

Planning Statement

**Piper's Island, Caversham,
Reading, Berkshire, RG4 8AH**

Prepared For
Diane Cheshire

**9925
March 2021**



bell cornwell

CHARTERED TOWN PLANNERS

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1 INTRODUCTION

- 1.1 This statement is prepared to accompany a full planning application by Ms Diane Cheshire, submitted to Reading Borough Council, for the following development proposal:

“Change of use of existing restaurant and bar (Use Class E) to form a 3 bedroom Dwellinghouse (Use Class C3) including ancillary storage at ground floor level”

- 1.2 The purpose of this statement is to consider the planning merits of the proposal, to assist the Council in making their assessment. The first part of the report describes the site and sets out the relevant background to the case and also provides a description of the proposed development.
- 1.3 The second part of the statement identifies the planning context, such as the relevant Development Plan, followed by a detailed assessment of the proposal. This assessment addresses the relevant planning policy position and any material planning considerations that are important in the consideration of the planning application.
- 1.4 The final section sets out the conclusions and recommends that planning permission should be approved.

THE APPLICATION SITE

- 1.5 The site comprises of an existing bar and restaurant (Whilst this could cover both the old A3 and A4 uses, it has previously been accepted that the restaurant use was the prevailing use and that this was A3. It is therefore now Class E¹) constructed on a small island in the Thames River near to and accessed from Caversham Bridge, in the Town Centre of Reading. The existing building is constructed over two floors with views over the river and outdoor space which has been used for external tables and chairs in association with the restaurant and bar. Notwithstanding its established use, the building has been vacant for some time.
- 1.6 A search of the Council’s online planning register for the site reveals an extensive history for the site which is included as **Appendix 1**. In particular we draw attention to applications

¹ The [Town and Country Planning \(Use Classes\) Order 1987 \(as amended\)](#) From 1 September 2020, for purposes of Use Class, A1/2/3 & B1 to be treated as Class E



161848 and 171082 which were also for the conversion of the first floor into 3 residential dwellings, although also included a new access bridge and external alterations to existing building. Both applications were withdrawn prior to any decision being made.

- 1.7 It is not stated why the applications were withdrawn although consultation responses received from the Environment Agency (EA) and the Council's Licensing Enforcement Officer are recorded on the Council's online planning register for application 171082.
- 1.8 The EA response (**Appendix 2**) did not rule out the proposed development but required additional information in relation to the replacement access bridge which was proposed at the time. As will be noted from the submitted drawings for this latest application, the proposal no longer includes the replacement of the bridge and instead will make use of the existing arrangements.
- 1.9 The response from the Licensing Officer (**Appendix 3**) identified that the restaurant and bar have had a history of non-compliance with licence conditions due to severe noise disturbance and public nuisance. It also states that the premises were served an enforcement notice by Royal Berkshire Fire and Rescue Service on 14th March 2017 due to concerns over the safety of the site and the lack of knowledge of staff in relation to fire matters. As a result, it is understood that the top floor cannot be used for the existing use and has almost certainly contributed to the closure of the business.
- 1.10 Indeed, the unique nature of the site does mean that it is separated from neighbouring land and buildings by the river, although there are nearby residential properties on the riverbank that do have views towards the building and were most likely to have been affected by past noise issues.

THE PROPOSED DEVELOPMENT

- 1.11 The proposed development is an alternative long term use for the building whilst having regards to the issues highlighted above and normal planning considerations. Although similar to the applications made in 2016 and 2017, as noted above, it removes the redesign of the bridge and no external alterations are proposed.
- 1.12 The resulting development would be a single dwelling with new living space created on the first floor level, including three bedrooms, a kitchen and living room, and bathrooms. The



ground floor, which is currently a seating area and kitchen would be converted to storage and not principle living accommodation.

- 1.13 Outside, the existing terrace would be retained but used as private amenity space for the residents of the dwelling.



2 PLANNING ASSESSMENT

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

2.2 For the purposes of this application, we have referred to the following Development Plan documents:

- Reading Borough Local Plan (LP) - adopted November 2019; and
- Proposals Map

2.3 The Council also have adopted a number of Supplementary Planning Documents (SPD) that provide additional guidance. These are referred to where applicable.

NATIONAL PLANNING POLICY FRAMEWORK

2.4 The National Planning Policy Framework (NPPF) sets out the Government's planning policy aims and objectives. It sits outside of the statutory development plan but is a material planning consideration in the determination of planning applications.

