

Councillor Ruhemann (Chair)
Councillors Ballsdon, Duveen, Eastwood,
Gavin, Hopper, Hoskin, Livingston, Maskell,
Page, Singh, Stanford-Beale, Williams and
Willis

Our Ref: N:\PIng Apps
Cttee\Agendas\1300116.doc
Your Ref:

Direct: ☎ 0118 937 2432
e-mail: tim.milgate@reading.gov.uk

8 January 2013

Your contact is: Tim Milgate – Committee Services

NOTICE OF MEETING - PLANNING APPLICATIONS COMMITTEE - 16 JANUARY 2013

A meeting of the Planning Applications Committee will be held on **Wednesday 16 January 2013 at 6.30 pm in the Council Chamber**, Reading. The Agenda for the meeting is set out below.

Please note that with regard to the planning applications, the order in which applications are considered will be at the Chair's discretion, and applications on which members of the public have requested to speak are likely to be considered first.

AGENDA

	<u>ACTION</u>	<u>WARDS AFFECTED</u>	<u>PAGE NO</u>
1. MINUTES OF THE PLANNING APPLICATIONS COMMITTEE HELD ON 12 DECEMBER 2012		-	1
2. DECLARATIONS OF INTEREST	-	-	-
3. QUESTIONS	-	-	-
4. POTENTIAL SITE VISITS FOR COMMITTEE ITEMS	DECISION	BOROUGHWIDE	8
5. PLANNING APPEALS	INFORMATION	BOROUGHWIDE	11
6. TELECOMMUNICATIONS APPLICATIONS	INFORMATION	BOROUGHWIDE	43

CIVIC CENTRE EMERGENCY EVACUATION: Please familiarise yourself with the emergency evacuation procedures, which are displayed inside the Council's meeting rooms. If an alarm sounds, leave by the nearest fire exit quickly and calmly and assemble at the Hexagon sign, at the start of Queen's Walk. You will be advised when it is safe to re-enter the building.

7.	OBJECTION TO INCLUSION THREE LIME TREES IN A TREE PRESERVATION ORDER AT 31 ELSLEY ROAD	DECISION	KENTWOOD	45
----	---	----------	----------	----

Planning Applications to be determined

Item(s)	Action	Ward(s)	Page
8-9	DECISION	ABBAY	49-94
10	DECISION	KATESGROVE	95-112
11	DECISION	THAMES	113-118

TABLE OF CONTENTS

BOROUGH WIDE

SCHEDULE OF PLANNING APPLICATIONS TO BE DETERMINED

Planning Applications Committee - 16th January 2013

Abbey Ward

Application Number	12/00654/EXT	Item	8	Page	49
Applicant	MESSRS Laughton, Bailey And Wright				
Address	7-11 Station Road Reading RG1 1LG				
Proposal	Application for an extension of the time limit for implementation of permission 09/00073/FUL for the addition of 1 floor to accommodate a residential (C3) 2-bedroom apartment, the conversion of 4 upper floors from commercial (A2) to contain 12 No. 1-bedroom residential units. The conversion of commercial space at street level to ancillary residential storage at utility accommodation and partly to extend the retained retail unit.				
Recommendation	Permitted, subject to a Legal Agreement				

Application Number	12/01633/FUL	Item	9	Page	84
Applicant	PureGym				
Address	69 Caversham Road Reading RG1 8AD				
Proposal	Change of use from A1 to D2 (gymnasium)				
Recommendation	Application Permitted				

Katesgrove Ward

Application Number	12/01629/FUL	Item	10	Page	95
Applicant	The Abbey School				
Address	The Abbey School 17 Kendrick Road Reading RG1 5DZ				
Proposal	Development of an all weather playing field with floodlights and fencing				
Recommendation	Permitted, subject to a Legal Agreement				

Thames Ward

Application Number	12/01775/FUL	Item	11	Page	113
Applicant	Mr Jim Crees-Jones				
Address	29 Chiltern Road Caversham Reading RG4 5HR				
Proposal	Two storey side and rear extension (re-submission of 12/01250/FUL)				
Recommendation	Application Permitted				

KEY TO CODING OF PLANNING APPLICATIONS

1. Planning application reference numbers are made up of 4 parts.

1.1 The number begins with the year e.g. **11/**

1.2 This is followed by a consecutive number, showing what number the application is in any year (e.g. 11/**00128**).

1.3 The next, up to six, letters show what type of application it is.
The following is a key:

ADJ	Consultation by adjacent authority
ADV	Advertisement
CON	Conservation Area Consent
EXT	Extension of time
FUL	Full Detailed
FULTEL	Full Telecommunications Approval
LBC	Listed Building Consent
OUT	Outline Application (Principle of development only)
REG3/4	Regulation 3/4 (Council application)
REM	Reserved Matters (following an outline approval)
TELE	Installation of Telecommunications Equipment
CLP	Certificate of Lawful Development – Proposed Use
CLE	Certificate of Lawful Development – Existing Use
HAZARD	Hazardous Substance (Storage of Large Quantities)
DEMCON	Demolition Notice
VARIAT	Variation of Condition/Minor Material Amendment
NMC	Non Material Amendment
SCO	Environmental Assessment Scoping Opinion
SCR	Environmental Assessment Screening Opinion
COND	Appeal to DCLG against a condition
ENFNOT	Appeal to DCLG against an Enforcement Notice
NONDET	Appeal to DCLG against a failure to decide
REF	Appeal to the DCLG against a Refusal of permission

2. The following is a key to existing officers with their direct dial telephone numbers.

DB	-	David Breeze	9372410
AB	-	Alison Bell	9372604
KR	-	Kiaran Roughan	9374530
LB	-	Lynette Baker	9372413
JW	-	Julie Williams	9372461
RE	-	Richard Eatough	9373338
AC	-	Andrew Chugg	9372458
JT1	-	Justin Turvey	9372993
AS1	-	Andrew Somerville	9374593
SB1	-	Susanna Bedford	9372023
BP	-	Ben Pratley	9372417
SDV	-	Steve Vigar	9372980
RFW	-	Robert Froud-Williams	9372446
LJJ	-	Louisa Johnson	9372286
CR1	-	Claire Ringwood	9374545
KMM	-	Kathryn Moore	9372450
CJB1	-	Christopher Beard	9372430
SGH1	-	Stephen Hammond	9374424
MDW	-	Mark Worringham	9373337
AJA	-	Alison Amoah	9374293
JM1	-	Julia Mountford	9374741
RS	-	Richard Stimpson	9372441
SH	-	Sarah Hanson	9372440
KR1	-	Kate Rodway	9374294

GUIDE TO USE CLASSES ORDER
and Permitted Changes of Use (England)

Use Classes (Amendment) Order 2005	Use Classes Order 1972	Description	General Permitted Development (Amendment) Order 2005
A1 Shops	Class I	- Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, dry cleaners, internet cafes, etc. - Pet shops, cat-meat shops, tripe shops, sandwich bars - Showrooms, domestic hire shops, funeral directors	No permitted changes
A2 Financial and Professional Services	Class II	- Banks, building societies, estate and employment agencies - Professional and financial services, betting offices	Permitted change to A1 <i>where a ground floor display window exists</i>
A3 Restaurants and Cafes		Restaurants, snack bars, cafes	Permitted change to A1 or A2
A4 Drinking Establishments		Pubs and bars	Permitted change to A1. A2 or A3
A5 Hot Food Take-Aways		Take-Aways	Permitted change to A1, A2 or A3
Sui Generis		Shops selling and/or displaying motor vehicles, retail warehouse clubs, laundrettes, taxi or vehicle hire businesses, amusement centres, petrol filling stations	No permitted change
B1 Business	Class II Class III	(a) Offices, not within A2 (b) Research and development, studios, laboratories, high tech (c) Light industry	Permitted change to B8 <i>where no more than 235m</i>
B2 General industry	Class IV-IX	General industry	Permitted change to B1 or B8 <i>B8 limited to no more than 235m</i>
B8 Storage or Distribution	Class X	Wholesale warehouse, distribution centres, repositories	Permitted change to B1 <i>where no more than 235m</i>
Sui Generis		Any work registrable under the Alkali, etc. Works Regulation Act, 1906	No permitted change
C1 Hotels	Class XI	Hotels, boarding and guest houses	No permitted change
C2 Residential Institutions	Class XII Class XIV	- Residential schools and colleges - Hospitals and convalescent/nursing homes	No permitted change
C2A Secure residential institutions		Prisons, young offenders institutions, detention centres, secure training centres, custody centres, short-term holding centres, secure hospitals, secure local authority accommodation or use as military barracks.	No permitted change
C3 Dwelling houses		- Single occupancy or single households (in the family sense); - No more than six residents living as a single household where care is provided; - No more than six residents living as a single household where the building is managed by a local housing authority, a registered social landlord, a police authority, a fire authority, or a health service body.	Permitted to change to C4
C4 Houses in multiple occupation		Use of a dwellinghouse by between three and six residents, who do not form a single household (in the family sense) and share basic facilities (toilet, bathroom or kitchen).	Permitted to change to C3
Sui Generis		- House in multiple occupation with more than six residents - Hostel	No permitted change

D1 Non-Residential Institutions	Class XIII	• Places of worship, church halls • Clinics, health centres, creches, day nurseries, consulting rooms • Museums, public halls, libraries, art galleries, exhibition halls • Non-residential education and training centres	No permitted change
	Class XV		
	Class XVI		
D2 Assembly and Leisure	Class XVII	• Cinemas, music and concert halls • Dance, sports halls, swimming baths, skating rinks, gymnasiums • Other indoor and outdoor sports and leisure uses, bingo halls, casinos	No permitted change
	Class XVIII		
Sui Generis	Class XVII	Theatres, nightclubs	No permitted change

Present: Councillor Ruhemann (Chair);

Councillors Ballsdon, Duveen, Eastwood, Gavin, Hoskin, Livingston, Maskell, Page, Singh, Stanford-Beale, Williams and Willis.

Apologies: Councillor Hopper.

RESOLVED ITEMS

65. MINUTES

The Minutes of the meeting held on 14 November 2012 were agreed as a correct record and signed by the Chair.

66. SITE VISITS

The Director of Environment, Culture and Sport submitted, at the meeting, a draft schedule of applications to be considered at future meetings of the Committee to enable Councillors to decide which sites, if any, they wished to visit prior to determining the relevant applications.

Resolved -

That any applications which the Head of Planning and Building Control might consider appropriate, be the subject of site visits.

67. PLANNING APPEALS

(i) New Appeals

The Director of Environment, Culture and Sport submitted a schedule giving details of notifications received from the Planning Inspectorate regarding planning appeals, and the method of determination for which he had already expressed a preference in accordance with delegated powers, which was attached as Appendix 1 to the report. It was reported that it was likely that the Inspectorate would hear the appeal in respect of the application at 4 Wellington Avenue as an informal hearing due to the level of interest.

