

DELEGATED APPLICATION REPORT

Application No: 220736/REM

Address: Reading Link Retail Park, Rose Kiln Lane, Reading

Proposal: Application for approval of reserved matters following outline approval. (220737)

Case Officer: David Brett

Applicant: Sorbon Estates

Received on (valid from): 19/05/2022

Target Date: 06/12/2022, extension of time on decision agreed with agent from 14/07/2022

Site Description and Surrounding Area

The application site is located on the western side of Rose Kiln Lane, to the north east of the Reading Link Retail Park building. To the north of the site is the Holy Brook and beyond that, residential development. To the south west of the site is an area of open space and to the south and east is the Rose Kiln Lane. The retail park is south of Reading Town Centre.

There are protected trees to the north of the site, along the Holy Brook, which is also a Local Wildlife Site. The site is within an Air Quality Management Area.

Whilst the site has historically (as considered under previous applications) been located with Flood Zones 2 and 3, this is no longer the case and the Environment Agency have updated their flood zone maps in this respect. Whilst the site itself is no longer within a Flood Zone, the Holy Brook to the north is within both Flood Zones 2 and 3.

Proposal

Outline approval was granted in July 2021 for a drive-thru coffee shop of 189sqm and a new access at Reading Link Retail Park, Rose Kiln Lane under application reference 220737. This application considers those matters which were not part of the outline permission. These matters include appearance, landscaping, layout and scale.

Plans/Documents Considered

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

- Location Plan - RLRPRKL_PLN_101
- ~~- Proposed Block Plan - RLRPRKL_PLN_102 Rev B~~
- ~~- Proposed Site Plan - RLRPRKL_PLN_103 Rev B~~
- Existing Block Plan - RLRPRKL_PLN_104
- Floor and Roof Plans - RLRP/Con/001
- Elevations (Sheet 1) - RLRP/Con/002
- Elevations (Sheet 2) - RLRP/Con/003
- Sections - RLRP/Con/004
- External Works Plan - 368 - 20 - 400 Rev B
- Proposed Roof Plan - A-1003 Rev B
- Pop Up Test Fit Plan - STORE NAME
- ~~- Landscape Management and Maintenance Plan - Prepared by ACD Environmental~~
- ~~SOR23737 Man (dated April 2022)~~

- Soft Landscape Specification - Prepared by ACD Environmental - SOR23737-Spec (dated April 2022)

~~Landscape Proposal Prepared by ACD Environmental SOR23737 11A~~

Received on 19/05/2022

~~Landscape Proposal Prepared by ACD Environmental SOR23737 11B~~

Received on 16/08/2022

~~Landscape Proposal Prepared by ACD Environmental SOR23737 11C~~

~~Landscape and Services Overlay Plan SOR23737 12~~

- Landscape Management and Maintenance Plan - Prepared by ACD Environmental - SOR23737-Man Rev A (dated April 2022)

Received on 31/08/2022

~~Landscape Proposal Prepared by ACD Environmental SOR23737 11D~~

~~Landscape and Services Overlay Plan SOR23737 12A~~

Received on 01/11/2022

- Pedestrian Access - 2009052-01 Rev B
- Swept Path Analysis Starbucks Rigid Lorry - 2009052-TK01 Rev B
- Swept Path Analysis Starbucks Rigid Lorry - 2009052-TK02 Rev B
- Swept Path Analysis Starbucks Rigid Lorry - 2009052-TK03 Rev A
- Proposed Block Plan - RLRPRKL_PLN_102 Rev C
- Proposed Site Plan - RLRPRKL_PLN_103 Rev D

~~Landscape Proposal Prepared by ACD Environmental SOR23737 11E~~

~~Landscape and Services Overlay Plan SOR23737 12B~~

Received on 16/11/2022

- Landscape Proposal - Prepared by ACD Environmental - SOR23737-11F
- Landscape and Services Overlay Plan - SOR23737-12C
- Proposed Elevations 1 - A-1001 Rev D
- Proposed Elevations 2 - A-1002 Rev D
- Coffee Shop Material Details (Email from agent dated 24/11/2022)

Received on 24/11/2022

Relevant Planning History

221721/APC - Application for approval of details reserved by condition 15 (BREEAM) of Application 220737 - To be determined.