2.5 It places sustainable development at the heart of the planning system and as a key aim, sets out the Government's objective of significantly boosting the supply of homes. Amongst other recommendations, it states that:

"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions".

2.6 Making effective use of land includes, as set out in paragraph 118 of the NPPF, giving substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and to promote and support the development of under-utilised land and buildings.

2.7 It is therefore taken into account as part of our assessment.



Principle of Development

- 2.8 Local Plan Policy CC1 places a presumption in favour of sustainable development, stating that a positive approach to considering development proposals will be taken that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It continues that *“the Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible”*. A positive attitude is therefore applied to allowing sustainable development to help meet the aims of the Development Plan.
- 2.9 Delivering housing is one such aim, echoing the NPPF, which makes clear that the Government wishes to ‘boost the supply of housing’. Specifically, LP Policy H1 states that provision will be made for at least an additional 15,847 homes (averaging 689 homes per annum) in Reading Borough for the period 2013 to 2036. However, this is likely to increase under the new standard methodology requirements.
- 2.10 Therefore, like other areas across the South East, there is clear need for additional homes within Reading and as recognised by paragraph 68 of the NPPF:
- “Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:...c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes” [our emphasis].*
- 2.11 Paragraph 118d then goes on to state that local planning authorities should promote and support the development of under-utilised land and buildings. The above principles directly accord with the proposed development that is seeking to bring back into viable use the existing building, whilst also making a contribution to the delivery of housing to Reading.
- 2.12 The site’s location within the defined Central Reading Area also means that the site has immediate access to a wide range of shops, services, job opportunities, and public transport. It is therefore in a highly sustainable location that is a good choice for development without the need for journeys by car and by making the most of an existing building will secure it with an optimal use for the future.



2.13 The principal of development therefore conforms with the aims of the Development Plan.

Residential development in Central Reading

2.14 For proposals within the Central Reading Area, Local Plan Policy CR6 states that proposals for residential development will be assessed against the following criteria:

- i) All proposals for residential development within the central area will be required to contribute towards a mix of different sized units within the development. This will be measured by the number of bedrooms provided within individual units. Ideally, a mixture of one, two and three bedroom units should be provided. As a guide, in developments of 15 dwellings or more, a maximum of 40% of units should be 1-bed/studios, and a minimum of 5% of units should be at least 3-bed, unless it can be clearly demonstrated that this would render a development unviable.
- ii) Proposals for new residential development within the central area will be required to demonstrate how the issue of potential noise disturbance from neighbouring land uses and other sources, and air quality implications of residential development, have been considered and if necessary, mitigated. New residential development should not be located next to existing town centre uses where those uses would give rise to unacceptable levels of noise and disturbance to the occupiers of the new scheme, unless this can be mitigated.
- iii) In meeting the requirement to provide affordable housing, in the central area an overconcentration of social renting for single persons will be avoided.

2.15 The first of the criteria requires all residential development to contribute towards a mix of different sized units, with one, two and three bedroom units being provided. As the proposed development is for a single dwelling only, it is not possible to provide a specific mix. However, with three bedrooms proposed it does contribute to one of the sizes where there is a need and therefore meets the aims of the policy.

2.16 The second of the criteria states that new residential development within the central area will be required to demonstrate how the issue of potential noise disturbance from neighbouring land uses have been considered.



2.17 Indeed, one of the issues with the site has been the adverse impact of the existing use on neighbouring amenity due to noise and public nuisance. This is clearly an issue that the Council is keen to avoid, as reflected by LP policy CR5 which, although not directly relevant to the proposed use, states that:

*“A range of complementary evening and night-time uses that appeal to all sections of Reading’s society, and contribute to the 18-hour welcome, will be provided. Such uses should not give rise to adverse impacts on the amenity of nearby residents and other town centre users. **Those uses that are likely to have an adverse impact on amenity or the character and/or function of the Central area, will not be permitted.**” [our emphasis]*

2.18 The above policy would suggest that the present use, due to its historic noise issues, is not a suitable use for the site, albeit it could theoretically continue. On the other hand, the proposed development would remove the risk of impacts on neighbouring amenity into the future because the primary source of the harm will have been removed. This will therefore be of a clear benefit to the nearby residential properties.

2.19 In considering the impact of noise on the proposed use, although within the defined Town Centre of Reading, its unique location on the River Thames separates it from the core of shops and other town centre uses, including those associated with noise such as bars and restaurants. Consequently, it is not adversely affected by noise disturbance from neighbouring land uses, making it compatible with a residential use.