(ii) Appeals Recently Determined

The Director of Environment, Culture and Sport submitted a list of decisions that had been made by the Secretary of State, or by an Inspector appointed for the purpose, which were attached as Appendix 2 to the report.

(iii) Reports on Appeal Decisions

The Director of Environment, Culture and Sport submitted a report on the following appeal decisions in Appendix 3:

Allowed:

11/01714/FUL - 1A WOODSTOCK STREET

Change of use of commercial building to one bedroomed flat with associated building works.

Written representations.

12/00325/FUL - 2A ARGYLE ROAD

First floor rear extension and new rear windows (part retrospective)

Householder Appeals Service.

12/00120/FUL - LAND TO THE REAR OF 98-100 SCHOOL ROAD, TILEHURST

Construction of a single storey dwelling

Written Representations.

Dismissed:

12/00700/FUL - 68 HEMDEAN ROAD, CAVERSHAM

Part retrospective single-storey rear extension (re-submission of 12/00215/FUL)

Householder Appeals Service.

12/00819/FUL - 1 IBSTONE CLOSE, CAVERSHAM

Demolition of existing garage and erection of a two storey side extension.

Written Representations.

Resolved -

- (1) That the new appeals, as set out in Appendix 1, be noted;
- (2) That the outcome of the recently determined appeals, as set out in Appendix 2, be noted;
- (3) That the reports on the appeal decision, as set out in Appendix 3 and the update report, be noted.

68. TELECOMMUNICATIONS APPLICATIONS

The Director of Environment, Culture and Sport submitted a report stating that, since 14 November 2012, no prior approval notifications had been received, no prior approval notifications had been decided, no applications had been received for planning permission and no planning applications had been decided.

Resolved - That the report be noted.

69. DEPARTMENT OF COMMUNITIES AND LOCAL GOVERNMENT CONSULTATIONS

The Director of Environment, Culture and Sport submitted a report informing the Committee of three current consultations being carried out by the Department of Communities and Local Government in respect of:

- The proposed relaxation of permitted development rights for Homeowners and Businesses;
- The proposed inclusion of certain types of major development within the definition of nationally significant infrastructure, whereby applications were submitted and determined by the Planning Inspectorate/Secretary of State instead of the local planning authority;
- The proposed performance measurements for the Planning Guarantee and for the designation of poorly performing authorities.

The first consultation invited responses by 24 December 2012 and the closing date for the other two was 7 January 2012.

The report requested that the Committee agree the response to the consultations as set out in the report.

Resolved -

That the proposed responses to the Department for Communities and Local Government consultation documents, as set out in the report, be agreed.

70. PROPOSED TREE WORKS TO ONE PLANE TREE AT LANCING CLOSE

The Director of Environment, Culture and Sport submitted a report seeking approval for proposed works to one Council-maintained Plane tree in Lancing Close which was subject to Tree Preservation Order (TPO) 29/003. A copy of the TPO plan was attached at Appendix 1.

The report stated that in 2003 a TPO had been made on 62 and 64 Tilehurst Road, 60 Western Elms Avenue and a Plane tree in Lancing Close that was close to the boundary of 62 Tilehurst Road. The Parks Department had now received a request from the resident of 1 Lancing Close to carry out some works to this tree to reduce the tree's overhanging of their garden. Legislation required a public notice to be displayed for at least 21 days giving details of the proposed works and contact details for any comments to be sent. A site notice had been attached to the tree on 2 November 2012. No comments had been received.

The work proposed was not considered harmful to the tree's appearance or future health.

Resolved - That the proposed tree works to one Plane tree at Lancing Close be approved as follows:

- Plane (T12) - reduction of limb over garden of 1 Lancing Close to suitable pruning junctions close to the boundary fence.

71. PLANNING APPLICATIONS

The Committee considered reports by the Director of Environment, Culture and Sport.

Resolved -

- (1) That, subject to the conditions now approved, permission be **granted** under planning legislation and, where appropriate, under the Advertisement Regulations, as follows:

12/01578/FUL - MEADWAY RECREATION GROUND, CHURCH END LANE

Development of one 11-a-side junior football pitch, one 9v9 pitch, one 7v7 pitch, two team changing rooms, officials changing room, store building, access to hard surface and associated car parking.

An update report was tabled at the meeting which had appended an amended plan relating to the play area and skateboard park which had sought to deal with the concerns raised by the transport officer regarding the car parking provision. Additional conditions had been added to alleviate these concerns.

Granted as recommended.

Conditional planning permission as set out in the update report. Informatives as recommended in the original report.

The location of the skateboard park to be agreed in consultation with Ward Councillors.

Comments and objections received and considered.

- (2) That consideration of the following applications be **deferred** for the reasons indicated:

12/01577/FUL - 553 OXFORD ROAD

Demolition of the existing church buildings, construction of a new three-storey church building to accommodate worship/meeting rooms, offices, café and two retail outlets. Attached residential accommodation comprising one one-bedroomed, one two-bedroomed and one studio flat (resubmission of 11/01189/FUL)

An update report was tabled at the meeting which gave details of further information received including amended plans that had been submitted by the applicant, four further letters of objection, a transport assessment from the applicant as well as a table of proposed and existing usage. There were also details of noise impact and air quality mitigation, officers comments on concerns received about the loss of a heritage asset and information on affordable housing elements. An additional elevation and visualisation had been appended. The recommendation had been altered to take into account the additional information that had been received.

Deferred to enable officers additional time to consider the applicant's proposed affordable housing heads of terms offer against policy DM6 and to allow time for further negotiations with the applicant on the requested Transport contribution.

- (3) That, subject to the requirements indicated, the Head of Planning and Building Control be **authorised to determine** the following applications under planning legislation:

12/00654/EXT - 7-11 STATION ROAD

Application for an extension of the time limit for implementation of permission 09/00073/FUL for the addition of one floor to accommodate a residential (C3) two-bedroomed apartment, the conversion of four upper floors from commercial (A2) to contain 12 one-bedroomed residential units. The conversion of commercial space at street level to ancillary residential storage and utility accommodation and partly to extend the retained retail unit.

That, subject to submission of acceptable details in relation to the provision of a contribution to Affordable Housing, the issue of planning permission to be dependent on the completion of a Section 106 legal agreement by 9 January 2013 (unless a later date be agreed by the Head of Planning and Building Control) to secure the Heads of Terms as set out in the report.

In the event of the requirements set out not being met, the Head of Planning and Building Control be authorised to refuse permission for the following reason:

“In the absence of a completed legal agreement to secure an acceptable level of affordable housing, taking into account development viability, the proposal fails to contribute adequately to the housing needs of Reading Borough and to the creation of mixed and balanced communities and as such is contrary to Policy DM6 (Affordable Housing) of the Sites and Detailed Policies Document 2012; Policy CS16 (Affordable Housing) of the Reading Borough Core Strategy (adopted 2008); Policy RC9 (Living in the Centre) of the Reading Borough LDF Reading Central Area Action Plan (2009) and Supplementary Planning Guidance: Planning Obligations under Section 106 of the Town and Country Planning Act 1990 (adopted 2004).”

Conditional planning permission and informatives as recommended.

Comments received and considered.

12/01597/FUL - KENNET HOUSE, 80-82 KINGS ROAD

The comprehensive refurbishment and change of use from office to residential of Kennet House, 80-82 Kings Road and an increase in the building's height by the addition of new terraced floors resulting in a 10 storey building containing 103 flats with associated basement parking and landscaping.

An update report was tabled at the meeting which gave details of additional drawings that had been received and officers' comments thereon and a minor update on the name of the applicant.

The issue of planning permission to be dependent on the completion of a Section

106 legal agreement by 11 January 2013 (unless a later date be agreed by the Head of Planning and Building Control) to secure the Heads of Terms as set out in the report.

In the event of the requirements set out not being met, the Head of Planning and Building Control be authorised to refuse permission.

Conditional planning permission and informatives as recommended.

Comments and objections received and considered.

12/00463/EXT - HIGHDOWN SCHOOL, SURLEY ROW, CAVERSHAM

Construction of a sixth form and general teaching building.

The issue of planning permission to be dependent on the completion of a Section 106 legal agreement by 31 January 2013 (unless a later date be agreed by the Head of Planning and Building Control) to secure the Heads of Terms as set out in the report – but index-linking of the Contribution to run from the date of the 12/00463/EXT planning permission.

In the event of the requirements set out not being met, the Head of Planning and Building Control be authorised to refuse permission.

Conditional planning permission and informatives as recommended.

Comments received and considered.

12/01596/FUL - UNIT 4, READING GATE RETAIL PARK, A33 RELIEF ROAD

Alterations to Retail Unit including New Entrances and installation of Mezzanine Floorspace.

The issue of planning permission to be dependent on the completion of a Section 106 legal agreement by 14 January 2013 (unless a later date be agreed by the Head of Planning and Building Control) to secure the Heads of Terms as set out in the report.

In the event of the requirements set out not being met, the Head of Planning and Building Control be authorised to refuse permission.

Conditional planning permission and informatives as recommended.

Comments received and considered.

72. EXCLUSION OF PRESS AND PUBLIC

Resolved -

That, pursuant to Section 100A of the Local Government Act 1972 (as amended), members of the press and public be excluded during consideration of the following items as it was likely that there would be a

disclosure of exempt information as defined in paragraphs 6 and 7 of Part 1 of Schedule 12A (as amended) of the Act.

73. PLANNING ENFORCEMENT QUARTERLY UPDATE

The Director of Environment, Culture and Sport submitted a report advising the Committee of the current status of all outstanding enforcement notices/prosecutions, including cases where formal enforcement action and/or prosecutions had been undertaken but where the action taken had not yet resolved the breach of planning control. An overview of all outstanding cases involving formal action was attached at Appendix 1.

Resolved –

That the report be noted.

74. ENFORCEMENT CASE 12/00438/RESBOC

The Director of Environment, Culture and Sport submitted a report advising the Committee of the current position with regard to an enforcement case and seeking endorsement of officers' recommendation to serve a Breach of Condition Notice (BCN) and an Enforcement Notice (EN) to ensure compliance with an approved scheme.

An update report was tabled at the meeting which contained information regarding an appeal against the refusal of a later planning application in relation to the same site, which the Planning Inspector had allowed on 11 December 2012. Consent had been granted by the Inspector with a condition requiring completion of the new planning permission by September 2013 and it was considered unreasonable therefore to take enforcement action to secure compliance with the original permission prior to that date.

Resolved –

That the resolution set out in the update report be agreed.

(The meeting closed at 7.49pm).

