

DELEGATED APPLICATION REPORT

Address: Former Woodley Arms Public House, Waldeck Street, Reading

Application No: 192053/NMA

Proposal: Non-material amendments to permission 171893 (erection of two buildings to accommodate 38 student units, as allowed on appeal on 10/10/2018) to increase the size of Block 2 on the south elevation and various associated works.

Agent: Goadsby Planning & Environment

Date received (valid from): 10/03/2020

Target Decision date: 07/04/2020

Case officer: Jonathan Markwell

1. Site Description and Surrounding Area

- 1.1 The application site is, as described by the Inspector in allowing the appeal on 10/10/2018:
- 1.2 A vacant two storey public house with large single storey extension and its associated car parking area. It is bounded by Charndon Close to the west, an access road serving a row of garages to the east and by a garage court to the south. The site frontage is to Waldeck Street which is primarily made up of modest, two storey Victorian terrace dwellings set out along consistent building lines close to the to the back of the footway. Although a number of the terrace dwellings have been altered, in overall terms there is a high degree of consistency to their architectural features.
- 1.3 To the east of the pub there is a pair of two storey semi-detached houses but these are set back from the road frontage behind a high brick wall with the main front elevation facing in the opposite direction. The two storey flats beyond at Jack Price Court, are largely seen in the context of Southampton Street. Consequently, these latter elements have a limited influence on the overall character of Waldeck Street, which is largely defined by the terrace housing.
- 1.4 To the west of the site along Elizabeth Walk are newer, shorter rows of terraces and their associated garage blocks. To the south and east of the site there are blocks of flats, varying in scale between three and four storeys. From Waldeck Street views of the flats are largely restricted to the area around the appeal site but because of their setback they are not key features in that context.

2. The Proposal

- i. Non-material amendments to planning permission 171893 (as allowed on appeal), namely:

Block 1

- Provision of two fire escape doors (in place of allowed on appeal windows), one on the west elevation, one on the east elevation.
- Internal alterations to relocate an allowed on appeal study room at second floor level to a ground floor level communal room (which can also be used as a study room).
- Internal alterations to relocate an allowed on appeal bedroom at ground floor level to second floor level

Block 2

- increase the size of Block 2 on the south elevation at ground, first and second floor level, increasing the internal room sizes at this point. The increase in depth (to the south) is 1.1m, with the width of the area 6.9m.
- A double door entrance on the rear west side elevation will be altered to a single door
- New double doors are proposed on the south elevation at ground floor level to provide direct access to the proposed communal room
- A fire escape door is proposed on the west elevation at ground floor level, in place of an allowed on appeal window at this point
- A window on the second floor west elevation has been omitted
- Internal alterations to relocate an allowed on appeal study room at second floor level to a ground floor level communal room (which can also be used as a study room).
- Internal alterations to relocate an allowed on appeal bedroom at ground floor level to second floor level

The landscaping plan has been altered to take into account the slightly enlarged footprint and associated changes.

In both blocks there is no change in the number of rooms sought.

The applicant details that the application has arisen to allow for better use of the internal space, in particular the communal space that the students will use.

3. Internal Consultations

RBC Natural Environment officer - the revisions are minor and result in the reduction in the level of shrub planting by a minor amount across the site so no landscaping objection would be appropriate on that basis.

It is however noted for future reference that the landscape provision as shown at present, particularly tree planting, on this site is considered to be very poor - as mentioned during the various previous applications at the site, including 171893. The site is in the AQMA, in a low canopy cover ward (as stated in the emerging 2020 Tree Strategy), i.e. one where tree planting is a priority, and since the 2017 approval,

Reading has declared a climate emergency. As such, whilst acknowledging that the scheme was allowed at appeal, condition 6 seeks landscaping details to be approved. Therefore, in advance of the future submission of condition 6, officers advise that landscaping improvements (beyond the scheme shown at present, e.g. it is considered that a couple of fastigate trees on the frontage would be possible) should be explored and included.

4. Councillor / Public Consultation

i. Councillor Consultation

The Chair & Vice Chair of the Planning Application Committee and Katesgrove Ward Councillors were notified via email of the above application on 13/03/2020, seeking any comments and agreement to the application being determined by officers under delegated powers by 19/03/2020.

Cllr James replied on 13/03/20 specifying that she was happy to delegate the decision to officers. Cllr James also commented that the changes seemed sensible, especially increases fire escapes.

Cllr R Williams initially replied on 16/03/20 seeking clarification regarding the timeframes the applicant was working to implement the permission, in the context of on-going issues surrounding the appearance of the current site. Once further clarifications were provided by officers, Cllr Williams confirmed on 17/03/20 that she was satisfied for the application to be determined under delegated powers, noting no issues with the changes proposed as part of the application.

Cllr McKenna replied on 19/03/20 confirming contention that this specific application is non-material and should be determined by officers under delegated powers.

No other responses were received.

Neighbour Consultation

None required for this type of application.

Site Notice

Not required for this type of application.

