

DELEGATED APPLICATION REPORT

Ward: Abbey

App Ref: 201835

Address: 4-6 Abbey Gardens, Abbey Street, Reading, RG1 3BA

Proposals: Removal of 1No. glazed panel and the installation of a new air intake/outlet to match existing (part retrospective).

Case Officer: Mr David Brett

Applicant: CL Abbey Limited C/O Palm Capital

Date received: 17/12/2020

Valid from: 04/01/2021

Target Decision date: 01/03/2021

1. INTRODUCTION

The proposal site comprises of a large office block, next to the River Kennet in Reading town centre. 4-6 Abbey Gardens is a large seven storey office block with mostly glass window exterior, supported by concrete blocks.

2. PROPOSAL AND SUPPORTING INFORMATION

The proposed development seeks the removal of 1No. glazed panel and the installation of a new air intake/outlet to match existing. An indoor ventilation unit is also to be installed. The application form states that the proposed works commenced on 30/11/2020 but have not yet been completed.

Plans considered:

- Site Location and Block Plan - 2066 PL-05-01 PL02
- Existing East & West Elevations - 2002 PL-05-02 PL02
- Existing & Proposed South Elevation & Proposed Plan - 2066 PL-05-03 PL02

Received on 04/01/2021

- Ventilation Layout Fifth Floor South - C5037-03 Rev A1
- Ventilation Technical Data VAM-J
- Combined Intake/Discharge Louvres

Received on 17/02/2021

3. RELEVANT PLANNING HISTORY

172261 - External terrace and decked area - Application refused on 10/05/2018

191033 - 2 no. Freestanding Directional Signs and 1 no. Building Mounted Sign - Application permitted on 25/09/2019

200477 - Remove existing glazed panel and replace with new entrance door to terrace area - Application permitted on 27/05/2020

4. CONSULTATIONS

4.1 *The following addresses were consulted by letter.*

55 Kings Road, Reading, RG1 3AH - No response has been received.

Abbeygate House, 57-75 Kings Road, Reading, RG1 3AB - No response has been received.

The White Building, 33 Kings Road, Reading, RG1 3AR - No response has been received.

Reading Borough Council, Environmental Protection - Response received on 28/01/2021

- *Applications which include noise generating plant when there are nearby noise sensitive receptors should be accompanied by an acoustic assessment carried out in accordance with BS4142:2014 methodology.*

- *A noise assessment has not been submitted with the application and therefore I cannot determine the likely noise impact of the proposal and whether the proposals are acceptable. I therefore recommend refusal unless a noise assessment can be submitted and considered by us before the application is determined.*
- *Alternatively the following condition could be attached to consent, however it is possible that the criteria would be met with the plant specifications proposed in this application and a new application may need to be made at a later date for alternative plant / location.*

Reading Borough Council, Environmental Protection - Response received on 18/02/2021 upon review of additional information submitted.

- *No objection subject to condition relating to noise levels of indoor ventilation unit.*

The agent has confirmed to the Council that a site notice was erected on Wednesday 13th January 2021, enabling consultation for a period of 21 days and which expired on Wednesday 3rd February 2021.

No further consultation responses have been received for this application.

5. 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.

6. LEGAL AND PLANNING POLICY CONTEXT

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 (2019).

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) (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).

National Policy

National Planning Policy Framework

National Planning Practice Guidance

Reading Borough Local Plan (Adopted November 2019)

CC2 Sustainable Design and Construction

CC7 Design and the Public Realm

CC8 Safeguarding Amenity

EN15 Air Quality

EN17 Noise Generating Equipment

7. APPRAISAL

7.1 *Design and Access*

The proposed removal of 1no glazed panel to be replaced with a new air intake outlet to match the existing is considered a very minor proposal. The proposal is not considered to harmfully

alter the character and appearance of the 4-6 Abbey Gardens or the surrounding area due to the limited scale and nature of the proposal. The proposed alterations are to a fifth-floor glazed panel, which is largely obscured from the street scene. The panel to be replaced faces inward towards the side elevation of 4-6 Abbey Gardens as does not front the highway or street scene. The replacement louvres proposed is to match existing louvres at 4-6 Abbey Gardens.

Overall, the proposed development is considered very minor in scale and is not considered harmful to the character and appearance of the surrounding area in accordance with policy CC7 of the Reading Borough Local Plan.

7.2 Noise Generating Equipment

The proposed indoor ventilation unit to be installed behind the proposed louvres has been assessed by Environmental Protection for its potential harm in terms of noise disturbance. The applicant has provided details of the proposed indoor ventilation unit, which demonstrates the sound pressure levels of the proposed unit at low, high and ultra high modes. The Reading Borough Council Environmental Protection Officer is satisfied that the proposed unit will not harm the amenity to nearby residents in terms of noise and disturbance. It has been recommended, however, that a condition be attached to any approval of this application requiring the proposed indoor ventilation unit to be at least 10dB below the pre-existing background sound level while in operation. This is to safeguard the amenities of the adjoining premises and the area generally, in accordance with policy CC8 and EN17 of the Reading Borough Local Plan.

7.3 Air Quality

This proposal has been considered against Reading Borough Local Plan policy EN15, as the proposal site is within an Air Quality Management Area (AQMA). As demonstrated in the policy, this proposal does not meet the requirements for an Air Quality Assessment (AQA) and is considered not enough of a detrimental impact air quality to warrant such an assessment due to the size and scale of the proposal.

8. CONCLUSION

The proposed development has been assessed and the proposed works are considered to be in accordance with the above relevant policies and planning permission can be granted.

9. RECOMMENDATION

GRANT

10. CONDITIONS

AP1: Approved Plans

The development hereby permitted shall ONLY be carried out in accordance with the following approved plans:

- Site Location and Block Plan - 2066 PL-05-01 PL02
- Existing & Proposed South Elevation & Proposed Plan - 2066 PL-05-03 PL02

Received on 04/01/2021

- Ventilation Layout Fifth Floor South - C5037-03 Rev A1
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REASON: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

M3: Materials (As Specified)

The materials to be used in the construction of the external surfaces of this development shall be as specified on the plans and application forms unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

N8: Noise Levels of Plant/Equipment Restricted

The specific sound level of the plant/equipment hereby approved, (LAeq,TR) (with reference to BS:4142) as measured at a point 1 metre external to the nearest noise-sensitive facade shall be at least 10dB below the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The rating level, LAr,Tr (specific sound level plus any adjustment for the characteristic features of the sound) as measured at a point 1 metre external to the nearest noise-sensitive façade (habitable window of a dwelling) shall not exceed the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation.

REASON: To safeguard the amenities of the adjoining premises and the area generally, in accordance with Policy CC8 and EN17 of the Reading Borough Local Plan 2019.

11. 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 prescribed target 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.

IF6: Building Control

Your attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.

IF7: Complaints about construction

Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires associated with the burning of waste on site. The developer is reminded that construction and demolition associated with the approved development will be subject to environmental health law.

IF8: Encroachment

During the course of construction, the developer should take care to ensure that no part of this development (foundations, eaves, guttering, etc.) would encroach on, under or across the boundary line with the adjoining property, as the requisite Notice has not been served on the owner of that property. This permission does not confer any right of access onto land that is not under the developer's control. The developer should also be mindful of the obligations and requirements of the Party Wall Act (1996) details of which can be found at: www.communities.gov.uk/publications/planningandbuilding/partywall