

DELEGATED APPLICATION REPORT

Address: Marshalls Garage

Application No: 190984 / FUL

Proposal: Demolition of old workshop building and construction of new workshop building.

Applicant: KIWI Design Ltd

Date received (valid from): 02/09/2019

Target Decision date: 28/10/2019

Agreed Extension of Time: 27/10/19

Case officer: Tom French

1. Site description and Surrounding Area

The application site pertains to an established garage and car dealership. There is a single storey building to the west of the main building that is the subject of this application. This building has a pitched tiled roof with four garage style doors to the front elevation.

The surrounding area has a mix of uses with large detached dwelling to the south of the site, flats to the east and the railway / river to the north of the site.

The application building is not listed, nor is it located within a conservation area. It is located within an Air Quality Management Area.

2. The Proposal

Planning permission is sought to demolish the existing building to the west of the site and erect a replacement single storey building with mono-pitch roof that would be finished with aluminium cladding.

3. Consultation

Neighbours consultation:

No.s 1029 Oxford Road (Flats 1, 2, 3 & 4), 1030 Oxford Road, 1031 Oxford Road and 1033 Oxford Road have been notified of the application and a site notice has also been displayed at the site.

No responses have been received.

Transport: No response has been received.

Ecology: No objection

Environmental Protection: No objection. Informative relating to hours of work for noisy construction is recommended.

Network Rail: No objection subject to further details being secured by condition. Various informatives are recommended.

4. Plans and Documents Considered

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

Drawing No.:

- 01 - Existing Exterior Plan
- 02 Rev. B - Proposed Plan & Elevations
- 03 - Site Block Plan
- Location Plan

As received: 19/06/2019

5. Relevant Planning History

There is an extensive planning history at this site, however none that is relevant to this application.

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') 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). 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;
National Planning Policy Guidance;

Reading Borough Local Plan (November 2019):

CC2 Sustainable Design and Construction
CC3 Adaption to Climate Change
CC7 Design and the Public Realm
CC8 Safeguarding Amenity
EN12 Biodiversity and the Green Network
EN15 Air Quality
EN18 Flooding and Drainage
EM1 Provision of Employment Development
TR3 Access, Traffic and Highway-Related Matters
TR5 Car and Cycle Parking and Electric Vehicle Charging

9. Appraisal

Principal of development

The proposal includes the demolition of the existing building and erection of a larger building on the same site (increase of 23.5sqm from 84.5sqm to 108sqm). The existing building is currently in use as a workshop and it is proposed that the new building would have the same use; as such there is no object to the proposal in terms of land use principles, with the increase in employment floorspace generally supported by Policy EM1.

The existing building is not considered to have any significant merit in terms of design, architecture or historic value. As such there is no objection to the principle of demolishing the existing building.

There is no objection to the principle of the development.

Design and impact on the character of the area

Policy CC7 of the Core Strategy seeks development of a high quality that maintains the character and appearance of the area in which it is located. The proposed building would be finished with aluminium cladding and mono-pitch roof form and as such would immediately read as a commercial building when viewed from the street scene along Oxford Road.

In this regard the proposed building would satisfactorily integrate with the established commercial character of the application site. It is acknowledged that the proposal would appear somewhat at odds with the residential accommodation to the west of the site, however due to the form of the proposed workshop, the significant set back from Oxford Road, change in ground levels between the application site and neighbouring 1030 Oxford Road and proximity to the main car dealership building on the application site; it is

considered that the proposed workshop would relate most strongly to the rest of the application site rather than the neighbouring residential units.

It is therefore considered that the proposed building would not be significantly harmful to the character of the application site or wider surrounding area in terms of design, form and materials.

With respect to scale and built form, the principle of a single storey detached workshop unit has been established by the existing building at the site that is to be demolished as part of this application. The proposed building would have the same maximum height as the existing and whilst it would represent an increase in overall floor area, the front elevation (facing Oxford Road) would be shorter and the pitch of the roof would give the impression of a less bulky form of development. As such, there are no objections to the scale of the proposed building.

The proposal is considered to accord with Policy CC7.

Amenity

As identified above, the proposed use would be the same as the existing. As such it is considered that there would not be an undue increase in noise, traffic or disruption resulting from the proposal, above and beyond the existing situation. The proposed building would retain a sufficient separation distance from sensitive nearby uses (notably the residential properties to the south and west of the site) that it is considered that there would not be any undue detrimental impact on the living environment of nearby occupiers.

The proposal accords with Policy CC8.

