

DELEGATED APPLICATION REPORT

Address: 357 Basingstoke Road

Application No: 210125/FUL

Applicant: Kingfisher Mini Coaches

Proposal: Removal of existing workshop and the erection of a new workshop

Agreed Target Decision Date: 01/10/21

Case Officer: Connie Davis

1.Site Description and Surrounding Area:

The application is a former end of terrace residential unit located on the eastern side of Basingstoke Road. The site is currently used by King Fisher Mini Coaches for businesses purposes, with an office to the rear of the main property and a coach yard in the former garden. It has an outbuilding which is used as a workshop. A small track separates the site with 363 Basingstoke Road and Whitley Park Primary and Infant School located at the rear of the site. The surrounding area is predominately residential.

The application site is not listed, nor in a conservation area. However, the site is located within an Air Quality Management Area.

2. The Proposal

The proposal comprises of the demolition of the existing workshop to construct a purpose-built workshop to support the functioning of the coach hire business.

The existing workshop which is to be demolished measures a height of 5m, width of 10m and a depth of 7m. It is located on the southern side of the yard, away from immediate neighbours (353 and 355 Basingstoke Road). A metal container is located on the northern side of the site, near the boundary with 353 Basingstoke Road which is also proposed to be removed.

The proposed workshop would measure a depth of 11.5m. The roof is proposed to be pitched and have a maximum height of 5m. It would have a width of 7.2m There would be a separation distance between the building and the boundary fence with no. 355 Basingstoke Road by 3.5m.

The site has recently regularised the business use via a Certificate of Lawfulness for existing use application and so the use in question is lawfully established.

3. Consultation

Internal Consultation

Environmental Protection and Nuisance (EP&N) - The EP&N officer requested that a noise assessment was carried out due to the site being located in a residential area. This has not been forthcoming. However, under previously refused application 190891 for a new workshop, a noise assessment was submitted and concluded that:

The noise assessment concludes, as suspected, that noise levels would be at a level where adverse impact would be expected if the workshop were to operate

with open doors. The proposed mitigation measures include installation of insulated doors to the workshop, and of course these will need to be used to contain the noise. With closed doors, the noise levels will be acceptable at local resident's homes and will be an improvement over the existing situation which did not have planning consent.

It is considered the above would likely be the same conclusion for any workshop on site given the residential area, however this cannot be conclusively known under this application in the absence of a noise assessment.

Transport - No objections

External Consultation

The following addresses were formally consulted via letter on 18/05/21:

351, 353, 355, 357a, 363,
Whitley Park Primary and Infant School

In addition a site notice was sent to the agent for display on 18/05/21.

Four objections were received from 353 Basingstoke Road relating to the following issues:

- Hours of operation of the business
Officer comment: Will be discussed in the report
- Noise from the existing workshop
Officer comment: Will be discussed in the report
- What will the workshop be used for?
Officer comment: The workshop will be used to support the operations of the coach hire business such as general maintenance of vehicles
- Will double decker buses be on site?
Officer comment: This application cannot control the types of buses the business has on site. Please contact the Transport department to discuss this matter further
- Buses have previously knocked down the neighbouring fence. Have concerns this may happen again and affect safety of children
Officer comment: This is a civil matter between the neighbour and applicant
- Buses cause traffic jams and have an impact on road and pedestrian safety
Officer comment: This application cannot control the types of buses the business has on site, nor its traffic movements. Only the impact of the new workshop itself can be considered and there is not reason to suggest more vehicles will necessarily be brought onsite as a result of the construction of the workshop. Please contact the Transport department to discuss this matter further
- Business often having bonfires

Officer comment: Please contact the Environmental Protection team should you wish to discuss this matter further. This is not an issue directly concerned with the proposal submitted.

4. Plans and Documents Considered

The Council, in reaching its recommendation, has taken into consideration the following plans & documents:

Drawing No.:

01 - Existing Floor Plan and Roof Plan
02 - Existing Elevations
06 - Proposed Block plan
04 - Proposed Floor Plan and Roof Plan
05 - Proposed Elevations
Application Form
CIL Form

Received 26th January 2021

Planning Statement
Site Location Plan
03 A - Existing Block Plan
Received 17th May 2021

Maxiboard details
Received 22nd September 2021

5. Relevant Planning History

201710/CLE - Certificate of Lawfulness for existing B8 use (coach storage) with ancillary B2 use (General Industrial - on site workshop) and B1(a)/E (g)(i) use (Office - on site office) (amended) - Certificate Granted

190891/FUL - Removal of existing rear workshop, store and metal container with the erection of a new purpose built workshop - Application Refused

6. 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.