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT, CULTURE AND SPORT

TO:	PLANNING APPLICATIONS COMMITTEE		
Date:	16th January 2013	AGENDA ITEM:	4
TITLE:	POTENTIAL SITE VISITS FOR COMMITTEE ITEMS		
SERVICE:	PLANNING	WARDS:	BOROUGH WIDE
AUTHOR:	David Breeze	TEL:	0118 9372410
JOB TITLE:	Planning Manager (Implementation)	E-MAIL:	david.breeze@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To identify those sites where, due to the sensitive or important nature of the proposals, a Committee Site Visit might be appropriate before the meeting of the next Committee or at a future date and confirm relevant site visit dates as shown in diary.

2. RECOMMENDED ACTION

- 2.1 That you resolve to visit the sites in the Appendix which will be provided with the update Agenda on day of forthcoming Planning Applications Committee and identify any further site visits. That you confirm the site visit date and time shown in your diary.

3. THE PROPOSAL

- 3.1 The potential list of agenda items submitted since the last meeting of the Planning Applications Committee will be provided with the update Agenda on the day of forthcoming Planning Applications Committee. Where appropriate, I will identify those applications that I feel warrant a site visit by the Committee prior to formal consideration of the proposals.
- 3.2 Where a councillor has called in a normal delegated application for a Committee decision, they may also request a site visit if they consider it appropriate.
- 3.3 Officers may also recommend a site visit if they intend to report a normally delegated application to the Committee for a decision.
- 3.4 A site visit may also be proposed in connection with a planning enforcement issue which is before the Committee for consideration.
- 3.5 Site visits in the above circumstances should take place in advance of a Committee decision and should only be used where the expected benefit is substantial.

- 3.6 Site visits consist simply of an inspection by a viewing Committee, with officer assistance, as the most fair and equitable process between applicant and objectors. Site visits are normally unaccompanied (ie without applicant and objectors). If accompanied, applicants and objectors will have no right to speak but may observe the process and answer questions when asked. Applicants will be informed of such visits as a matter of practice.
- 3.7 A site visit is only likely to be necessary if the impact of the proposed development is difficult to visualise from the plans and any supporting material including photographs taken by officers (although, if this is the case, additional illustrative material should have been requested); or, there is a good reason why the comments of the applicant and objectors cannot be expressed adequately in writing; or, the proposal is particularly contentious.
- 3.8 There may also be occasions where officers or councillors request a post completion site visit in order to review the quality or impact of a particular development.
- 3.9 Where for capacity reasons, it has not proved possible to accommodate all the agreed sites on the first available visit date, any outstanding sites will be added to a reserve list for inclusion on the next suitable visit date.

4. CONTRIBUTION TO STRATEGIC AIMS

- 4.1 The planning development management process (including Committee site visits) considers planning applications and thereby contributes to the Council's strategic aims in terms of :
- To Develop Reading as a Green City with a sustainable environment and economy at the heart of the Thames Valley
 - To promote equality, social inclusion and a safe and healthy environment for all
- 4.2 Determining planning applications can also support the aims of the Sustainable Community Strategy (Reading 2020).
- A Fairer Reading for All
 - Children and Young People
 - Cleaner and Greener Environments
 - Culture Leisure and Sport
 - Decent and affordable Housing
 - Healthy People and Lifestyles
 - Safer and Stronger Communities
 - Thriving Economy and Skills
 - Transport and Accessible Spaces

5. COMMUNITY ENGAGEMENT AND INFORMATION

- 5.1 Statutory neighbour consultation takes place on planning applications.

6. EQUALITY IMPACT ASSESSMENT

- 6.1 Officers when assessing an application and when making a recommendation to the Committee, will have regard to its duties Under the Equality Act 2010, Section 149, to have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7. LEGAL IMPLICATIONS

- 7.1 Non arising from this report.

8. FINANCIAL IMPLICATIONS

- 8.1 The cost of site visits is met through the normal planning service budget.

9. BACKGROUND PAPERS

Reading Borough Council Planning Code of Conduct.

READING BOROUGH COUNCIL
REPORT BY DIRECTOR OF ENVIRONMENT

TO:	PLANNING APPLICATIONS COMMITTEE		
DATE:	16th January 2013	AGENDA ITEM:	5
TITLE:	PLANNING APPEALS		
SERVICE:	PLANNING	WARDS:	ALL
AUTHOR:	David Breeze	TEL:	0118 9372410
JOB TITLE:	Planning Manager (Implementation)	E-MAIL:	david.breeze@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To report notifications received from the Planning Inspectorate concerning various planning appeals.

2. RECOMMENDED ACTION

- 2.1 That you note the appeals received and the method of determination as listed in Appendix 1 of this report.**
- 2.2 That you note the appeals decided as listed in Appendix 2 of this report.**
- 2.3 That you note the Planning Officers reports on appeal decisions in Appendix 3**

3. THE PROPOSAL

- 3.1 Please see Appendix 1 of this report for new appeals lodged since the last committee.
- 3.2 Please see Appendix 2 of this report for new appeals decided since the last committee.
- 3.3 Please see Appendix 3 of this report for new Planning Officers reports on appeal decisions since the last committee.

4. CONTRIBUTION TO STRATEGIC AIMS

- 4.1** The planning development management service defends planning decisions at appeal and thereby contributes to the Council's strategic aims in terms of :
- To Develop Reading as a Green City with a sustainable environment and economy at the heart of the Thames Valley
 - To promote equality, social inclusion and a safe and healthy environment for all

7.2 Defending planning appeals can also support the aims of the Sustainable Community Strategy (Reading 2020).

- A Fairer Reading for All
- Children and Young People
- Cleaner and Greener Environments
- Culture Leisure and Sport
- Decent and affordable Housing
- Healthy People and Lifestyles
- Safer and Stronger Communities
- Thriving Economy and Skills
- Transport and Accessible Spaces

8. COMMUNITY ENGAGEMENT AND INFORMATION

8.1 Statutory consultation takes place on planning applications and appeals and this can have bearing on the decision reached by the Secretary of State and his Inspectors. Copies of appeal decisions are held on the public Planning Register.

9. EQUALITY IMPACT ASSESSMENT

9.1 Where appropriate the Council will refer in its appeal case to matters connected to its duties Under the Equality Act 2010, Section 149, to have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10. LEGAL IMPLICATIONS

11.1 Only Public Inquiries involve the use of legal representation. There is no third party right of appeal, only applicants have this right against refusal or non-determination.

12. FINANCIAL IMPLICATIONS

12.1 Public Inquiries are Informal Hearings are more expensive in terms of officer and appellant time than the Written Representations method. Either party can be liable to awards of costs. Guidance is provided in Circular 03/2009 “Cost Awards in Appeals and other Planning Proceedings”.

13. BACKGROUND PAPERS

13.1 Planning Appeal Forms and letters from the Planning Inspectorate.

APPENDIX 1

Appeals Lodged:

WARD: NORCOT
APPEAL NO: APP/E0345/A/12/2186802/NWF
CASE NO: 12/00716/FUL
ADDRESS: 324 Tilehurst Road
PROPOSAL: Erection of 2x three bed houses with associated garages and access.
CASE OFFICER: Ben Pratley
METHOD: Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 30.11.2012

WARD: NORCOT
APPEAL NO: APP/E0345/A/12/2187196/NWF
CASE NO: 12/00542/FUL
ADDRESS: 22 Brisbane Road
PROPOSAL: Loft conversion and rear dormer window to extend living accommodation for Flat 3
CASE OFFICER: Louisa Johnson
METHOD: Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 05.12.2012

WARD: BATTLE
APPEAL NO: APP/E0345/C/12/2188838
CASE NO: 11/00094/RESDEV
ADDRESS: 36 George Street
PROPOSAL: Unauthorised Residential Development - Extra storey added to building without planning permission
CASE OFFICER: Chris Beard
METHOD: Written Representation
APPEAL TYPE: ENFORCEMENT NOTICE
APPEAL LODGED: 06.12.2012

WARD: PARK
APPEAL NO: APP/E0345/A/12/2187379/NWF
CASE NO: 12/01146/FUL
ADDRESS: 71 Eastern Avenue
PROPOSAL: Construction of one 3-bed detached dwelling with access and parking on land rear of 71/75 Eastern Avenue (Resubmission of 11/01836/FUL)
CASE OFFICER: Justin Turvey
METHOD: Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 07.12.2012

WARD: TILEHURST
APPEAL NO: APP/E0345/H/12/2188475
CASE NO: 12/01268/ADV
ADDRESS: 12-14 School Road
PROPOSAL: 1 internally illuminated free standing double sided display unit
CASE OFFICER: Claire Ringwood
METHOD: Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 13.12.2012

WARD: TILEHURST
APPEAL NO: APP/E0345/D/12/2188282
CASE NO: 12/01336/FUL
ADDRESS: 10 Grafton Road
PROPOSAL: First floor extension above garage and front single storey extension to the front of the garage
CASE OFFICER: Louisa Johnson
METHOD: Householder Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 17.12.2012

APPENDIX 2

Appeals Decided:

WARD: REDLANDS
APPEAL NO: APP/E0345/A/12/2179963/NWF
CASE NO: 12/00026/FUL
ADDRESS: Orwell House, 23 Craven Road
PROPOSAL: Change of use from Educational Support Services to student accommodation, conversion of existing building and proposed side extension for student accommodation. Total 25 units
CASE OFFICER: Ben Pratley
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 30.11.2012

WARD: CHURCH
APPEAL NO: APP/E0345/A/12/2177546/NWF
CASE NO: 12/00394/OUT
ADDRESS: Land Rear Of 50 And 52 Cressingham Road
PROPOSAL: Outline application (access and layout only for consideration) for the development of seven 3-bed houses (resubmission of 11/00071/OUT).

CASE OFFICER: Andrew Chugg
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 04.12.2012

WARD: CHURCH
APPEAL NO: APP/E0345/A/12/2177550
CASE NO: 12/00281/OUT
ADDRESS: 50 And 52 Cressingham Road
PROPOSAL: Residential development of three detached houses to the rear of 50-52 Cressingham Road.