2.20 Under the same policy CR6 criterion, the impact of air quality on residential development also needs to be considered. In this regard, the supporting text to the policy states that in some instances, mitigation may be required, including means of ventilation that remove the need to open windows, and draw in the lowest levels of pollution possible. In this case, as use is being made of an existing building, it is proposed to make use of the existing ventilation system.

2.21 In having regard to the above, the proposed use of the existing building for a residential use would meet the aims of sustainable development as it:

- Makes use of an under-utilised building in a sustainable location.
- Contributes towards the delivery of new housing.



- It would remove a historic conflict with neighbouring residential properties from noise and public disturbance resulting from the existing use.

2.22 The proposed development would of course result in the loss of the existing use. However, although the site is located within the defined 'Regional Centre', the Local Plan does not seek to protect against the loss of restaurants and so there is no policy conflict in this regard.

Flood risk

2.23 A defining characteristic of the site is its location on the River Thames and therefore it is unsurprising that the Environment Agency's Flood Zones indicates that the site is located within Flood Zone 3 with a 'high probability' of flooding. It has therefore been necessary to provide a Flood Risk Assessment (FRA) with the application.

2.24 This finds that the site is unlikely to flood except in extreme conditions, with the primary, but unlikely flood risk to the site is fluvial flooding from the River Thames. This risk is reduced further by the proposal limiting the living accommodation to first floor level where the flood risk posed to the site is less than the 1 in 100 year event.

2.25 The FRA does also recommend further risk management measures that would be adhered to, including participation in the Environment Agency flood warning telephone service alongside the development of a Flood Plan. It also confirms that the pedestrian bridge serving the island would provide safe access and egress to the site in accordance with NPPF and Environment Agency Guidance.

2.26 Ultimately, the FRA concludes that:

"In conclusion, the proposed development would be expected to remain dry in all but the most extreme conditions. Providing the recommendations made in this FRA are instigated, flood risk from all sources would be minimised, the consequences of flooding are acceptable, and the development would be in accordance with the requirements of the NPPF.

This FRA demonstrates that the proposed development would be operated with minimal risk from flooding, would not increase flood risk elsewhere and is compliant with the requirements of the NPPF."



- 2.27 The proposed development is for the change of use of the existing building rather than any new development. This therefore avoids the need for a sequential test to be carried out. This is explained in the Planning Policy Guidance.

Developments that don't need a sequential test

You don't need to do a sequential test if one has already been carried out for a development of the type you're planning (eg a residential development) for your site.

In this case, you need to ask your local planning authority for the site allocation reference in their [local plan](#) and include it in your planning application. If the local plan hasn't been adopted, check the draft local plan.

You also don't need to do a sequential test if either of the following apply:

- your development is a [minor development](#)
- your development involves a change of use (eg from commercial to residential) unless your development is a caravan, camping chalet, mobile home or park home site

- 2.28 The proposal therefore satisfies the second bullet point, a point specifically referenced in the example given.
- 2.29 The proposed development is not therefore precluded on the grounds of flood risk.

Sustainable design and construction

- 2.30 Local Plan Policy CC2 states that proposals for new development, including the refurbishment of existing building stock, will be acceptable where the design of buildings and site layouts use energy, water, minerals, materials, and other natural resources appropriately, efficiently and with care and take account of the effects of climate change.
- 2.31 As the proposal relates to an existing property, it is not possible to change the construction of the building without substantial redevelopment. To some extent, this will be achieved naturally as a result of the new use being less demanding on services and so will improve on the existing situation without any additional inputs. However, where possible, further improvements will be made to lower its energy and water needs, such as better insulation and the use of 'A' rated goods and appliances.



Safeguarding amenity

- 2.32 Local Plan Policy CC8 seeks to safeguard amenity by not allowing development that will cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties.
- 2.33 As already stated in the preceding paragraphs, the proposed development will provide significant benefits to neighbouring residential properties by reducing potential noise and other un-neighbourly disturbance. This is therefore a clear benefit of the proposal.
- 2.34 In terms of other considerations, the new use would not itself result in unacceptable overlooking, noting that there is a separation distance of over 20m from neighbouring dwellings and the position of windows means that there is no prospect of harm in this respect.
- 2.35 The new occupiers of the dwelling will have use of the existing terrace as private amenity space, but this is not substantially different to the existing situation and will mean that they have access to outdoor space. The building design is also such that it already benefits from direct sunlight and daylight, both internally and externally. It is also considered acceptable in all other respects in terms of amenity.