7. Relevant Planning 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 Plan (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 Development Framework (LDF) (Reading Borough Local Plan (2019) 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). Accordingly, the ‘NPPF’ and the following development plan policies and supplementary planning guidance are relevant:

8. Relevant Policies

The application has been assessed against the following policies:

National

National Planning Policy Framework (2021);
National Planning Policy Guidance;

Local - Reading Borough Local Plan (2019)

CC1: Presumption in favour of Sustainable Development
CC2: Sustainable Design and Construction
CC7: Design and the Public Realm
CC8: Safeguarding Amenity
EN16: Pollution and Water Resources
EN17: Air Quality
TR3: Traffic, Access and Highway Related Matters

Other Documents

Sustainable Design and Construction SPD (2019)

9. Appraisal

- a) Principle of Development
- b) Design and Impact on the Street Scene
- c) Impact on Neighbouring Amenity
- d) Noise
- e) Transport
- f) Sustainability

a) Principle of Development

As noted earlier in the report, the site has a lawful B1/B8 use established via a Certificate of Lawfulness as opposed to be granted through planning permission. As such, the principle of having a business use at the site is lawful and cannot retrospectively be considered in relation to neighbouring amenity.

Given the site already accommodates an existing workshop, and the site has a lawful B1/B8 use, there is not considered strong resistance to the principle of a replacement workshop.

b) Design and Impact on the street scene

Policy CC2 states that *“Proposals for new development, including the construction of new buildings and the redevelopment and 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.”*

Policy CC7 states that *‘all development must be of high quality that maintains and enhances the character and appearance of the area of Reading in which it is located. The various components of development form, including: Scale: height and massing’.*

The proposed design of the workshop would be of overall similar design to that already being used on site, albeit slightly greater in depth. Given its set back from the highway, it would have limited additional harm in terms of the appearance of the street scene than the current workshop. The residential area is characterised by two storey terraced properties of traditional materials. Further details on the proposed materials will be secured via a pre-commencement condition to ensure they suitably integrate with surrounding development.

Due to the existing workshop being dated, its sustainability credentials are low, and officers consider this scheme could result in a more sustainable and efficient building, in accordance with Policy CC2 of the Reading Borough Local Plan (2019).

Overall the design and scale are considered acceptable when assessed in relation to the workshop already on site which has a lawful use. The proposal is therefore considered acceptable in relation to Policy CC7 of the Reading Borough Local Plan (2019) subject to a condition securing proposed materials.

c) Impact on neighbouring amenity

Policy CC8 states that development will only be acceptable if it *“will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties”.*

The workshop would extend to a depth of 11m at a height of 5m. At present the workshop is 7m in depth at a 5m height. As such, the building will be taller for a greater depth (an additional 5m in depth at a height of 5m). However, the workshop would maintain the existing separation distance from the side boundary of no. 355 of 3.5m. As such, it would not be considered an excessively dominant structure from the rear amenity space of this neighbouring property when compared to the existing situation.

It is considered that there is a sufficient distance between the proposed development and Whitley Park Infant and Nursery School and no. 363 Basingstoke Road so as the development not to be considered visually intrusive.

The proposal is therefore considered acceptable in terms of loss of light and overbearing effects on neighbouring properties in line with Policy CC8. Separate discussion on noise associated with the proposed workshop (and the consequent impact on neighbouring amenity) will be discussed below.

d) Noise

Policy EN16 states that *'Development will only be permitted where it would not be damaging to the environment and sensitive receptors through land, noise or light pollution'*.

Policy CC8 states that *'Development will not cause detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties in terms of...noise and disturbance'*.

Whilst the site has a current lawful use for business purposes, an assessment of current noise levels has not been provided. As noted earlier in the report, under the previous application for a new workshop at the site, a noise assessment was carried out which indicated the proposed workshop would result in a harmful level of noise to neighbouring residents, and suitable mitigation to reduce noise levels was not possible to secure via a planning condition. The assessment, as required by Environmental Health Officers, was required to be carried out against background level noise (with the workshop not in operation).

Since the previous assessment, the site now has gained a Certificate of Lawfulness confirming that the site has a lawful use for business/ storage purposes. As such, the assessment of this current application needs to take into account the now lawful use of the site and assess this new application accordingly. Officers have to be mindful that the existing workshop and land within the site can lawfully continue to operate outside of this planning application. For information, it should be noted that the Environmental Health team have no formal record of any noise disturbance complaints from neighbouring properties. The attention now needs to turn to what mitigation measures can be installed to help minimise noise disturbance compared to the existing situation.