221712/NMA - Non-Material Amendment to Permitted Application 220737 to amend the approved plans (condition 5), s278 (condition 7), Tree Protection (condition 14), Footpaths (condition 19), Height Barrier (condition 20) and Dragon's Teeth (condition 21) - Application to be determined.

221159/NMA - Non-Material Amendment to permitted Application 220737 to amend the wording of condition 15 (BREEAM Certification) and 16 (BREEAM Certification) - Application Permitted on 07/11/2022

220737/VAR - Outline application for a drive-thru coffee shop of 189sqm and a new access at Reading Link Retail Park, Rose Kiln Lane (appearance, layout, scale and landscaping reserved for future consideration). - Application Permitted on 05/08/2022

220711/APC - Discharge of conditions 4 (materials), 8 (EV Charging points), 10 (Construction Environmental Management Plan) and 12 (Ecological Management Plan) of planning permission 220737/VAR - To be determined.

220506/APC - Application for approval of details reserved by conditions 9 CMS), 13 (Air Quality Assessment) and 18 (Delivery Servicing Plan) of application 201558 - Conditions Discharged on 12/08/2022

Officer Note: It is confirmed that the information submitted to discharge condition 201558 is also sufficient to discharge conditions 9, 13 and 18 of application 220737.

201558/OUT - Outline application for a drive-thru coffee shop of 189sqm and a new access at Reading Link Retail Park, Rose Kiln Lane (appearance, layout, scale and landscaping reserved for future consideration) - Application Permitted on 22/07/2021

181860/OUT - Outline planning application for a drive-thru coffee shop, with all matters reserved apart from access. - Application Refused on 15/03/2019. Decision appealed and dismissed on 20/04/2020

Reasons for Refusal:

1. The applicant has failed to demonstrate that there are no sequentially preferable sites available within the town centre, edge of centre or locations close to the town centre that would protect the vitality and viability of the town centre. The proposal is therefore contrary to Policies CS25 (Scale and Location of Retail, Leisure and Culture Development) and CS26 (Network and Hierarchy of Centres) of the Reading Borough LDF Core Strategy and the National Planning Policy Framework 2018.
2. Insufficient information has been submitted with the planning application to enable the highways, traffic and transportation implications of the proposed development to be fully assessed. From the information submitted, it is considered that the additional traffic likely to be generated by the proposal would adversely affect the safety and flow of users of the existing road network within Reading, contrary to Policies CS4, CS20 and CS22 of the Reading Borough LDF Core Strategy 2008 (altered 2015) and Policy DM12 of the Sites and Detailed Policies Document 2012 (altered 2015).
3. The proposed junction and access road is unsuitable, due to its substandard design, to accommodate the traffic which would be generated by the proposed development and wider application site. This would have an adverse effect on road safety and the flow of traffic, in conflict with Policy CS20 of the Reading Borough LDF Core Strategy and Policy DM12 of the Sites and Detailed Policies Document 2012 (altered 2015).
4. The applicant has not included adequate provision for waste collection facilities within the site in accordance with the requirements of Department for Transport / DCLG Document "The Manual for Streets". The development would therefore be

likely to lead to the stationing of waste collection vehicles on the access way causing an obstruction, the collection of waste on verges and carriageway and waste collection vehicles reversing onto or off of the highway to the detriment of public and highway safety contrary to Policy CS20 of the Reading Borough LDF Core Strategy and Policy DM12 of the Sites and Detailed Policies Document 2012 (altered 2015).