Affordable housing

- 2.36 Local Plan Policy H3 requires residential development to make an appropriate contribution towards affordable housing to meet the needs of Reading. On sites of 1 – 4 dwellings, this means making a financial contribution equivalent to 10% of the housing being provided as affordable housing elsewhere in the Borough.
- 2.37 This however conflicts with the NPPF which states that:
- “Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.”*
- 2.38 The above therefore concludes that no affordable housing contribution should be sought and even if it is triggered by the Development Plan policy, in this case, this can be offset by the vacant building credit.



Biodiversity and trees

- 2.39 Whilst protecting bio-diversity and trees are often important considerations in determining planning applications, in this case, there are no trees present on the site and given the nature of the proposal (re-use of an existing building), no important bio-diversity would be affected.

Highways and parking

- 2.40 It is understood that new development will only be permitted where it would not result in a detrimental impact on the public highway and it complies with the adopted standards of the Transport Authority.
- 2.41 In this case, the proposed change of use from a commercial use to a single Dwellinghouse will result in a decrease in the movements to and from the site. This will therefore be an improvement on the existing situation, particularly in terms of numbers of deliveries and visitors to the site which are typically much higher for a commercial use. The proposal is therefore beneficial in these terms as will reduce potential daily vehicle trips.
- 2.42 A requirement of the Council is also to provide on-site parking provision in line with the adopted standards. Given the unique nature of the site, which can only be accessed via the pedestrian bridge, that is not possible. Even so, this situation is no different from how the site already operates and is achievable because it falls within the Reading Town Centre so is in a highly sustainable location when it comes to access to shops and services.
- 2.43 The development is therefore proposed as a car free scheme and therefore it will not require the provision of any onsite car parking. There is however more than sufficient capacity within the site for the provision of secure cycle parking within the generous ground floor storage area.

Refuse collection

- 2.44 Due to the unique nature of the current site and the proposed dwelling, it is unlikely that a *normal* refuse collection, with a refuse lorry stopping on Caversham Bridge, will be acceptable. Accordingly refuse will be taken by boat to the riverside where it will be collected by a private contractor. This is the existing arrangement for all the waste associated with the current use. Naturally, for only one dwelling, it is on a much smaller scale and therefore any impacts of this (compared with the current situation) are reduced.



Safe access and egress

- 2.45 Similarly, the proposed development will significantly reduce the numbers of people on Piper's Island. The existing access bridge from Caversham Bridge will remain the main route in and out of the property. For exceptional circumstances and as a safe means of escape, egress from the island in an emergency can be by boat. The design of the dwelling (not having habitable floor area at ground floor level) means that there will be no danger to life. The house will be safe all the time.
- 2.46 In the event of an emergency, the waiting area (for rescue) in case of fire or flood can be either the eastern tip of the island, which is far from the building, or on the single storey flat roof protruding from the eastern side of the main building. Currently there is a non opening double glazed panel adjacent to the roof, but the proposal is for this to be changed to an opening door as shown on the floor plans reference A-1015A.



3 CONCLUSIONS

- 3.1 The proposed development seeks to make use of a vacant building that no longer operates under its existing lawful use, in part due to restrictions placed on the business by Environmental Health due to noise and public disturbance issues. Under the proposal, a residential use would be secured, which would not impact on neighbouring amenity and is considered to be the optimal use of the building in planning policy terms.
- 3.2 Indeed, the site is in a highly sustainable location where the Development Plan seeks to place most development. It also means that the site can operate without the need of a private car, which is necessary due to the lack of vehicular access.
- 3.3 One of the main constraints is indeed the sites location on an island in the River Thames. Indeed, previous applications have not proceeded to a decision due to uncertainty over whether a proposed new pedestrian bridge link would be achievable. Under this proposal, no new link is proposed as the existing bridge is to be used and the FRA has found this and the development as a whole to be acceptable in flood risk terms.
- 3.4 The proposal is also acceptable in all other respects. We therefore find that the proposed development is consistent with the aims and policies of the Council's Development Plan.
- 3.5 The application should therefore be approved.



APPENDIX 1 – PLANNING HISTORY

Reading Borough Council Online Planning - Search Results

The search has resulted in the following number of planning applications:

The following applications for planning permission have been validated by the Council and can be inspected by visiting the main reception at the Civic Offices Monday to Friday 9am to 5pm (except public holidays). When an application is referred to Committee for the determination the Council will notify the applicant and agent, and those objectors/supporters who have made written representations on the application, to explain the arrangements for speaking at the meeting.

