

DELEGATED APPLICATION REPORT

Target Date: 27/04/2020

Application No: 191831/FUL

Address: 92 Northcourt Avenue, Reading, RG2 7HG

Proposal: Retrospective application for the installation of external caged condenser unit to South East corner.

Case Officer: David Brett

Applicant: Mr Chopra

Date received (valid from): 17/12/2019

1. Site Description and Surrounding Area

The proposal site is a local convenience store at the corner of Northcourt Avenue and Cressingham Road. 92 Northcourt Avenue is a two storey building with the first floor consisting of the convenience store shopfront, the second floor consisting of flats, with a roof dormer. The second floor is rendered white, with white PVC windows. Red brickwork breaks up the side elevations.

Neighbours include local businesses such as a garage, bed shop, and a carpet shop. There is parking on site for the convenience store and the residents of the flats above the convenience store. Aside from local businesses, Northcourt Avenue consists of mostly semi-detached dwelling with varying designs in terms of brickwork and render. The road is lined with large deciduous trees.

The proposal site is within a Green Link and home to protected species of bat. There are no parking restrictions along Northcourt Avenue, with moderate levels of on street parking.

2. Proposal

The proposal is a retrospective application for the installation of external caged condenser unit to South East corner. The condenser is grey, and encased in a black cage. The condenser unit faces diagonally from the convenience store towards the highway. The external cage housing the condenser unit has a depth of 600mm, a height of 1198mm, and a width of 1203mm

3. Internal Consultations

Reading Borough Council Transport - No response has been received.

Reading Borough Council Environmental Protection - Response received on 17/04/2020

- *We require them to carry out a BS4142:2014 assessment.*

4. External Consultees

90 Northcourt Avenue, Reading, RG2 7HQ

Berkshire Carpets, 92 Northcourt Avenue, Reading, RG2 7HQ

Flat 1, 92a Northcourt Avenue, Reading, RG2 7HQ

Flat 2, 92a Northcourt Avenue, Reading, RG2 7HQ

Flat 3, 92a Northcourt Avenue, Reading, RG2 7HQ

Flat 4, 92a Northcourt Avenue, Reading, RG2 7HQ

No responses have been received.

5. Plans/Documents Considered

The agent supplied the following plans:

- Location Plan, Block Plan, Floor Plan, Existing Elevations - 911/PL-01

These plans were received on 14/11/2019

- Condenser Specifications
- Condenser Model Number

These documents were received on 17/12/2019

6. Relevant Planning History

None

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 Local Development Framework 'Core Strategy' 2008 (Altered 2015).

The 'National Planning Policy framework' ('NPPF') 2012 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 Development Framework (LDF) (Core Strategy and Sites and Detailed Policies Document) 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 2012;

National Planning Policy Guidance 2014 onwards;

Reading Borough Local Plan (November 2019)

- CC7: Design and the Public Realm
- CC8: Safeguarding Amenity
- EN17: Noise Generating Equipment
- OU5: Shopfronts and Cash Machines

7. Appraisal

7.1 Design and the Public Realm, and Shopfronts

In accordance with Reading Borough Local Plan policy CC7: Design and the Public Realm, all development must be of high design quality and maintains and enhances the character and appearance of the area of Reading in which it is located. In line with this policy, development will be assessed to ensure that they:

- Respond positively to their local context and create or reinforce local character and distinctiveness, including protecting and enhancing the historic environment of the Borough and providing value to the public realm.
- Are visually attractive as a result of good high quality built forms and spaces, the inclusion of public art and appropriate materials and landscaping.
 - The existing condenser and external cage are not considered to be visually attractive or contribute positively to the character and appearance of the surrounding area. The size, shape, colour and form of the condenser and cage, combined with its siting outside 92 Northcourt Road means that it is considered intrusive and out of place.
 - The condenser prominently sits at ground floor level projecting forward from the corner of 92 Northcourt Avenue. The condenser unit by virtue of its placement and size do not contribute positively to the overall visual appearance of 92 Northcourt Avenue and the surrounding area.