5. The layout does not comply with the Local Planning Authority's standards in respect of vehicle parking. This could result in on- street parking/reversing movements on A33 Rose Kiln Lane and the surrounding network, adversely affecting road safety and the flow of traffic, and in conflict with Core Strategy Policy CS24 of the Reading Borough LDF Core Strategy 2012 (altered 2015) and Policy DM12 of the Sites and Detailed Policies Document 2012 (altered 2015)
6. The proposed development does not comply with the Local Planning Authority's standards in respect of footpath width, which would have an adverse effect on pedestrian safety and, as a result, is in conflict with Policy DM12 of the Sites and Detailed Policies Document 2012 (altered 2015).
7. The applicant has failed to submit sufficient information for the Council to determine whether or not bats (a protected species and therefore a material planning consideration), priority habitats and the adjacent Holy Brook Wildlife Site will be adversely affected by the proposed development. As such this proposal is considered to be contrary to Policy CS36 (Biodiversity and Geology) and CS38 (Trees, Hedges and Woodlands) of the Core Strategy 2008 (amended 2015) and the National Planning Policy Framework 2018 (paragraphs 170, 174 and 180).

181169/OUT - Outline application for a drive-thru coffee shop of 186sqm and a new access at Reading Link Retail Park, Rose Kiln Lane. - Application Withdrawn on 05/09/2018

Consultees

Reading Borough Council, Environmental Protection - Response received on 28/06/2022

- The applicant is advised that the development lies adjacent/in very close proximity to the site of an historic works, and to a landfill buffer zone.
- Condition suggested regarding unidentified contamination.

Reading Borough Council, Natural Environment - Response received on 29/07/2022

- Amendments to the plans required conserving the locations of services and tree details.

Reading Borough Council, Natural Environment - Further response received on 23/08/2022

- Proposed additional trees and details are agreeable.
- Plan showing service routes is still required.

Reading Borough Council, Natural Environment - Further response received on 26/09/2022

- Plan required to show the location of water supply, foul drainage and electricity supply lines location and their implications for proposed planting.

Reading Borough Council, Natural Environment - Further response received on 23/11/2022

- A tree needs to be relocated so that it is within the curtilage of the site rather than on highways land. The details are otherwise acceptable.

Reading Borough Council, Ecology - Response received on 10/08/2022

- *Much of the proposed planting is non-native, this includes three photinia just south of the river bank, the triangle of non-native scrub south of the river and the strip of non-native shrubs adjacent to the path. These species are not appropriate in this location next to the river (a priority habitat and LWS) as they have very little wildlife value and may be spread downstream adversely affecting the biodiversity value of the river. These should be removed and replaced with native species.*
- *A new hedge is proposed. This is shown as a single species garden privet (Ligustrum ovalifolium). This will have little wildlife value and should be replaced with a mixed native species hedge.*
- *In summary the proposed landscaping scheme is currently unacceptable and the reserved matters application should not be approved until a revised scheme has been provided.*

Reading Borough Council, Ecology - Further response received on 30/09/2022

- *Following our previous comments, the applicant has supplied a revised landscaping scheme which show details of native planting and native hedges. These plans are now acceptable (subject to any comments by the Environment team) and there would be no objections to the application.*

Reading Borough Council, Transport Development Control - Response received on 18/08/2022

- *I have reviewed the submitted application which has minimal impact in relation to transport given that this was all agreed at the Outline application stage. The Highway Authority therefore have no objections to the development.*

External Consultations

40 Admirals Court, Reading, RG1 6SW - No response received.
 41 Admirals Court, Reading, RG1 6SW - No response received.
 42 Admirals Court, Reading, RG1 6SW - No response received.
 43 Admirals Court, Reading, RG1 6SW - No response received.
 44 Admirals Court, Reading, RG1 6SW - No response received.
 45 Admirals Court, Reading, RG1 6SW - No response received.
 46 Admirals Court, Reading, RG1 6SW - No response received.
 47 Admirals Court, Reading, RG1 6SW - No response received.
 48 Admirals Court, Reading, RG1 6SW - No response received.
 49 Admirals Court, Reading, RG1 6SW - No response received.
 50 Admirals Court, Reading, RG1 6SW - No response received.
 51 Admirals Court, Reading, RG1 6SW - No response received.
 52 Admirals Court, Reading, RG1 6SP - No response received.