App. No.:	090202	Site Address:	Pipers Island Bridge Street Caversham Reading	View Details
Description:	1 A-board advertisement and 1 Standing box sign			
Received Date:	18/06/2009	Decision Sent Date:	26/08/2009	View Progress
		Decision Date:	26/08/2009	

App. No.:	050095	Site Address:	Pipers Island Ltd, Pipers Island Bridge Street Caversham Reading RG4 8AH	View Details
Description:	Illuminated fascia sign to river frontage of restaurant / bar building and free-standing sign on parapet of bridge at steps entrance to restaurant / bar			View Progress
Received Date:	01/06/2005	Decision Sent Date:	03/07/2006	
		Decision Date:	03/07/2006	

App. No.:	920164	Site Address:	Pipers Island Ltd, Pipers Island Bridge Street Caversham Reading RG4 8AH	View Details
Description:	Free standing sign comprising 2 cast iron signs and 2 canvas banners on cast iron mast.			View Progress
Received Date:	13/02/1992	Decision Sent Date:	07/07/1992	

Decision Date: 07/07/1992

App. No.:	090219	Site Address:	Pipers Island Bridge Street Caversham Reading	View Details
Description:	Discharge of condition 22 of planning consent 05/00877/FUL as amended by The Planning Inspectorate (Appeal Ref: APP/E0345/C/08/2073074)			View Progress
Received Date:	17/06/2009	Decision Sent Date:	12/08/2009	
		Decision Date:	12/08/2009	

App. No.:	060722	Site Address:	Pipers Island Bridge Street Caversham Reading	View Details
Description:	Certificate of lawfulness for mooring of fuel barge			
Received Date:	14/11/2006	Decision Sent Date:	17/12/2008	View Progress
		Decision Date:	17/12/2008	

App. No.:	051125	Site Address:	Pipers Island Ltd, Pipers Island Bridge Street Caversham Reading RG4 8AH	View Details
Description:	Retrospective application for the erection of a restaurant and bar, incorporating amendments to the original scheme approved under planning consent 04/00945/FUL			View Progress
Received Date:	03/08/2005	Decision Sent Date:	11/11/2005	
		Decision Date:	11/11/2005	

App. No.:	080752	Site Address:	Pipers Island Bridge Street Caversham Reading	View Details
Description:	Replacement service barge			
Received Date:	14/08/2008	Decision Sent Date:	06/11/2008	View Progress

Decision Date: 06/11/2008

App. No.:	940052	Site Address:	Pipers Island Ltd, Pipers Island Bridge Street Caversham Reading RG4 8AH	View Details
Description:	Re-alignment of single storey stores to include the provision of a new roof at a higher level, together with the construction of a new office, access link, and restaurant extension at first floor level.			View Progress
Received Date:	20/09/1994	Decision Sent Date:	15/12/1994	
		Decision Date:	15/12/1994	

App. No.:	061434	Site Address:	Pipers Island Bridge Street Caversham Reading	View Details
Description:	Retrospective application for the installation of a fridge/freezer on the east side of the island, and for the addition of a storage shed on the south end of the island.			View Progress
Received Date:	14/11/2006	Decision Sent Date:	16/12/2008	
		Decision Date:	16/12/2008	

App. No.:	040466	Site Address:	Pipers Island Ltd, Pipers Island Bridge Street Caversham Reading RG4 8AH	View Details
Description:	Demolition of existing premises and erection of a restaurant and bar (A3 use)			View Progress
Received Date:	21/07/2004	Decision Sent Date:	13/12/2004	
		Decision Date:	13/12/2004	

App. No.:	171082	Site Address:	Pipers Island Bridge Street Caversham Reading	View Details
Description:	Change of use and conversion of the first floor restaurant/bar into 3 residential dwellings (2 x 2 bed & 1 x 1 bed), including			

new access bridge and external alterations to existing building

[View Progress](#)

Received Date: 28/06/2017 Decision Sent Date: 03/04/2018
Decision Date: 03/04/2018

App. No.: **920730** **Site Address:** **Pipers Island Ltd,
Pipers Island
Bridge Street
Caversham
Reading
RG4 8AH**

[View Details](#)

Description: Proposed awning to first floor terrace, proposed additional external staircase, modifications to existing external staircase.