CASE OFFICER: Andrew Chugg
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 04.12.2012

WARD: PARK
APPEAL NO: APP/E0345/A/2179479/NWF
CASE NO: 12/00024/FUL
ADDRESS: 33 Eastern Avenue
PROPOSAL: Partially retrospective erection of a 2 storey dwelling with attic rooms

CASE OFFICER: Justin Turvey
METHOD: Written Representation
DECISION: ALLOWED
DATE DETERMINED: 11.12.2012

APPLICATION FOR COSTS BY APPLICANT DISMISSED

WARD: KENTWOOD
APPEAL NO: APP/E0345/D/12/2183972
CASE NO: 12/01129/FUL
ADDRESS: 1 The Cedars
PROPOSAL: Raising the roof ridge height for a loft conversion and two front dormers

CASE OFFICER: Julie Williams
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 13.12.2012

WARD: CAVERSHAM
APPEAL NO: APP/E0345/H/12/2179902
CASE NO: 11/01844/ADV
ADDRESS: Land Between Abbotsmead Place And School Lane
PROPOSAL: 3 x illuminated board signs with flags above
CASE OFFICER: Andrew Somerville
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 13.12.2012

WARD: CAVERSHAM
 APPEAL NO: APP/E0345/H/2179917
 CASE NO: 12/00393/ADV
 ADDRESS: Land Between Abbotsmead Place And School Lane
 PROPOSAL: 2 x board signs with flags above (Resubmission of 11/01844/ADV)
 CASE OFFICER: Andrew Somerville
 METHOD: Written Representation
 DECISION: DISMISSED
 DATE DETERMINED: 13.12.2012

WARD: PEPPARD
 APPEAL NO: APP/E0345/D/12/2184376
 CASE NO: 12/00655/FUL
 ADDRESS: 10 Brooklyn Drive
 PROPOSAL: Two storey side extension with basement room below
 CASE OFFICER: Claire Ringwood
 METHOD: Written Representation
 DECISION: DISMISSED
 DATE DETERMINED: 31.12.2012

APPENDIX 3

Address Index of Planning Officers reports on appeal decisions.

12/00394/FUL & 12/00281/FUL	Land at 50 and 52 Cressingham Road	Appeals dismissed
12/01129/FUL	1 The Cedars, Tilehurst	Appeal dismissed
12/00024/FUL	33 Eastern Avenue	Appeal Allowed Costs Award Dismissed
12/00026/FUL	Orwell House, 23 Craven Road	Appeal dismissed
12/00655/FUL	10 Brooklyn Drive, Emmer Green	Appeal dismissed

Planning Officers reports on appeal decisions attached.

APPEAL DECISION REPORT:

**BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT
READING BOROUGH COUNCIL**

PLANNING APPLICATIONS COMMITTEE: 16th January 2013

Ward: Church

Appeal Nos.: APP/E0345/A/12/2177546 & APP/E0345/A/12/2177550

Planning Ref: 12/00394/FUL & 12/00281/FUL

Site: Land at 50 and 52 Cressingham Road, Reading RG2 7JR

Proposal: Residential development of 7 houses & residential development of 3 houses

Decision level: Delegated

Method: Written Representation

Decision: Both Appeals DISMISSED

Date Determined: 4th December 2012

Inspector: Tim Wood BA (Hons) BTP MRTPI

Site description:

The application site is a 'T' shaped area of land (2.4 ha in size) that incorporates part of the residential rear gardens of 50 and 52 Cressingham Road and their respective residential garages. The appeal site lies on the northern side of Cressingham Road and backs onto Windermere Close; a recent 'brown-field' development of 9 houses. The appeal site slopes gently down towards the rear northern boundary which is well screened by large trees. Beyond this, the land drops away by approximately 2m where Windermere Close begins. Cressingham Road predominantly comprises large detached houses of varying architectural styles with long rear gardens.

The recent development at Windermere Close was a brownfield site (unlike the appeal site) of former garages and is accessed via Windermere Road. The changes in levels between these two sites and the line of Conifer trees at the rear of the appeal site screen views between both.

Reason(s) for refusal:

The above applications were appealed for non-determination.

The Council's case in respect of the 7 unit scheme (12/00394/OUT) centered around the fact that it would be in contrast to the prevailing pattern and density of residential development in the immediate vicinity of the application site where properties, especially those along the northern side of this part of Cressingham Road, have very long gardens. The proposed 7 units would have been of a density of 29 Dwellings Per Hectare (DPH) whereas the surrounding area (e.g. land comprising 44-64 Cressingham Road) has a much lower density of around 11 DPH. Moreover, surrounding properties are predominantly residential detached buildings spaciouly set within the street-scene with generous spacing between them. In disparity, the 7 unit scheme proposed continuous built form through plots 3 to 7 which would be either semi-detached or link-detached via the connection of garages. The access, general layout and provision of soft landscaping would have been largely the same as that on a previous 10 unit scheme (11/00071/OUT) that was also dismissed at appeal. In addition, it was also unclear how high the proposed buildings would have been as the parameter plans submitted were at an incorrect scale.

While the 3 unit scheme (12/00281/OUT) would have been reflective of surrounding housing densities, the access and provision of soft landscaping would have been largely same as a previous 10 unit scheme (11/00071/OUT). The Council considered that the 3 unit scheme would have still altered the character of the site by reducing the garden areas by more than 50%. The proposed dwellings would have been 9.6m high at their upper ridge point and would therefore have been very prominent in the street-scape given that 50 Cressingham Road is a bungalow with a much lower ridge height.

In both respects, the Council considered that the proposals would fail to maintain, enhance or make a positive contribution to the character and appearance of the surrounding area and would therefore appear incongruous and out of place in the context of the surrounding mature suburban

townscape contrary to Policies CS7 (Design and the Public Realm) of the Core Strategy and Policy DM11 (Development of Private Residential Gardens) of the Sites and Detailed Policies Document.

Main Issue:

The Inspector considered the main issue to be the effect of the proposals on the character of the area.

Consideration:

The Inspector noted that both proposals involved building on a large expanse of the majority of the large rear gardens of Nos. 50 and 52 Cressingham Road. Therefore he placed much emphasis on the definition of previously developed land as set out in the National Planning Policy Framework which specifically excludes private residential gardens. The Inspector referred to the NPPF requirement at paragraph 53 that planning authorities set out policies to resist inappropriate development of residential gardens and that the Council had recently adopted Policy DM11 of the Sites & Detailed Policies Document (SDPD), which states that proposals for residential development in gardens or former gardens will be acceptable where, amongst other things, it makes a positive contribution to the character of the area.

In this case the Inspector noted that the part of Cressingham Road close to the application site had a *“spacious and well landscaped character which is an attractive feature of the area”*.

In commenting on the proposal for 7 houses the Inspector noted that *“the proposed plots, and to some extent the houses, would be uncharacteristically small. Each plot would be just a fraction of the size of the existing individual gardens which are characteristic of this side of Cressingham Road”*. The Inspector concluded that the erosion of the spacious character that would result would be a harmful impact and one that would fail to make a positive contribution, contrary to the aims of Policy DM11.

While accepting that this negative impact was reduced in the 3 house scheme the Inspector still felt that the spaciousness of the area would still be *“significantly reduced and the rear gardens would be uncharacteristically small”* and therefore also contrary to Policy DM11.

In respect of planning obligations, the Inspector considered that financial contributions were justified and necessary in respect of education, leisure and affordable housing but not transport infrastructure provision. The submitted unilateral undertaking did not make an undertaking for an affordable housing contribution and the Inspector considered this to be a *“serious failing”* in relations to the requirements of SDPD Policy DM6 (Affordable Housing).

HPBC COMMENTS ON THE DECISION:

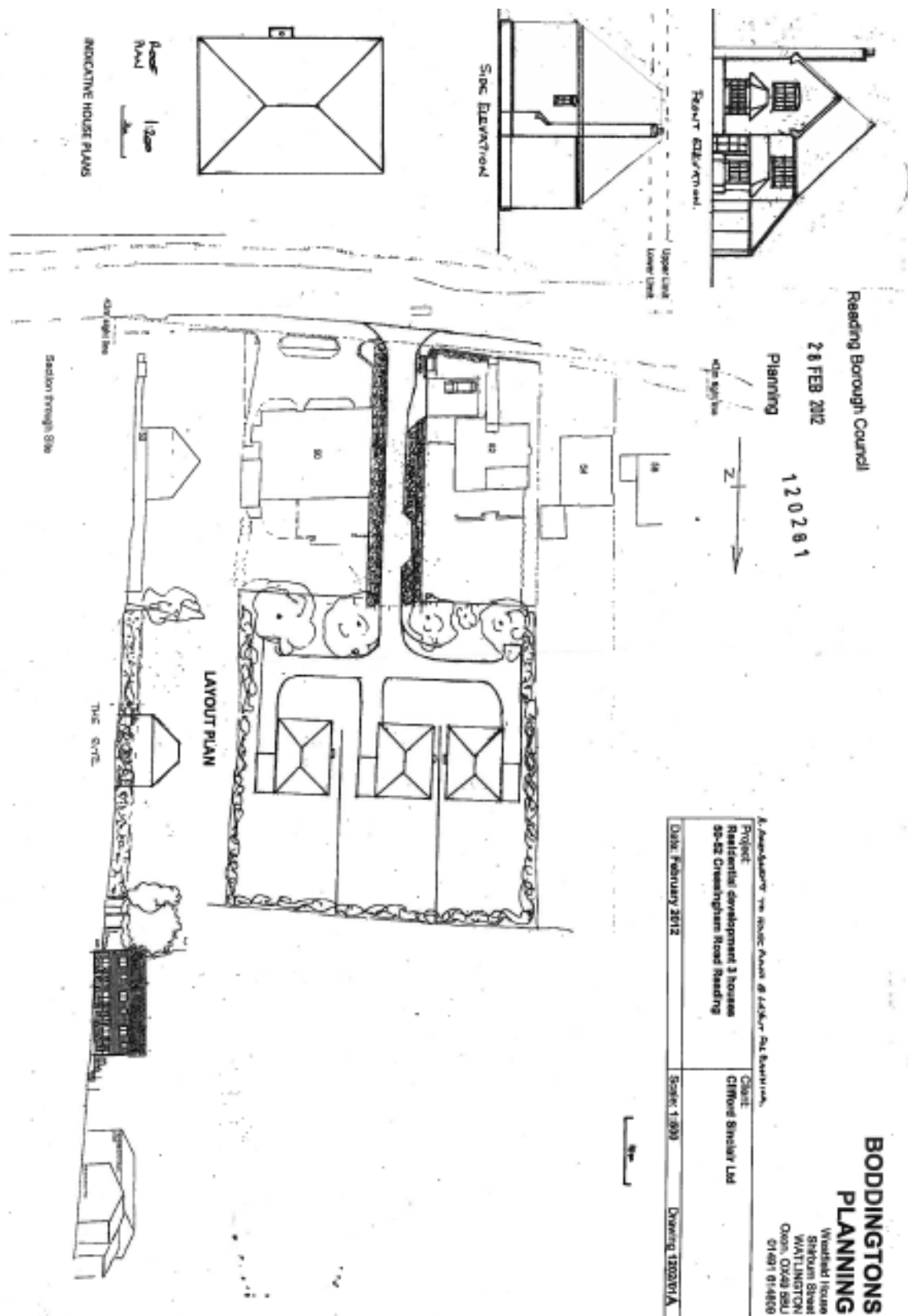
This decision is particularly welcomed given that the Inspector has given significant weight to the newly adopted SDPD policies DM6 and DM11 and refused these poor quality proposals.