Sustainability

As a new building this constitutes a minor non-residential development which, under Policy CC2, is required to meet a BREEAM 'Very Good' standard. No substantial sustainability information has been submitted with the proposals. In the context of this being a fairly modest building (in itself and in the context of the building it replaces), in this specific instance it is considered more appropriate to secure conditional details of sustainability features detailing a 'Very Good' standard via a licensed assessors report (within 3 months of occupation), rather than seeking a formal BREEAM assessment on this occasion. This is considered more proportionate in this specific instance.

Other Issues

Community Infrastructure Levy

The proposal would not be liable for the Community Infrastructure Levy (CIL).

Transport

It is considered that as there is no change of use proposed and that the proposed building is of a comparable scale to the existing; there would not be a significant change to the existing situation in terms of transport.

Drainage

Further to the consultation response from Network Rail, it is considered necessary to include the following condition to ensure that the proposed development does not adversely impact upon the safe operation of the railway.

No development approved by this permission shall be commenced until a scheme, including design calculations and construction details, for the disposal of surface water which shall include the provision and implementation of a surface water regulation system and storage facility has been approved and implemented to the satisfaction of the Local Planning Authority in accordance with the details and timetable agreed. Note: no structure shall be within 5m of the railway boundary and no water shall be discharged on the adjacent railway land.

REASON: To make sure that the development does not affect the safety and continued running of the neighbouring railway.

This pre-commencement condition has been agreed in writing with the agent of the applicant (email correspondence of 19th November), in accordance with section 100ZA(5) of the regulations.

Network Rail has also recommended a number of informatives, which will duly be denoted on the decision notice.

10. Recommendation

Grant planning permission, subject to the following conditions:

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission was granted.

REASON: to prevent an accumulation of unimplemented planning permissions, and in accordance with Section 91 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

02 Rev. B - Proposed Plan & Elevations

03 - Site Block Plan

Location Plan

As received: 19/06/2019

REASON: because permission is granted in respect of the development as detailed in the approved plans only.

3. The materials to be used in the construction of the external surfaces of this development shall be as specified on the plans and/or application forms (Planning Portal Reference: PP-07933499 received 19/06/2019) 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.

4. No development approved by this permission shall be commenced until a scheme, including design calculations and construction details, for the disposal of surface water which shall include the provision and implementation of a surface water regulation system and storage facility has been approved and implemented to the satisfaction of the Local Planning Authority in accordance with the details and timetable agreed.

REASON: To make sure that the development does not affect the safety and continued running of the neighbouring railway and due to insufficient information being contained within this submission, in accordance with Policy EN18 of the Reading Borough Local Plan 2019.

5. Within 3 months of the first occupation of the building hereby approved, a BREEAM post-construction review report, in accordance with the BREEAM Sustainability Standard and carried out by a licensed assessor, demonstrating that the development has complied with a minimum standard of BREEAM Very Good rating, shall have 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.

Informatives

1. 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.
2. The applicant's attention is drawn to Building Regulations requirements. Please contact Building Control on 0118 937 2449 for advice.

3. The decision to grant planning permission follows the positive and proactive consideration of the issues raised by this planning application and issuing the decision within the agreed extended time period.
4. The construction (and demolition) of the development will be subject to environmental health law and the applicant is referred to:
<http://beta.reading.gov.uk/environmentalprotection>
5. NETWORK RAIL INFORMATIVES: If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.
6. The demolition works on site must be carried out so that they do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing (building), due to its close proximity to the Network Rail boundary, must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from the Network Rail Asset Protection Engineer before the development and any demolition works on site can commence.
7. All excavations / earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Asset Protection Engineer and the works shall only be carried out in accordance with the approved details. The Network Rail Asset Protection Team will need to review all excavation works to determine if they impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway. Furthermore, there must be no general lowering of present ground levels near Network Rail's boundary where the railway is on an embankment or same level as the adjoining land. Further, there must be no excavation into, nor deep continuous excavations near, the toe of embankments or retaining walls or bridge support slopes.
8. The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

9. Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.
10. The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail land and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land to facilitate their proposal they would need to approach the Network Rail Asset Protection Team at least 20 weeks before any works are due to commence on site. The applicant would be liable for all costs incurred in facilitating the proposal and an asset protection agreement may be necessary to undertake works. Network Rail reserves the right to refuse any works by a third party that may adversely impact its land and infrastructure. Any unauthorised access to Network Rail air-space or land will be deemed an act of trespass.
11. In relation to condition 3 Network Rail advises that: no structure shall be within 5m of the railway boundary and no water shall be discharged on the adjacent railway land.