[View Progress](#)

Received Date: 13/02/1992 Decision Sent Date: 07/07/1992
Decision Date: 07/07/1992

App. No.: **161848** **Site Address:** **Pipers Island
Bridge Street
Caversham
Reading**

[View Details](#)

Description: Change of use and conversion of the first floor restaurant/bar into 3 residential dwellings (2 x 2bed & 1 x 1bed), including new access bridge and external alterations to existing building

[View Progress](#)

Received Date: 29/09/2016 Decision Sent Date: 14/12/2016
Decision Date: 14/12/2016

App. No.: **041218** **Site Address:** **Pipers Island Ltd,
Pipers Island
Bridge Street
Caversham
Reading
RG4 8AH**

[View Details](#)

Description: Proposed ground floor entrance area extension, removal of existing conservatory and replacement extension and new conservatory

[View Progress](#)

Received Date: 14/04/2004 Decision Sent Date: 09/06/2004
Decision Date: 09/06/2004

App. No.: **061374** **Site Address:** **Pipers Island
Bridge Street**

[View Details](#)

**Caversham
Reading**

Description: Retrospective application for the variation of conditions to planning consent 05/00877/FUL, as follows:: Condition.5, to alter the planting plan; Condition 10, to alter the design of the bin store (on barge); and Condition 17, to raise the position of two air conditioning units.

[View Progress](#)

Received Date: 14/11/2006

Decision Sent Date: 13/12/2007

Decision Date: 13/12/2007

App. No.:

091662

Site Address:

**Pipers Island Ltd,
Pipers Island
Bridge Street
Caversham
Reading
RG4 8AH**

[View Details](#)

Description: Retrospective application for the erection of a restaurant and bar, incorporating amendments to the original scheme approved under planning consent 04/00945/FUL without complying with conditions 5 and 7 of planning permission 05/00877/FUL

[View Progress](#)

Received Date: 27/07/2009

Decision Sent Date: 23/02/2010

Decision Date: 23/02/2010

Results: 1 to 16

Click here to return to:

[Welcome Screen](#)

[Search Screen](#)

All data supplied within this system is taken from a live database and is current.

There are no details of applications prior to 1988 in this system.

Contact details can be found at [Contact Details](#) if you require information on any older applications.

Reading Borough Council aims to publish all planning application documentation online within five working days of validation.



APPENDIX 2 – EA RESPONSE FOR 2017 APPLICATION (171082)

From: Planning_THM <Planning_THM@environment-agency.gov.uk>
Sent: 27 October 2017 11:01
To: Bedford, Susanna
Subject: CONSULTATION RESPONSE : 171082 - Pipers Island, Caversham
Attachments: 124083.pdf

Thank you for consulting the Environment Agency, our response is attached. If you have any further questions, please contact me.

Please quote our reference number in any future correspondence.

Kind regards,

Sarah Green

Planning Advisor, Thames Sustainable Places Team
Environment Agency | Red Kite House, Wallingford, OX10 8BD

Planning_THM@environment-agency.gov.uk

External: 020 847 49253

Speak to us early about environmental issues and opportunities - We can provide a free pre-application advice note or for more detailed advice / meetings / reviews we can provide a project manager to coordinate specialist advice / meetings which costs £84 per hour. For more information email us at planning_THM@environment-agency.gov.uk



From: Bedford, Susanna [mailto:Susanna.Bedford@reading.gov.uk]
Sent: 12 July 2017 17:45
To: Planning_THM <Planning_THM@environment-agency.gov.uk>
Subject: RE: 171082 - Pipers Island, Caversham

Hi Sarah,

Apologies for the delay.
Please see attached the FRA - which came as several e-mails after several requests by the LPA.
The application form (as redacted) is now on our web site.

Please let me know if you need any more info as this is a bit of unusual application, in particular in relation to the access and servicing the site.

Regards,

Susanna Bedford
Principal Planner
Planning, Development and Regulatory Services/ Environment and Neighbourhood Services

Reading Borough Council
Civic Centre
Bridge Street
Reading RG1 2LU

0118 937 2023 (72023)
Monday- Wednesday

This Council will implement its Community Infrastructure Levy (CIL) on 1st April 2015. Planning applications which are decided on or after 1st April 2015 may be liable to pay the levy. For more information please visit our website at <http://beta.reading.gov.uk/readingldf>

[Website](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)



From: Planning_THM [mailto:Planning_THM@environment-agency.gov.uk]
Sent: 10 July 2017 11:40
To: Bedford, Susanna
Subject: 171082 - Pipers Island, Caversham

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Dear Susanna,

We have recently been consulted on this planning application.

On your website there is no planning application form or flood risk assessment, can you please confirm if these will be uploaded.