Pic 1. - 50 Cressingham Road:



Pic 2. - 52 Cressingham Road:



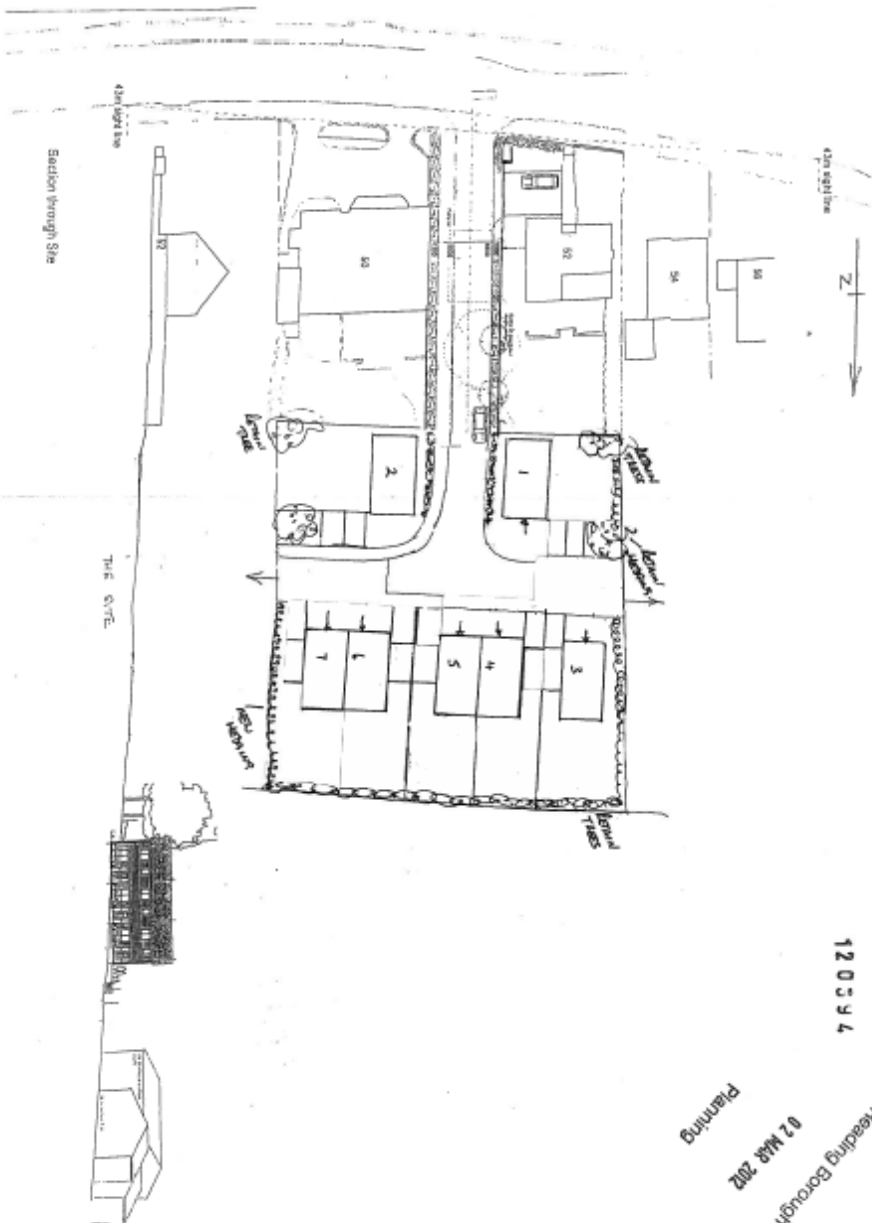


Project: Residential development 7 3 bed houses 59-62 Crossingham Road Reading Layout	Client: Clifford Sinclair Ltd
Date: March 2012	Scale: 1:500 Drawing 120394

**BODDINGTONS
PLANNING**
Westfield House
Shilburn Street
WATTLINGTON
Oxon. OX49 5BU
01491 614806

Reading Borough Council
02 MAR 2012
Planning

120394



APPEAL DECISION REPORT:

BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT
READING BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE: 16th January 2012

Ward: Kentwood

Appeal No. APP/E0345/D/12/2183972

Planning Ref: 12/01129/FUL

Site: 1 The Cedars, Tilehurst, Reading, RG31 6JW

Proposal: Raising the roof ridge height for a loft conversion and two front dormers.

Decision level: Delegated

Method: Householder Appeals Service

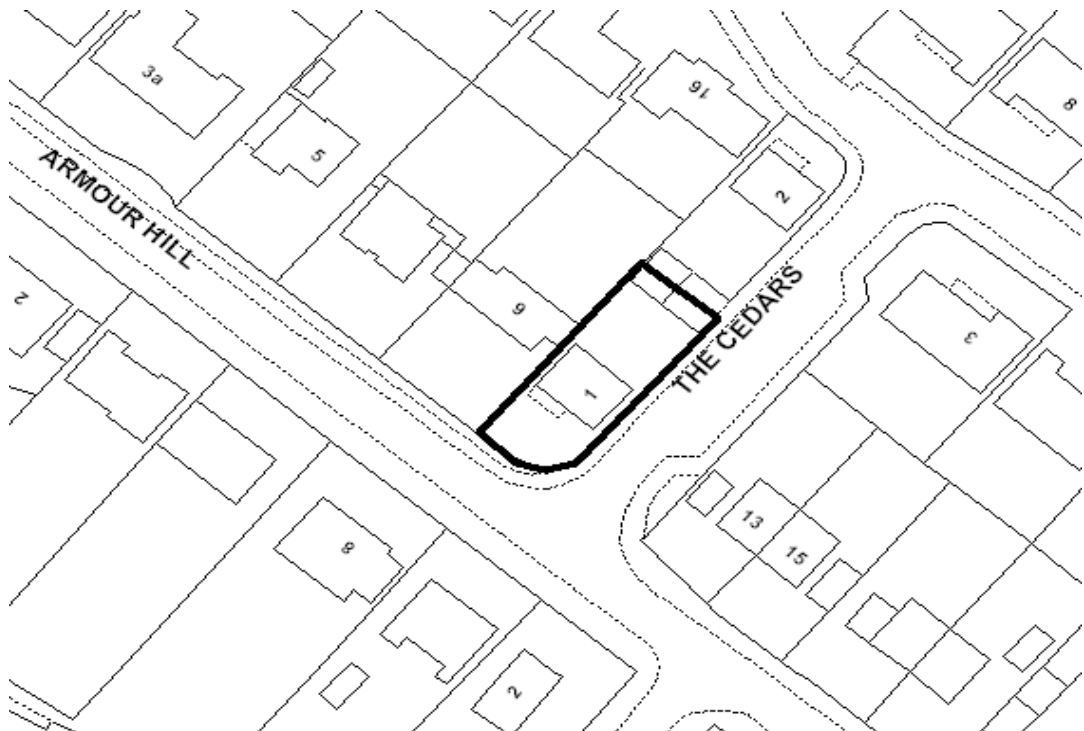
Decision: DISMISSED

Date Determined: 13 December 2012

Inspector: N P Freeman BA(Hons) DipTP MRTPI DMS

Site description:

The application property is a detached 2 storey property with a shallow pitched roof design located on the north side of Armour Hill in a prominent location on the corner of Armour Hill and The Cedars. The Cedars is a small estate of houses built to the same design as the appeal property.



Reason for refusal:

The proposed roof due to its scale, in particular its height and unsympathetic form and design would result in an excessively bulky and incongruous feature within this part of the street thereby appearing out of keeping with and detrimental to the character of the main house and the immediate vicinity.

Main Issue:

The Inspector considered the main issue to be the effect of the proposal on the character and

appearance of the area.

Consideration:

In reaching his decision the Inspector referred to Policy DM9 of the SDPD and adopted SPD guidance on House Extensions. Policy DM9 requires extensions to respect “*the character of the house and the character and pattern of neighbouring properties*”. With this in mind the Inspector noted that “when standing in Armour Hill facing northwards the appeal property is seen in the context of the other houses in The Cedars which have the same roof form. The proposed raised roof would be considerably taller than what currently exists and would be out-of-keeping with the original roof forms of this group of dwellings. It would also be taller than any other roof in the immediate vicinity and much taller than the majority of bungalows and chalet bungalows nearby.

The Inspector agreed with officers on the design and commented that it “would represent a bulky addition with an incongruous flat roof deck on top which would be a noticeable feature in the street scene given the corner position, out-of-keeping with the ridged roofs that characterise the townscape of the area. The bulkiness would be exacerbated by the position of the proposed dormers high in the roof plane with ridges that would be the same height as the roof deck. The lack of set down from the main ridgeline of the house would be at odds with the guidance on the design of dormer windows contained in the SPG.

The Inspector concluded that the proposed alterations to the house would have a harmful impact on the character and appearance of the surrounding area, contrary to adopted policy and guidance.

HPBC COMMENTS ON THE DECISION: Officers note that while the Inspector acknowledged the letters of support for the application received from one neighbour and a local councillor and the appellant’s claims that the proposal was sustainable development they did not outweigh the harm that he had identified. The appealed proposal was the third attempt made by the applicant to extend the house in this way against the sustained positive and proactive advice from officers (two previous applications refused planning permission and pre-application advice given on the latest scheme) that the applicant explores other ways of increasing the floor area of the property.

Photograph of 1 The Cedars



Proposed Plans



Ward: Park
Appeal No: APP/E0345/A/12/2179479
Planning Ref: 12/00024/FUL
Site: 33 Eastern Avenue, Reading
Proposal: Partially retrospective erection of a 2 storey dwelling with attic rooms
Decision level: Committee
Method: Written Representations
Inspector: T Wood BA(Hons) BTP MRTPI
Decisions: Appeal Allowed, Costs Award Dismissed
Date Determined: 11/12/2012



Site Description:

The appeal site is 33 Eastern Avenue, a detached residential dwelling, located within a largely residential area. The site is located within the South Park Conservation Area, and adjoins a Grade II Listed Building known as 29 and 31 Eastern Avenue, which has been subdivided into flats.

Description of Development:

The application which was the subject of the appeal was partially retrospective, and relates to the erection of a detached two storey dwelling with attic rooms.

Reason for Refusal:

The application was refused for the following reason:

The proposal would be incongruous compared to the established local character of the area by reason of its excessive scale, bulk and massing, and would therefore be of detriment to the setting of the adjoining Listed Building, the streetscene and the South Park Conservation Area, contrary to 'Saved' Policies CUD4 (Setting of Listed Buildings), CUD7 (New Development in Conservation Areas), HSG5 (Residential Design Standards) and CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998) and Policies CS33 (Protection and Enhancement of the Historic Environment) and CS7 (Design and the Public Realm) of the Reading LDF Core Strategy (2008) and paragraph 137 of the National Planning Policy Framework (2012).

Main Issue:

The Inspector considered the main issue to be the effect of the proposal on the character and appearance of the conservation area and the setting of the adjacent listed building.

The Inspector agreed with the Council and previous Inspector that the dwelling as built has an unacceptable effect on its surroundings.