53 Admirals Court, Reading, RG1 6SP - No response received.

54 Admirals Court, Reading, RG1 6SP - No response received.

55 Admirals Court, Reading, RG1 6SP - Response received on 14/07/2022

- *As a local resident I object to the construction of the drive through because I believe it will increase noise pollution within earshot of my flat, which is less than 30 m from the site. Furthermore, as the proposed site is inaccessible due to damage caused by flooding I query if it is a suitable site at all.*

Equality Act 2010

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

Relevant Planning Policy and Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Reading relevant to the application site comprises the Reading Borough Local Plan (adopted November 2019).

The 'National Planning Policy Framework' ('NPPF') 2021 states clearly that its content is to be a material consideration in the determination of applications. The 'NPPF' states that due weight should be given to the adopted policies of the Local Plan according to their degree of consistency with the 'NPPF' (the closer the policies in the plan to the policies in the 'NPPF', the greater the weight that may be given).

Relevant Policies

The application has been assessed against the following policies:

National

National Planning Policy Framework 2021;

National Planning Policy Guidance 2014 onwards;

Reading Borough Local Plan (November 2019)

- CC1: Presumption in Favour of Sustainable Development
- 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
- EN11: Waterspaces
- EN12: Biodiversity and the Green Network
- EN14: Trees, Hedges and Woodland

- EN15: Air Quality
- EN16: Pollution and Water Resources
- EN17: Flooding and Drainage
- TR1: Achieving the Transport Strategy
- TR3: Access, Traffic and Highway-Related Matters
- TR5: Car and Cycle Parking and Electric Vehicle Charging
- RL1: Network and Hierarchy of Centres
- RL2: Scale and Location of Retail, Leisure and Culture Development
- RL5: Impact on Main Town Centre Uses

Other documents

Sustainable Design & Construction SPD (2019)

Revised Parking Standards and Design SPD (2011)

Appraisal

The main issues considered for this application are as follows:

- a) Appearance and Scale
- b) Landscaping
- c) Layout
- d) Outline Conditions

- a) Appearance and Scale

In terms of appearance and scale, condition 3 of approval 220737 seeks the approval of the external appearance of the development, and the scale of the development. Condition 4 of approval 220737 is also pursuant to the appearance of the development in seeking a schedule of materials for approval of the external surfaces to the development. The details of condition are also being addressed under of discharge of conditions application 220711. The details provided for this Reserved Matters application and the discharge of conditions application (220711) are identical.

The main building proposed consists of a single storey coffee shop with a mono-pitch roof. The building is positioned centrally within the site, with a drive-thru access road circling the building. Material details to the external surfaces of the coffee shop have been provided for illustrative purposes on proposed elevations and consist of the following:

- Glazing - Aluminium Powder coated (Colour RAL 7021) shopfront frames fitted with double glazing
- Door - 1150mm wide aluminium framed composite door, side panels and fanlight (RAL7021)
- Cladding - Powder coated panels Black (RAL 9005)
- Cladding (Feature Panel) - Accoya LT AC 02 Profiled Acetylated Vertical Boards
- Fascias - Aluminium verge fascia finished Dark Grey (RAL 7016)
- Guttering - Box section gutter powder coated dark grey (RAL 7016)

The materials selected are considered suitable and typical to a single storey building within a commercial setting. The front elevation largely consists of a glazed façade, with a timber cladding panel breaking up the glazing. A signage blade is proposed the roofline at a total height of 7.3m, and projects 3m above the highest point of the roof

to the proposed coffee shop. This is an architectural feature to a commercial building that is considered characteristic of its commercial setting.

As the illustrative plans provided contain details of an enclosed yard area, which does not appear on the proposed site plans, the material details have been broken out into a separate document. The details provided are considered sufficient in addressing the requirements of condition 4 to approval 220737, which is to be confirmed under a separate discharge of conditions application (220711). In terms of scale of the development, the proposal is considered to sit comfortably within the site and complementary to the larger commercial buildings to the south west of the site.