Many thanks,

Sarah Green
Planning Advisor, Thames Sustainable Places Team
Environment Agency | Kings Meadow House, Reading, RG1 8DQ

Planning_THM@environment-agency.gov.uk
External: 020 847 49253



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Ms Susanna Bedford
Reading Borough Council
Development Control
PO Box 17
Reading
Berkshire
RG1 7TD

Our ref: WA/2017/124083/01-L01
Your ref: 171082
Date: 27 October 2017

Dear Ms Bedford

Change of use and conversion of the first floor restaurant/bar into 3 residential dwellings (2 x 2 bed & 1 x 1 bed), including new access bridge and external alterations to existing building

Pipers Island, Bridge Street, Caversham

Thank you for consulting us on the above application. Please accept my apologies for the delay in responding. We have reviewed the submitted details in relation to development on land affected by flooding and the location close to a main river.

The application site lies within Flood Zone 3 defined by the National Planning Policy Framework (NPPF) and associated Flood risk and coastal change National Planning Policy Guidance (NPPG) as having a high probability of flooding.

The application is supported by a Flood Risk Assessment (FRA) which confirms that there will be no loss of flood storage and finished floor levels can be accommodated at a safe height to reduce flood risk to the properties.

However, the proposal includes a new bridge crossing to the island across the River Thames which would require approval from us under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016, in addition to obtaining planning permission. The applicant has not assessed the risk of flooding or the potential impact on the nature conservation value of the river from this structure.

Based on the proposal as submitted, we would be unlikely to allow a permit unless the applicant demonstrates that any identified impact can be overcome.

Environment Agency position

In accordance with paragraphs 102 and 103 and paragraph 109 of the National Planning Policy Framework (NPPF), in the absence of satisfactory assessments on flood risk and nature conservation value, we **object** to this application.

Cont/d..

Reason 1

In accordance with paragraphs 102 and 103 of the National Planning Policy Framework (NPPF), the Flood Risk Assessment (FRA) submitted with this application, reference 30918/4001 dated June 2016 undertaken by Peter Brett Associates, does not fulfill the requirements set out in the NPPF and the associated PPG and does not therefore provide a suitable assessment of the flood risk arising from the proposed development.

In particular, the submitted FRA fails to assess the impact of the proposed bridge crossing on flood risk to the surrounding area.

Overcoming our objection

The objection can be resolved by undertaking an FRA which demonstrates that the development is safe without increasing risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we are likely to maintain our objection to the application. Production of an FRA will not in itself result in the removal of an objection.

The applicant should submit detailed plans showing the proposed design of the bridge with cross sections and soffit levels. We will also need to see details and location of its abutments in relation to the river bank.

Reason 2

In accordance with paragraph 109 of the National Planning Policy Framework (NPPF), no assessment of the risk from the proposed access bridge to the nature conservation and/or fisheries value of the River Thames has been provided.

Government policy on minimising impacts on biodiversity set out in the National Planning Policy Framework (NPPF) paragraph 118, requires local planning authorities to aim to conserve and enhance biodiversity when determining planning applications. This has not been demonstrated in the present application.

Overcoming our objection

We believe there may be significant value associated with the River Thames adjacent to the site and the proposed access bridge may have a detrimental impact on important species and habitat within the riparian corridor. A habitat survey is required to enable an assessment of the risk posed by the bridge along with measures to show how any potential impact can be satisfactorily avoided, mitigated or compensated for.

Detailed bridge designs should include information of the proposed method of lighting on the bridge and what measures will be taken to prevent additional light spill onto the river.

Final comments

Once again, thank you for contacting us. Our comments are based on our available records and the information as submitted to us.

We ask to be re-consulted with the results of the requested surveys and we will provide you with bespoke comments within 21 days of receiving formal re-consultation. Our objection will be maintained until details have been submitted.

If you are minded to approve this planning application contrary to our advice please contact us prior to doing so.

In accordance with the Planning Practice Guidance (Reference ID: 7-043-20140306), please notify us by email within 2 weeks of a decision being made or application being

withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

If I can be of any further assistance, please contact me directly.