Notwithstanding the inaccurate surveys undertaken when the 2010 scheme was submitted, the Inspector noted that the 2010 permission represented a fall back scheme which could realistically be built.

In his consideration, the Inspector noted that the proposal would simplify the design of the two projecting bays. Whilst noting that this would bring these elements forwards, in the Inspector's view, this would be a more simple and ordered solution and would be acceptable in the context of the building's set back from the street.

In relation to the front roof, the Inspector noted that the proposed gable would have a more dominant appearance, but considered it to be a simpler design with a lower eaves height than the fall back scheme. He also noted that a number of other properties within the conservation area which were larger than this development and had prominent front gables. To the rear, the Inspector felt that the proposed gable would replicate the front and have a unifying effect. He noted that although the rear would appear larger than neighbouring gables, it would not be unreasonably large.

In relation to the flank elevation towards 29-31 Eastern Avenue, the Inspector felt that the proposed bay window and gable would add interest to the otherwise plain elevation.

Considering the impact of the development on the conservation area, the Inspector felt that the proposal would be in keeping with many others in the area and would contain features which improved upon the 2010 consent. He also considered that the development would represent an interesting and unified design that would be acceptable in relation to its impact upon the adjoining listed building.

The Inspector considered that it would be necessary to ensure implementation of the scheme to a deadline and imposed a number of conditions, including the requirements (a) to complete the development in accordance with the approved plans within 9 months of the decision (i.e. by 11/09/2013); (b) for materials to be approved by the LPA prior to the works commencing under condition (a); and (c) the submission of a landscaping scheme and timetable for its implementation within 2 months of the decision (i.e. by 11/02/2013).

Costs Decision:

The Inspector also considered a claim for an award of costs against the Council submitted by the applicant.

The Inspector agreed that careful consideration needed to be given to the proposed alterations and their visual effects and impressions, and stated that the Council did this, noting that:

'Even though I have ultimately disagreed with the Council, I consider that there submitted documents indicates that they have identified the relevant aspects of the proposal and the differences that it would bring about. Its conclusions on the effects of the development are reasonable and have some basis. There are some aspects of the proposal which could be seen as adding bulk to the proposal, these need to be balanced against other aspects of the proposal and to its surroundings. Paragraph B18 of Circular 03/2009 recognises that planning appeals often involve matters of judgement concerning character and appearance; it adds, "Where the outcome of an appeal turns on the assessment of such issues it is unlikely that costs will be awarded if realistic and specific evidence is

provided about the consequences of the proposed development". The Council makes some comparison with other properties within the area and identifies some differences which may set the appeal scheme apart'.

And in relation to the context of the development that:

'I do not consider that the Council has failed to take into account or otherwise ignore these other buildings but has reasonably approached the proposal in relation to its individual location'.

The Inspector therefore found that unreasonable behaviour had not occurred and that an award of costs against the Council was not justified.

HPBC COMMENTS ON THE DECISION:

In many respects this is a disappointing decision, since it retains and in parts increases the bulk of the original unauthorised development, which was the Council's main objection to the proposal, even though it creates a more unified design than the existing building. The Inspector also gives no weight to the option which was open to the appellant to vary the 2010 approval in order to correct the 2010 plans and reduce the bulk of the building. Had an application been submitted to build the appeal proposal at the outset (rather than retain and alter the existing building) it is difficult to see how it would have achieved permission, even on appeal.

It is notable that in the costs decision the Inspector concedes that the Council has taken a reasonable approach and that its conclusions on the effect of the development are reasonable and have some basis, even though in the appeal decision he clearly disagrees with the Council's conclusions, highlighting the subjective nature of the decision process.

It is heartening that the Inspector has granted a specific limited time period for submission of details and completion of the development. The appellant has indicated to officers that he is working towards meeting these deadlines (and will be submitting materials and landscaping details for consideration shortly). Officers will continue to monitor progress at this site.

Plans showing the 2003 consent, house as built, 2010 consent and 2012 appeal consent to scale as well as perspectives of the 2010 consent and 2012 appeal consent are appended to this report for information.

