable to sign up for flood alerts and follow prevention guidelines when entering and exiting the building if a flood warning is issued. There are no flood risk concerns in relation to the construction of the additional floors, however in the event of a positive recommendation/decision an informative would be added to advise future occupants of evacuation procedures in the event of flooding.

(e) the external appearance of the building, including—

(i) the design and architectural features of—

(aa) the principal elevation; and

(bb) any side elevation that fronts a highway; and

(ii) the impact of any works under sub-paragraph (1)(c) or (d) of Class AA;

Does not comply

The planning statement states that similar styles and materials will be retained however the glass and grey metallic panelling proposed with white powder coated balconies would only match the existing top floor, whilst the majority of the building comprises red brick to match surrounding housing with roof detailing to break up the 'office block' design. The increase in fenestration of the top floors is considered to be dominant and would significantly change the character of the original building.

[illegible]

The flat-roofed extensions would result in the loss of the characteristic clocktower and sloped grey slate-effect roof which helps this large office building to currently integrate satisfactorily with surrounding buildings

"Planning policies and decisions should ensure that development:
(a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience "

The High Court (Administrative Court) Decisions case number CO/2763/2021, CO/3135/2021 and CO/3921/2021 as outlined at

<https://www.bailii.org/ew/cases/EWHC/Admin/2022/208.html>

Policy CC7 - Reading Local Plan 2019

If this application was considered as a FUL planning application, it would fail to comply with policy CC7 Design and the Public Realm, which states that 'All development must be of high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located.' It is not considered that the proposed design is sufficiently attractive or sympathetic to local character. The dominant and bulky design of the additional storeys would produce an incongruous and boxy addition, with the loss of original features, use of different materials to the predominantly red brick original building; and overall would be out of keeping with the existing building and surrounding prevailing residential character.

(f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;

Complies.

All habitable rooms are served by windows, providing adequate levels of natural light to the proposed flats.

(g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light;

Does not comply.

The application has failed to demonstrate that the development would not result in a significant detrimental impact to neighbour amenity due to the increased bulk, height and massing of the proposed development with increased amounts of fenestration. The combined effects of this would be a detrimental impact on the amenity of neighbouring residential dwellings, in particular Nos. 1 -39 (odd) De Montfort Road (primarily to the detriment of the enjoyment of those properties' gardens) and 17-23 Vastern Road, through overbearing and overshadowing and a reduction in afternoon sunlight penetration.

Back to back distances as outlined in the Reading Local plan are appropriate when assessing the impact on privacy, however the proposed development should not reduce

the quality of environment for others particularly where it would affect residential properties.



Policy CC8 Safeguarding amenity of the Reading Local Plan 2019 states ‘Development will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties, in terms of:

- Privacy and overlooking;
- Access to sunlight and daylight;
- Visual dominance and overbearing effects of a development;
- Harm to outlook;’

and ‘ One of the key concerns of planning is to ensure that new development does not reduce the quality of the environment for others, particularly where it would affect residential properties.’

(h) impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses;

Complies.

An additional noise survey would be required to assess the level of road noise impacting the development as a pre-commencement condition of planning, with a mitigation plan to ensure that future occupants receive adequate air quality and ventilation subject to statutory requirements as outlined by the environmental protection team. The agent has agreed to noise planning conditions were the proposal otherwise considered acceptable.

(i) impacts of the introduction of, or an increase in, a residential use of premises in the area on the carrying on of any trade, business or other use of land in the area;

Complies.

No alterations are proposed to the highway or vehicle access. It is considered unlikely that the proposed development would harm trade, business or other use of the land in the area. The surrounding area more generally comprises a mixture of different uses. The remaining building has been granted permission under prior approval to convert from offices to residential use.

(j) whether, because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012(a) issued by the Secretary of State;

Complies.

The proposed development would not impact any protected Vistas identified in the Reading Local Plan 2019.

(k) where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building,; and

Complies.

Although the top of the existing roof is stated as being 19,100mm the existing building is not a high rise building as the floor level is under 18m. The fire service were consulted although not obligated to do so. General advice was provided by the fire service although an official response was not received.

(l) where the development meets the fire risk condition (see paragraph C(3) of this Part), the fire safety impacts on the intended occupants of the building and the provisions of paragraph B (prior approval) of this Part apply in relation to that application.

Complies.