In accordance with Reading Borough Local Plan policy OU5: Shopfronts and Cash machines:

- Individual features of shopfronts and cash machines will respect the character of the building on which they are located and their surroundings, as well as the wider street, in terms of design, colours, materials, lighting, and location.
 - The external cage and condenser unit are considered features of the shopfront at 92 Northcourt Avenue that do not contribute positively to the character and appearance of the building at which they are located. The external cage is considered inappropriate in terms of its design, colours, size and location.
 - The condenser unit and external cage sit in a prominent location at the corner of 92 Northcourt Avenue, facing out to the junction at Cressingham Road, and are considered to detract visually from the street scene.

7.2 Safeguarding Amenity

In accordance with Reading Borough Local Plan policy CC8: Safeguarding Amenity, development will not cause a detrimental impact to the living environment of existing residential properties in terms of:

- Visual dominance and overbearing effects of a development
- Harm to outlook
 - The existing condenser is considered overbearing to the proposal site and surrounding area. The siting and orientation of the condenser unit is considered poor. The condenser is clearly visible from the street scene and does not contribute positively to the outlook of 92 Northcourt Avenue. A condenser unit of this type is usually located in an area that is not visible from the street scene, particularly in an area which is predominantly residential.
 - The condenser unit does not contribute positively to the character and appearance of 92 Northcourt Avenue. It is considered a visual intrusion that is detrimental to overall appearance of the proposal site and surrounding area.
- Noise and disturbance
 - The Reading Borough Council Environmental Health Team have advised that a noise assessment using the BS4142:2014 methodology will need to take place in

order to determine the impact of the condenser unit. The agent was informed of this on Monday 20th April via email. At the time of the issue of this delegated report, a noise assessment has not been submitted for consideration.

- Without the noise impact assessment it cannot be determined if the condenser is outputting noise that is at least 10dBA below the existing background level as measured from the nearest habitable space. As a result, the condenser unit cannot be permitted in its current state due to confliction with policy EN17 (Noise Generating Equipment) of the Reading Borough Local Plan (Adopted November 2019). This is a particular concern given that there are flats above 92 Northcourt Avenue.

8. Conclusion

Having regard to the material considerations and all matters raised, the Local Planning Authority considers that the balance of considerations therefore does not weigh in favour of granting planning permission.

Permission is not granted due to the following reasons:

1. Due to the size, scale, colour and siting, in a prominent location at the corner of Northcourt Avenue and the junction at Cressingham Road, the external cage and associated condenser unit are considered to be uncharacteristic and visually intrusive to the local context, and therefore cause significant harm to the character and appearance of the existing shop front and street scene.
Thus, the application is contrary to policies CC7, CC8 and OU5 of the Reading Borough Local Plan (Adopted November 2019).
2. Due to the lack of a noise assessment the applicant has failed to demonstrate that the development has an acceptable impact in relation to the residential amenity of nearby properties and the surrounding area in terms of noise pollution.
Thus, the application is contrary to policy EN16 and EN17 of the Reading Borough Local Plan (Adopted November 2019).

Recommendation

REFUSE

9. Informatives

IF0: Positive and Proactive Working - refusal

The Local Planning Authority has worked positively and proactively with the applicant to see if relevant concerns could be resolved to allow permission to be granted. However, that has not been possible within the prescribed target or agreed extended timescale and therefore the decision to refuse planning permission has been taken.

C00: Plans Considered

The refusal relates only to the following plans and drawings as received by the local planning authority:

- Location Plan, Block Plan, Floor Plan, Existing Elevations - 911/PL-01

These plans were received on 14/11/2019

- Condenser Specifications
- Condenser Model Number

These documents were received on 17/12/2019

C00: Enforcement

The Local Planning Authority may consider enforcement action against any unauthorised development, if considered expedient to do so.

I14 - Pre-app Advice

This planning application was submitted without the benefit of first seeking pre-application advice from the Local Planning Authority, which can often result in the avoidance of refusal of planning permission. Please see the following link to the Council's pre-application service here:

http://www.reading.gov.uk/media/1190/Pre-Application-Enquiry-Form/pdf/Pre-app_Nov_2016.pdf