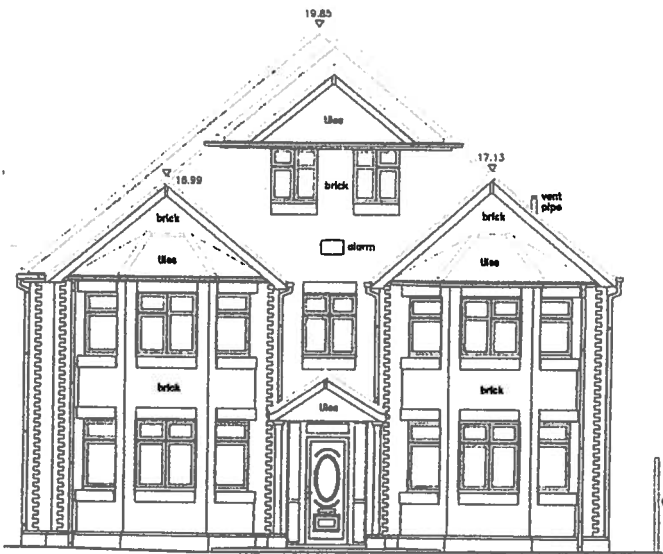


Front Elevation

2003 PERMISSION



HOUSE AS BUILT



2010 PERMISSION



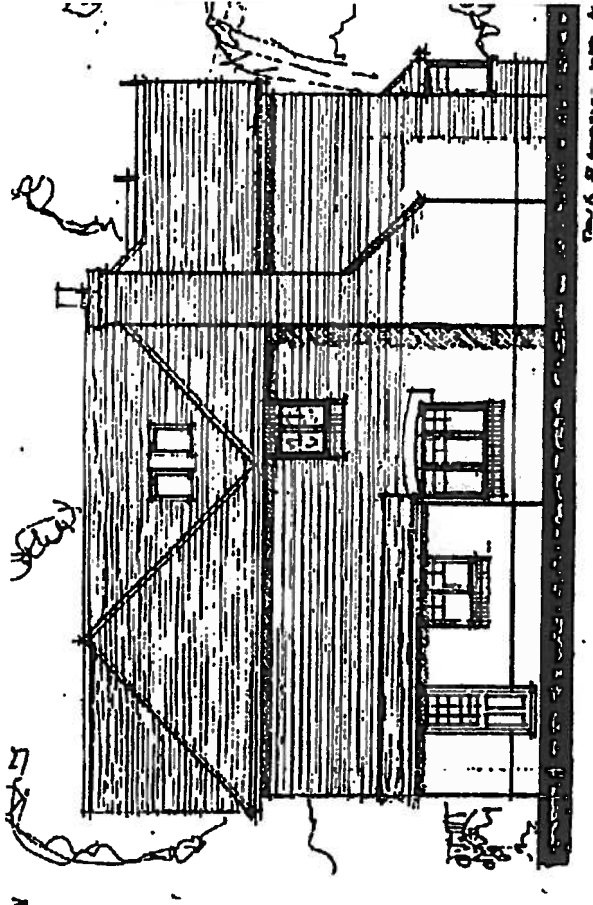
2012 APPEAL PERMISSION



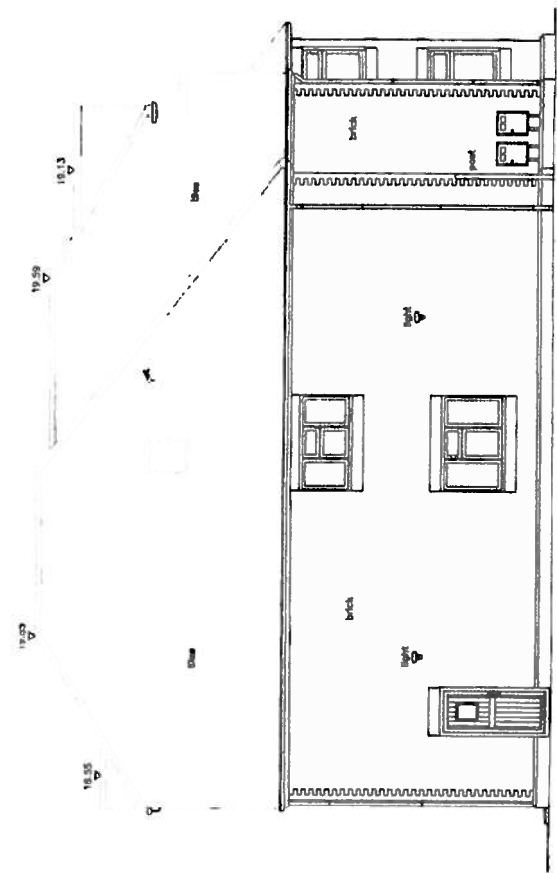
33 EASTERN AVENUE

Flank Elevation

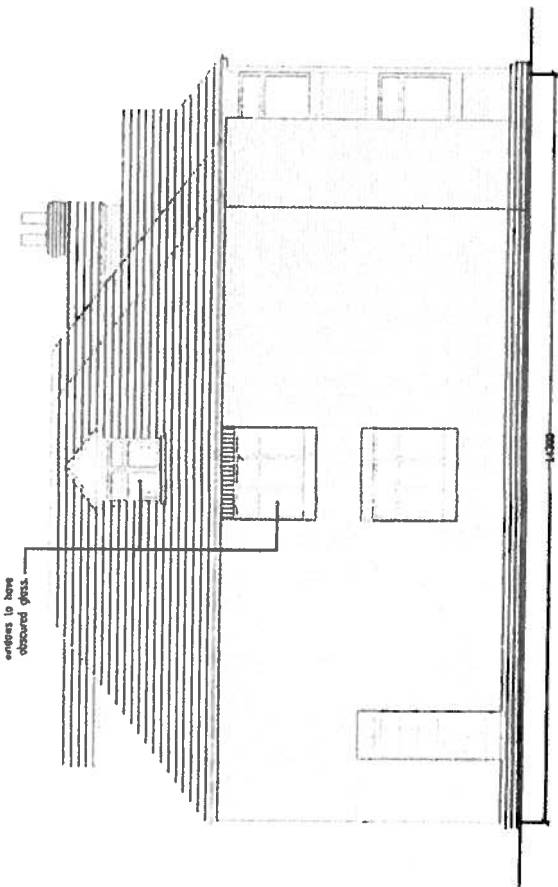
2003 PERMISSION



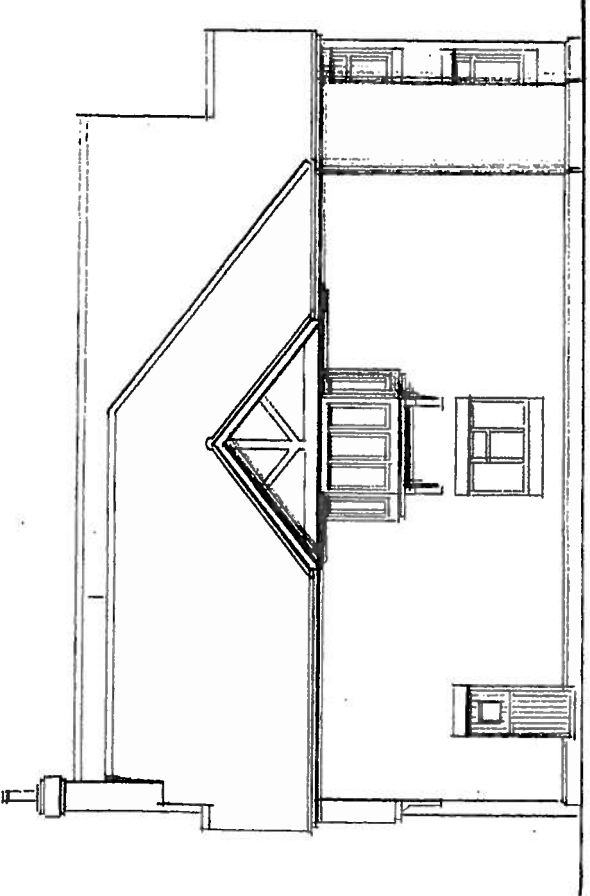
HOUSE AS BUILT



2010 PERMISSION



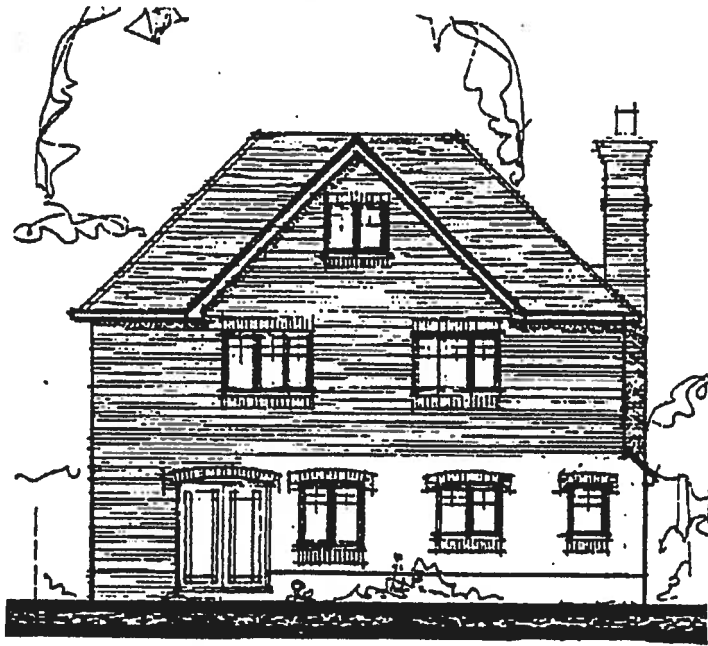
2012 APPEAL PERMISSION



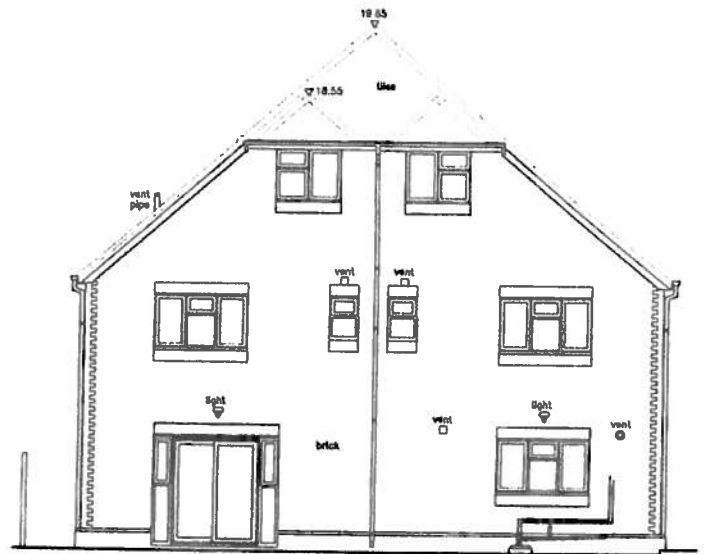
33 EASTERN AVENUE

Rear Elevation

2003 PERMISSION



HOUSE AS BUILT



2010 PERMISSION



2012 APPEAL PERMISSION



2010 PERMISSION



Reading Borough Council

05 JAN 2012

120024 Planning

2010 Design:
Perspective

Scale: NTS
Dwg: 11/04/05

33 Eastern Avenue,
Reading

Bryan Martin, Architect
36 Banbury Lane, Byfield, Northants, NN11 6UX

2012 APPEAL
PERMISSION



120024 Reading Borough Council

05 JAN 2012

Planning

Proposal:
Perspective

Scale: NTS
Dwg: 11/04/02

33 Eastern Avenue,
Reading

Bryan Martin, Architect
36 Banbury Lane, Byfield, Northants, NN11 6UX

APPEAL REPORT

Ward: Redlands

Appeal No. APP/E0345/A/12/2179963/NWF

Site: Orwell House, 23 Craven Road, Reading, RG1 5LE

Planning Ref & Proposal: 12/00026/FUL: Change of use from Educational Support Services to student accommodation, conversion of existing building and proposed side extension for student accommodation. Total 25 units

Decision level: Committee

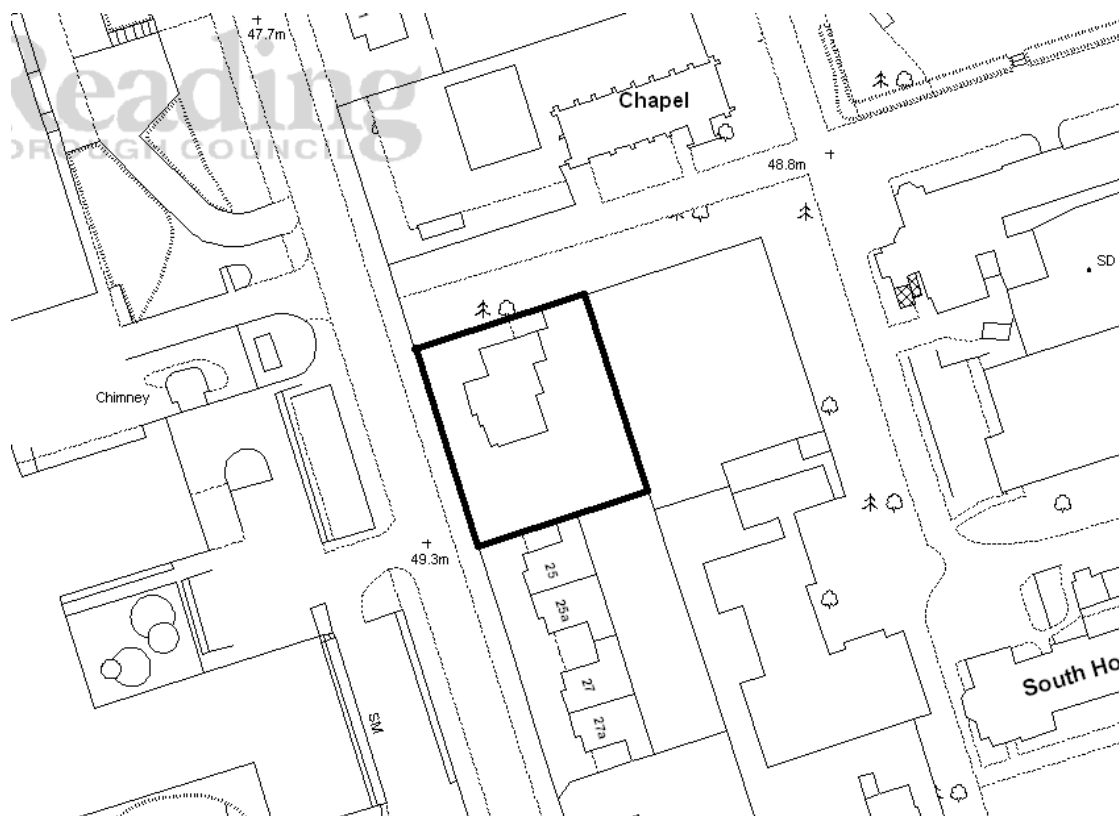
Method: Written Representations

Decision: APPEAL DISMISSED

Date Determined: 30 November 2012

1.0 Site Description:

- 1.1 The appeal site comprises a large detached Victorian building that is currently vacant. It was most recently used by Reading Borough Council as a base for education support services such as educational psychologists and behavioural support staff. The majority of the building comprised offices.



- 1.2 The application was refused for the following reasons:

1. *Orwell House is recognised by the Local Planning Authority as having a degree of historic and architectural significance, and as such is considered to be a heritage asset. The proposed development, by reason of its height, massing/bulk and relationship with the original building, is considered to have a detrimental impact on the character and appearance of this heritage building and the surrounding area. The proposal is therefore contrary to PPS5 (Planning for the Historic Environment), policies CS7 and CS33 of the Reading Borough LDF Core Strategy, and 'saved' policy CUD14 of the Reading Borough Local Plan.*

2. *The proposed access is unsuitable, due to its substandard layout, to accommodate the*

traffic which would be generated by the proposed development. This would have an adverse effect on road safety and the flow of traffic on the C202 Craven Road, and would be in conflict with 'saved' Policies HSG5, HSG9 and TRN11B of the Reading Borough Local Plan.

3. The proposed development does not comply with the Local Planning Authority's standards in respect of vehicle parking and, as a result, is in conflict with 'saved' Policies HSG5, HSG9 and TRN11B of the Reading Borough Local Plan and Policy CS24 of the LDF Core Strategy.

4. The proposed development fails to provide adequate usable private amenity space for future residents. It is therefore contrary to the Council's guidelines regarding private usable amenity space which constitute Supplementary Planning Guidance to Policy HSG5 (Residential Design Standards) of the Reading Borough Local Plan.

5. In the absence of a completed legal agreement to secure contributions towards transport and local recreation/leisure infrastructure improvements the proposal fails to deal with its direct impact and is contrary to Policies CS9, CS20 and CS29 of the Reading Borough Local Development Framework Core Strategy Document and Planning Obligations under Section 106 of the Town and Country Planning Act 1990 (Supplementary Planning Guidance).

2.0 Main issues and findings of the Inspector:

Effect on the character and appearance of the existing building

2.1 The Inspector found that the building is finely detailed with a striking feature chimney stack and supportive decorative brickwork. Whilst not of exceptional quality, the Inspector agreed that the building is of historical and architectural merit and makes a significant positive contribution to the character and quality of the local environment. For these reasons he agreed with the Council that the building should be treated as a non-designated heritage asset.