Yours sincerely

Miss Sarah Green
Planning Advisor - Thames Area

Tel: 020 847 42953

Email planning_THM@environment-agency.gov.uk



APPENDIX 3 – LICENSING OFFICER RESPONSE FOR 2017 APPLICATION (171082)

From: Greenway, Jane
Sent: 15 August 2017 09:27
To: Bedford, Susanna
Subject: FW: Consultation on Planning Application 171082 - Island Bar

Jane Greenway
Planning Technical Support
Ext 74029

From the 1st April 2017 we will be charging for copies of decision notices, site history searches, conditions checks and s106 enquires

-----Original Message-----

From: Licensing
Sent: 15 August 2017 09:16
To: Greenway, Jane
Subject: RE: Consultation on Planning Application 171082 - Island Bar

Dear Colleagues in Planning,

Thank you for your email in relation to the proposal to turn the top floor of the Island Bar in Pipers Island into three flats. The Licensing team would comment as follows:

The Island Bar has a history of non compliance with licence conditions. In 2011, their premises licence was revoked by the Licensing Committee in relation to persistent breaches of conditions and serious disorder at the premises. In 2015, a noise abatement notice was served on the premises by the Environmental Protection and Nuisance team due to noise outbreak that constituted a statutory noise nuisance under the Environmental Protection Act 1990. This was due to the continual noise emanating from the premises and the breach of the noise conditions on the licence. This noise abatement notice remains in place today. On 1st November 2016, the Licensing Committee heard another review of the premises licence and determined that the premises licence should be suspended for 14 days. Again, conditions not being complied with and noise outbreak were the key reasons for this decision. Two licensing inspections of 2016 also found the premises non compliant and to date, they are still non compliant.

As you can see, from purely a compliance point of view, the premises has a rather poor history which has created substantial amount of work for the Licensing team; Environmental Protection and Nuisance team and Thames Valley Police. It has also, through it's activities, undermined the licensing objectives of prevention of crime and disorder; prevention of public nuisance and public safety whilst causing severe noise disturbance to nearby residential dwellings over many years. It should also be noted that the premises were served an enforcement notice by Royal Berkshire Fire and Rescue Service on 14th March 2017 due to concerns over the safety of the site and the lack of knowledge of staff in relation to fire matters. I also believe this enforcement notice means that the top floor cannot be used.

The Proposal:

In terms of the proposal to turn the upstairs into three flats; the licensing team would question how this could be done whilst the premises continues to hold a premises licence with a terminal hours for licensable activities of 1am. There is no insulation between the ground floor of the premises and the first floor; therefore any person living in those three flats would be severely impacted by any music coming from the downstairs - particularly if it was going on until 1am. The hours for the downstairs would have to be reduced significantly in order that the venue does not cause a public nuisance - perhaps to 9pm/10pm. This would require a variation of the premises licence currently in

force. The Noise Abatement notice is still in force at the premises so that it doesn't impact on residents - this will clearly be breached if there are residents living upstairs. The issue of noise and licensing compliance have not been addressed to any satisfactory degree within the proposals.

The Island Bar site seems to have been allowed to deteriorate over the years. The premises has been poorly run and the site has been deemed unsafe in some respects by RBRFS which undermines the licensing objective of protecting the public. Given the history of non compliance by the owners, it is questionable how there can be any confidence that they would comply with any planning conditions given their lack of compliance with licensing conditions.

Other brief comments to make are as follows:

1. The Design and Access Statement submitted in support of the application states that it is on behalf of Omer Yucei. The person who owns the site is Omer Yucel under the guise of his various companies - so this seems a bit odd.
2. The Design and Access Statement also states that the site requires large amounts of investment which will be generated by the proposal to turn the upstairs into flats. It seems odd that the premises has deteriorated to the extent that it can only be upkept by potential residents. Does that mean that if the proposal were refused, that the site would deteriorate still further? Given the enforcement notices in place on the premises already, this would be a concern.
3. There may be issues with parking as there is a lack of spaces already.
4. There may be issues with fire evacuation from the island for any potential residents.
5. The premises licence has recently been transferred to another person other than Mr Yucel. It is unclear what the correlation is between the new licence holder, Mr Yucel and these proposals.

In summary, the licensing team have experienced a long history of non compliance with his site over the years. However, the proposal to have flats above a badly insulated downstairs with a 1am licence does seem to have been poorly thought out. The use of the site as a residential dwelling would only have a chance of working successfully if the whole site was residential or the premises licence holder surrendered or severely reduced their operating hours. However, that does not negate the issues stated in the various notices served by the Council (Noise nuisance) and the Fire Brigade (public safety)

I hope that is of assistance. Please contact me if you require anything further.

Regards

Richard French
Licensing Enforcement Officer

-----Original Message-----

From: Greenway, Jane

Sent: 14 August 2017 11:02

To: Licensing

Subject: Consultation on Planning Application 171082 - FWD to RF by RS

This is to advise you that the above application has been submitted to the Planning Department. If you have any comments to make relating to the above development please provide them by return email or memo by the date shown on the attached memo.