The NPPG (Paragraph 010 Reference ID: 30-010-20190722) notes 4 broad types of mitigation with each of these being considered/ addressed in this assessment:

- engineering: reducing the noise generated at source and/or containing the noise generated;

Officer comment: The applicant has confirmed that the activities which would be carried out in the workshop would be the same as those currently; namely for the inspection, repairs and servicing of vehicles. Officers had considered the potential of restricting the use of the workshop so that private motor vehicles being serviced in the workshop so as to not result in an intensification of the use. However, Officers consider such a condition would not meet the relevant tests for conditions outlined in the NPPG. Furthermore, the applicant has confirmed the use of the workshop would remain as existing. Any change in the workshop (to service private motor vehicles) would require separate planning permission due to falling within the Sui Generis use class rather than the existing B1/B8 use.

- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;

Officer comment: The workshop would be in the broadly same position as the existing workshop with a separation distance to residential development

- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;

Officer comment: The site is currently unrestricted in its operational hours, although the applicant has stated that hours are generally restricted to 8am - 6pm although these are not formally secured, nor can these be enforced by the LPA. However, under this application, the hours of operation for the workshop can reasonably be secured. This is considered a particular positive of the scheme as it will provide residents with certainty over when the building will be used, and any deviation of this can be reported to the LPA or Environmental Health team. Hours of operation (for the workshop) will be restricted from 8am - 6pm Monday - Friday and 9am - 1pm weekends and bank holidays.

- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Officer comment: The current workshop is dated. As such, its soundproofing and noise insulation is likely to be limited. As part of this proposed scheme, the applicant has agreed to a pre-commencement condition requiring details of materials to be submitted (these materials should have suitable sound proofing qualities).

As such, when considering the existing lawful use of the site and the fact that this could continue to operate with the existing workshop, it is considered that the proposed new workshop could help minimise noise impact when compared to the current situation. In fact, this application will secure a building that is able to be better sound proofed, and the hours of operation restricted to ensure no disturbance at unsocial hours. The activities within the workshop will also remain the same rather than intensify. These particular measures will be considered beneficial to neighbouring residents in reducing noise disturbance in line with Policies CC8 and EN16 of the Reading Borough Local Plan (2019).

e) Transport

As noted in the Transport consultation response, there are no objections to the proposal on Transport grounds and there is no indication that the site will be used for more vehicles than the current situation. As such, the proposal is considered acceptable in relation to Policy TR3 of the Reading Borough Local Plan (2019) as there will not be additional pressure on the highway. As part of the consultation period, neighbours have noted that buses on site have caused traffic jams and are considered to impact pedestrian safety. This is a separate matter outside of this application for a new workshop and the Transport department should be contacted to discuss.

f) Sustainability

Within the submitted planning statement it states that the proposed workshop will be of a higher energy efficiency and of quality materials; a vast improvement on the existing workshop which is described as being old, in a poor state and inefficient in terms of energy use and insulation. Conditions will be applied requiring the

applicant to demonstrate the BREEAM rating of the new development meets a 'Very Good' standard in line with Policy CC2 of the Reading Borough Local Plan (2019).

Conclusion

The proposal is considered acceptable for the reasons outlined in the report.

Recommendation: GRANT subject to the following conditions:

All pre-commencement conditions have been agreed by the agent

1) Time Limit

2) Approved Plans

3) **No development shall commence on site until** a schedule of the materials, which demonstrate sound-proofing qualities, to be used in the construction of the external and internal surfaces of walls, roof and openings of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details approved 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 visual amenity and ensuring the new development responds positively to the local context and are suitable in terms of sound-proofing for the benefit of neighbouring properties in accordance with Policy CC7 and CC8 of the Reading Borough Local Plan 2019

4) Hours of operation of the workshop to be restricted from 8am - 6pm weekdays and 9am - 1pm weekends and bank holidays.

REASON: To prevent unrestricted use of the development which could result in an increase in noise and disturbance to neighbouring residents in accordance with Policy CC8 and EN16 of the Reading Borough Local Plan (2019).

5) **No development shall commence on site until** a copy of an Interim BREEAM Certificate in accordance with the BREEAM Sustainability Standard demonstrating compliance with a minimum standard of BREEAM Very Good rating has been submitted to and approved in writing by the Local Planning Authority.

REASON: These details are required due to insufficient information being contained within this submission and in order to ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 of the Reading Borough Local Plan 2019.

6) Prior to first occupation of the development hereby approved, a copy of a Final BREEAM Certificate in accordance with the BREEAM Sustainability Standard following a post-construction stage review carried out by a licensed assessor has been submitted to and approved in writing by the Local Planning Authority, demonstrating that the development has attained as a minimum the standard set out in the Interim BREEAM Certificate referred to in condition 6.

REASON: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 of the Reading Borough Local Plan 2019.

Informatives

- 1) Terms
- 2) Building Control
- 3) Complaints about construction
- 4) Encroachment
- 5) Pre-Commencement Conditions
- 6) Positive and Proactive