5. Plans / Documents Considered

i. The Council, in reaching its recommendation, has taken into consideration the following plans:

02 Rev A Site Plan, as received 27/12/2019

03 Rev A Block 1 Ground Floor Plan, as received 09/03/2020

03a Rev A Block 1 Ground Floor Plan, as received 09/03/2020

04 Rev A Block 1 First & Second Floor Plan, as received 09/03/2020

04a Rev A Block 1 First & Second Floor Plan, as received 09/03/2020

05 Rev B Block 2 Ground Floor Plan, as received 27/12/2019

05a Rev B Block 2 Ground Floor Plan, as received 09/03/2020

06 Rev B Block 2 First & Second Floor Plan, as received 27/12/2019
06a Rev B Block 2 First & Second Floor Plan, as received 09/03/2020
07 Rev A Block 1 Elevations, as received 09/03/2020
08 Rev A Block 1 Elevations, as received 09/03/2020
09 Rev B Block 2 Elevations, as received 17/03/2020
09a Rev B Block 2 Elevations, as received 17/03/2020
10 Rev B Block 2 Elevations, as received 18/03/2020
10a Rev B Block 2 Elevations, as received 17/03/2020
13 Proposed Street Scenes, as received 17/03/2020
2031/2B Rev B Landscape Proposals, as received 27/12/2019

PLANNING STATEMENT (Amend. 1) by Goadsby, as received 09/03/2020
Amended CIL form, as received 09/03/2020

6. Relevant Planning History

171893 - Erection of two buildings to accommodate a total of 38 student units of accommodation, including parking, amenity space and landscaping, following demolition of existing former public house. Refused 12/01/2020; Allowed on Appeal on 10/10/2018.

190063 - Application for approval of details reserved by condition 11 of permission 171893 as allowed on appeal ref. APP/E0345/W/18/3199152. Discharged 5/12/2019.

191176 - Outline application considering access, appearance, layout and scale involving demolition of former public house (Class A4) and erection of 2 x 3-storey buildings to provide in total 38 purpose-built co-living units (Sui Generis), 10 vehicle spaces, shared external communal space and associated works. Withdrawn 6/12/2019.

7. 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.

8. Relevant Planning Guidance

- i. Whilst there is no statutory definition of what constitutes a ‘non-material’ amendment, Section 96A, part 2 of the Town and Country Planning Act 1990 (as amended) states that, *"In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted."*

9. Relevant Policies

- i. The proposed amendments are assessed for materiality - not on the basis of their planning merits. Planning policies therefore do not apply.

10. Appraisal

- i. These changes have been considered by officers, who are content that the proposed changes are acceptable. Officers also consider that these changes can be made through the non-material amendment procedure. More specifically, it is not considered that the amendments, either individually or cumulatively, will have any material impact on the overall design idiom, neighbour amenities, landscaping proposals, transport and highway safety intentions or any other consideration, set within the context of the allowed on appeal scheme. This is primarily owing to the context of the overall allowed on appeal scheme and the nature of the surrounding context, with the proposed changes being of a relatively minor scale and nature in this context. The extended area is limited in footprint and in a less sensitive part of the site (away from Waldeck Street).
- ii. All changes proposed as part of this application are considered appropriate by officers and suitable to progress through the non-material amendment procedure.
- iii. As there is an increase in the footprint of the building, the CIL liability may alter as a result. The applicant has duly submitted floor plans and a CIL form to evidence the updated floorspace figures. The standard CIL informative will duly be added to the decision notice.
- iv. An informative is recommended which states that this permission relates only to the changes highlighted on the plans. Furthermore it shall only be read in the context of the planning permission allowed on appeal under reference number 171893, and is bound by all the conditions and obligations attached to that permission. A further informative is recommended which states: In reaching this decision, the local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.

11. Conclusion

- i. The local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.

Recommendation

Grant Non-material amendment

12. Conditions:

1. The drawings hereby approved as non-material amendments to 171893 are as follows:

02 Rev A Site Plan, as received 27/12/2019

03 Rev A Block 1 Ground Floor Plan, as received 09/03/2020

03a Rev A Block 1 Ground Floor Plan, as received 09/03/2020

04 Rev A Block 1 First & Second Floor Plan, as received 09/03/2020

04a Rev A Block 1 First & Second Floor Plan, as received 09/03/2020
05 Rev B Block 2 Ground Floor Plan, as received 27/12/2019
05a Rev B Block 2 Ground Floor Plan, as received 09/03/2020
06 Rev B Block 2 First & Second Floor Plan, as received 27/12/2019
06a Rev B Block 2 First & Second Floor Plan, as received 09/03/2020
07 Rev A Block 1 Elevations, as received 09/03/2020
08 Rev A Block 1 Elevations, as received 09/03/2020
09 Rev B Block 2 Elevations, as received 17/03/2020
09a Rev B Block 2 Elevations, as received 17/03/2020
10 Rev B Block 2 Elevations, as received 18/03/2020
10a Rev B Block 2 Elevations, as received 17/03/2020
13 Proposed Street Scenes, as received 17/03/2020
2031/2B Rev B Landscape Proposals, as received 27/12/2019

Reason: To clarify which plans are approved and in the interests of proper planning.

Informatives:

1. This permission relates only to the changes highlighted on the plans. Furthermore it shall only be read in the context of allowed on appeal planning permission 171893 and is bound by all the conditions and obligations attached to that permission. That permission still stands and this notice (and any other notices issued under section 96a for this development) should be read together.
2. In reaching this decision, the local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.
3. The Local Planning Authority has worked positively and proactively with the applicant to determine under the non-material amendment procedure within the recommended timeframes.
4. The Council introduced the Community Infrastructure Levy (CIL) on 1st April 2015. CIL is a way of securing financial contributions towards infrastructure from new development, and partially replaces the Section 106 planning obligation regime. It is a set charge per sq m of floorspace for different uses, and, unlike Section 106, it is non-negotiable. It applies to developments which result in at least one dwelling; where the space has not been in lawful use for 6 months within the last 3 years or 100 sq m of new floorspace. For this approved development the CIL status is CHARGEABLE. If chargeable you will be sent a CIL Liability Notice with the calculated amount soon. CIL becomes payable on commencement of the development or by instalments.

For more information go to: http://www.reading.gov.uk/media/2791/Community-Infrastructure-Levy-Advice-to-Applicants/pdf/CIL_Advice_to_Applicants.pdf