It is therefore considered that the development would be suitable in terms of appearance and scale and in accordance with Policy CC7 of the Reading Borough Local Plan. It is considered that the served matters relating to appearance and scale are satisfactory and can there be approved.

b) Landscaping

In terms of landscaping, condition 3 of approval 220737 seeks the approval of the landscaping of the site. Condition 6 of approval 220737 is also pursuant to the landscaping of the development and outlines that the details required for approval. Condition 6 of approval 220737 specifically seeks approval of the following details:

- a) Proposed finished ground and floor levels or contours, means of enclosure (including mammal gaps where appropriate), car parking layouts, other vehicle and pedestrian access and circulation areas;
- b) Hard surfacing materials and minor artefacts and other ancillary structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, external services, etc);
- c) Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant and grass establishment), tree pit specifications, schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable;
- d) A maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting;
- e) routes and details of proposed and existing functional services above and below ground including foul and surface water drainage, soakaways and SUDs details, power, communications cables and water and gas supply pipelines, including access points;

The above details have been provided and have been approved by the Council's Natural Environment Team.

It is therefore considered that the development would be suitable in terms of landscaping and in accordance with Policies EN12 and EN14 of the Reading Borough Local Plan. It is considered that the served matters relating to landscaping are satisfactory and can there be approved.

c) Layout

In terms of layout, condition 3 of approval 220737 seeks the approval of the internal layout of all buildings, as well as the external layout of the site.

During the course of the application, the new vehicular access proposed to the north east of the site from Rose Kiln Lane has been revised. This was brought to the attention of officers by Transport Development Control, when plans were submitted pursuant to condition 7 of approval 220737, which seeks a Section 278 agreement prior to development commencing on site.

Amended plans have been submitted within this reserved matters application, providing details of the revised layout as a result of the changes to the proposed access. The changes to the proposed layout as a direct result of the amended access are considered very minor in scale, however, have implications for details secured within other conditions to approval 220737. These are being addressed separately within a non-material amendment application.

The details submitted with regards to layout have been reviewed by Transport Development Control and are considered in accordance with Policies TR1, TR3 and TR5 of the Reading Borough Local Plan.

With regards to the internal layout of the coffee shop, no concerns have been raised by Environmental Protection with regards to any harmful levels of noise, disturbance or odour as a result of the proposed use. The nearest residents are to the north of the site at Admirals Court. The development is considered of a suitable scale and a sufficient distance away from this residential area in order to not be harmful.

It is therefore considered that the development would be suitable in terms of appearance and scale and in accordance with Policies CC7, CC8 and TR3 of the Reading Borough Local Plan. It is considered that the served matters relating to layout are satisfactory and can therefore be approved.

d) Outline Conditions

Details have been submitted pursuant to conditions attached to the outline permission. Following the above assessment and for the avoidance of doubt, sufficient, and appropriate information has been submitted to allow the approval of the following pre-commencement conditions to approval 220737:

- Condition 3: Reserved Matters
- Condition 4: Appearance
- Condition 6: Landscaping

Conclusion

The matters reserved by the outline permission have been satisfactorily met by the details received under this application. The matters reserved by the permission related to appearance, landscaping and scale; and these elements are all considered to comply with the Policies set out within the Local Plan (2019). As such it is recommended to approve the matters reserved by the outline application (220737).

In addition to this, the pre-commencement condition (6) attached to the original outline permission are considered to have been satisfactorily met, and as such can be discharged. The pre-commencement condition (4) securing material details is to be addressed under application 220711.

Recommendation

Approve Reserved Matters and discharge conditions 4 and 6 for application 220737

Conditions

Informatives

IF1: Positive and Proactive Working - approval

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

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.

Contaminated Land

You are advised that the development lies adjacent/in very close proximity to the site of an historic works, and to a landfill buffer zone, which has the potential to have caused contaminated land and/or land gas on a potentially contaminated site. Due to the nature of the historic land use there is the potential of contaminated land being present. The developers must be aware that any ground or enabling works may bring receptors into contact with the aforementioned contaminants. You may wish to satisfy yourself that the details of the construction proposals take the necessary account of the possibility of contaminants from that source.