A Fire Statement would be required if the development involves the development of an existing 'relevant building'. This criterion applies to a building which satisfies the height condition in paragraph (3) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and contains— (a) two or more dwellings; or (b) educational accommodation. Paragraph (3) states the height condition is that— (a) the building is 18 metres or more in height; or (b) the building contains 7 or more storeys. The development does not meet the fire risk condition.

Conclusion

The development subject of this prior notification is not considered to meet the relevant criteria of Class AA of the GPDO.

In considering the relevant conditions pursuant to the Prior Approval of this application, the proposal will not give rise to any transport impacts, contamination risks, flooding risk, and subject to an additional satisfactory noise and resultant mitigation condition is not considered to result in adverse noise impacts from adjacent business premises. It is considered that adequate natural light would be provided in the habitable rooms. The development will not introduce a residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, and does not result in the loss of a designated service or fails the fire risk condition.

The application fails to comply with the requirements of Class AA (1) as an additional third storey is proposed by providing a fifth floor roof level to be used as a roof terrace by the future occupants which would result in a three storey addition to the existing building. The proposed roof terrace also fails Class AA, Part 20 of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (1) (a) for reasonable engineering operations necessary to construct the additional storeys and (d) works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses as the planters and glass and metal balustrades on the roof terrace are not considered necessary development.

The application fails to comply with paragraph AA.2 (1) (e) (i) (aa) and (bb) of Class AA Part 20 of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) due to the dominant and bulky design of the additional storeys which would produce an incongruous and boxy addition, with the loss of original features, use of different materials to the predominantly red brick original building; and overall would be out of keeping with the existing building and surrounding prevailing residential character.

The application fails to comply with paragraph AA.2 (1) of Class AA Part 20 of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) as the application has failed to demonstrate that the development would not result in a significant detrimental impact to neighbour amenity due to the increased bulk, height and massing of the proposed development with increased amounts of fenestration. The combined effects of this would be a detrimental impact on the amenity of neighbouring residential dwellings, in particular Nos. 1 -39 (odd) De Montfort Road (primarily to the detriment of the enjoyment of those properties' gardens) and 17-23 Vastern Road, through overbearing and overshadowing and a reduction in afternoon sunlight penetration.

By virtue of Class AA Part 20 of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) Prior Approval is refused and not given in respect of the number of additional floors proposed the proposed design and overlooking and loss of privacy matters.

Recommendation:

Prior Approval is REFUSED.

Informative

The following plans and drawings have been assessed:

- Completed Community Infrastructure Levy forms
- Design and Access Statement (by PEEK)
- 330510783 Transport Statement, dated May 2022 (by Stantec)
- 330510783 Flood Risk Assessment (by Stantec), May 2022 and appendices A 330510783_FRA_LQ Site location plan, B Topographical survey, C Development proposal plans, D THM_124288 Detailed flood risk, EA, E Stantec modelled flood event maps, Flood Map Slice A
- Daylight Sunlight Assessment - 1.1 (by FPD), May 2022
- 48968, ATN01 Technical Note - Noise (by Stantec), 29 March 2021
- Ground Conditions Assessment, including figures Site location plan and Site layout plan (by Stantec) , Appendix A Methodology for assessment of land contamination, B Ground conditions assessment site walkover, C Stantec Envirocheck report, D Ground conditions assessment Borehole logs, EF Ground conditions assessment Zetica UXO risk map, GHI Ground conditions assessment Table of estimated risk
- Structural letter (by MBP)
- MBP-8632 Structural Report (by MBP), 23 March 2022
- 272563949_1_1v Stantec VectorMap local
- P1048 Accomodation schedule 3rd, 4th and 5th storeys, March 22

- Site Location Plan P1048-EX112

Proposed plans:

- P1048-PL103A - Proposed Third Floor
- P1048-PL103A - Proposed Third Floor types

- P1048-PL104A - Proposed Fourth Floor
 - P1048-PL104A - Proposed Fourth Floor types
 - P1048-PL105A - Proposed Roof Plan
 - P1048-PL112C Proposed Site Plan
 - P1046-PL111 Proposed Location Plan
 - P1048-PL107A Proposed North Elevation
 - P1048-PL108 A Proposed South Elevation
 - P1048-PL109 A Proposed East Elevation
 - P1048-PL110 A Proposed West Elevation
- Received by the Local Planning Authority on 26 May 2022