2.2 Whilst the chimney stack would not be removed, the decorative supporting brickwork would be obscured by the proposed side extension, which would be very much to the detriment of the character and appearance of the building. The Inspector also shared the Council's concern about the excessive width of the extension in relation to the original building, considering that it would appear as an unduly prominent and dominant addition.

Effect on highway safety

2.3 The Inspector found that the existing driveway affords direct and unimpeded access onto Craven Road. Conversely the proposed driveway would force drivers to negotiate a series of tight bends, making it virtually impossible for vehicles to enter and exit the site simultaneously. This would increase the potential for confusing and conflicting vehicle movements, potentially leading to vehicles waiting on the highway and/or having to reverse back on to the road. Even though the overall number of vehicle movements may be reduced compared to the existing use, this would create an unsatisfactory and dangerous situation where none currently exists.

Section 106 Contributions

The Inspector was satisfied that the contributions sought were necessary, directly related to the development and fairly and reasonably related in scale and kind.

3.0 HPBC Comments on the Decision:

3.1 This is a welcome decision. Of particular note is the considerable weight given by the Inspector to the historical and architectural merit of the original building. Whilst acknowledging that the building is neither listed nor in a conservation area, the Inspector nonetheless agrees with the Council that the building should be treated as a non-designated heritage asset. This enables him to give significant weight to the loss of important architectural features on the building and to the excessive width of the proposed extension.

3.2 This positive decision has been brought to the attention of the Planning Inspector dealing with an appeal against the demolition of another building that the Council also considers is a non-designated heritage asset (114 Kendrick Road).

3.3 With regard to amenity space, the Inspector considered that any deficiency in this regard would be offset by the site's accessibility to facilities and amenities in the town centre.

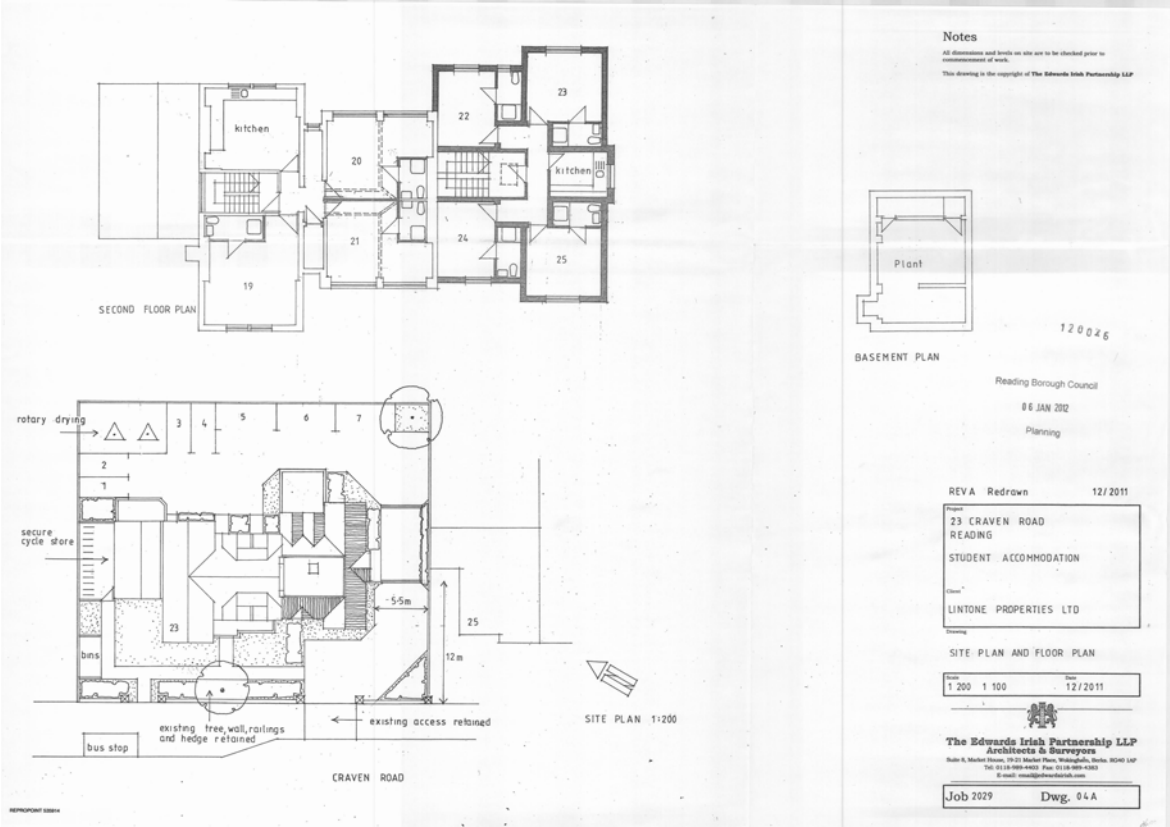
Site photograph



Proposed front and rear elevations



Proposed site plan



APPEAL DECISION REPORT:

BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT
READING BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE: 16th January 2013

Ward: Peppard

Appeal No. APP/E0345/D/12/2184376

Planning Ref: 12/00655/FUL

Site: 10 Brooklyn Drive, Emmer Green, Reading, RG4 8SS

Proposal: Two storey side extension with basement room below

Decision level: Delegated

Method: Householder Appeals Service

Decision: Appeal DISMISSED

Date Determined: 31st December 2012

Inspector: Christina Downes MRTPI

Site description:

The application site is located on a corner plot where Brooklyn Drive makes a right angled turn, opposite an 'island' of green space in the road. The site contains a large two storey detached dwelling which has previously been extended. The dwelling is set back from the road and maintains the strong building line in the street as it stands at an angle to the road.

Reason(s) for refusal:

The application was for a first floor side extension above the existing attached garage to provide a bedroom and en suite bathroom on the upper floor, and the conversion of the garage into a bedroom and study. A further side extension to provide a garage and wet room on the ground floor and a bedroom within the roof space was also proposed.

The Council refused the application for the following reasons:

- 1) By reason of its excessive size in terms of width and height, the proposed two storey side extension would appear overly dominant and excessive in scale and would not be suitably subservient to the main property and the development would result in an incongruous feature within the street scene to the detriment of the character of the area.
- 2) The proposed first floor Juliet balcony to the rear of the proposed two storey side extension would result in a significantly harmful level of overlooking into the rear garden of 10A Brooklyn Drive.
- 3) The applicant has failed to demonstrate that the proposed development would not have a detrimental impact on the trees within the vicinity of the proposed development, and no information has been provided to show whether any trees would be lost by the development.

Main Issues:

The Inspector considered the main issue as the effect of the proposal on the character and appearance of the property.

The Inspector identified that:

- i) The extension to the garage and wet room on the ground floor and bedroom above considerably adds to the width of the house and would have a ridge and eaves height that would bear little relationship to the house.

- ii) From the front the extended property would be seen as a number of different elements with a particularly poorly integrated section where the garage is proposed, and although set well back from the front of the house, this section would be a relatively prominent feature due to the angled position of the property.
- iii) In respect of protecting the trees, this matter could adequately be dealt with by planning conditions.

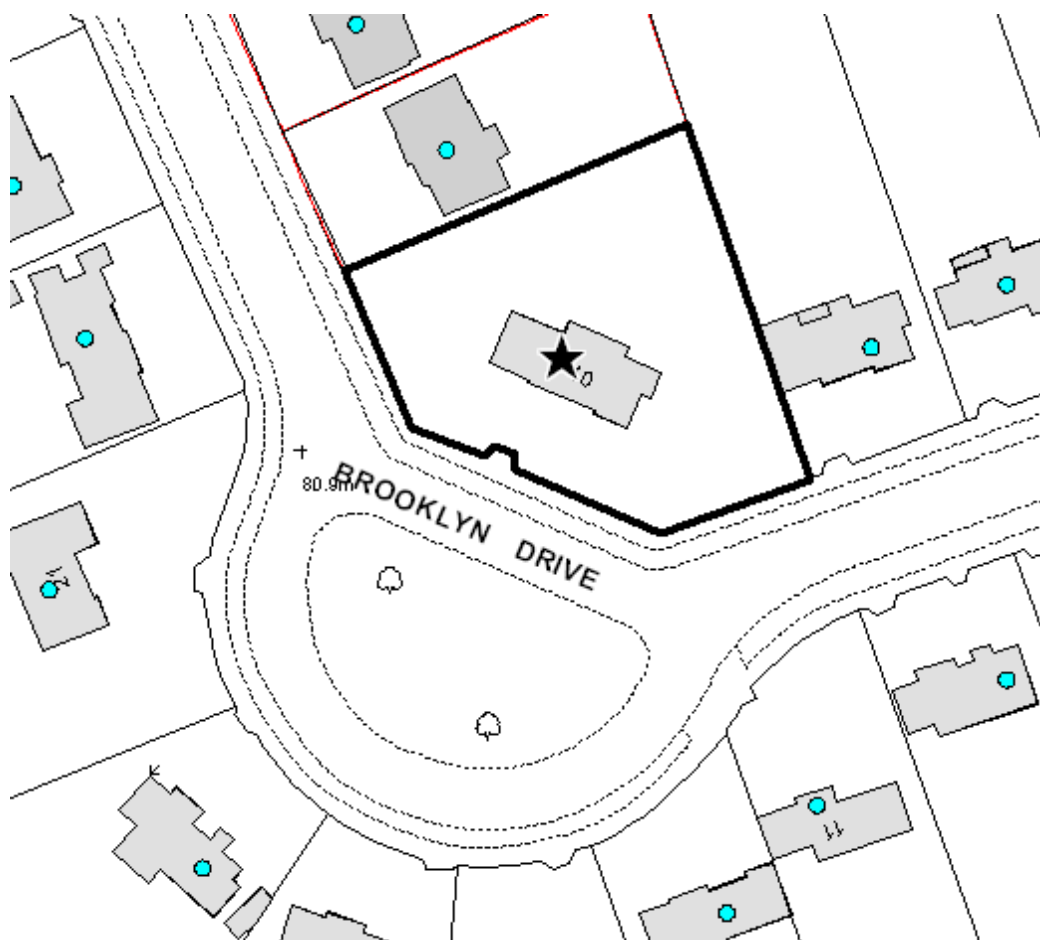
The Inspector did not comment on the issue of overlooking to the neighbouring property at 10A Brooklyn Drive as the appellant submitted amended plans which he considered overcame the Council's concerns.

Summary:

In summary the Inspector concluded that the side garage and bedroom extension would fail to harmonise with the character of the existing house and due to its height and width would result in a discordant and incongruous feature in the street scene. For these reasons the Inspector DISMISSED the appeal.

HPBC COMMENTS ON THE DECISION: The Inspector's support of the Council's conclusion in relation to the impact of the proposal on the character and appearance of the property and the street scene is a welcome decision which endorses relevant Council policy.

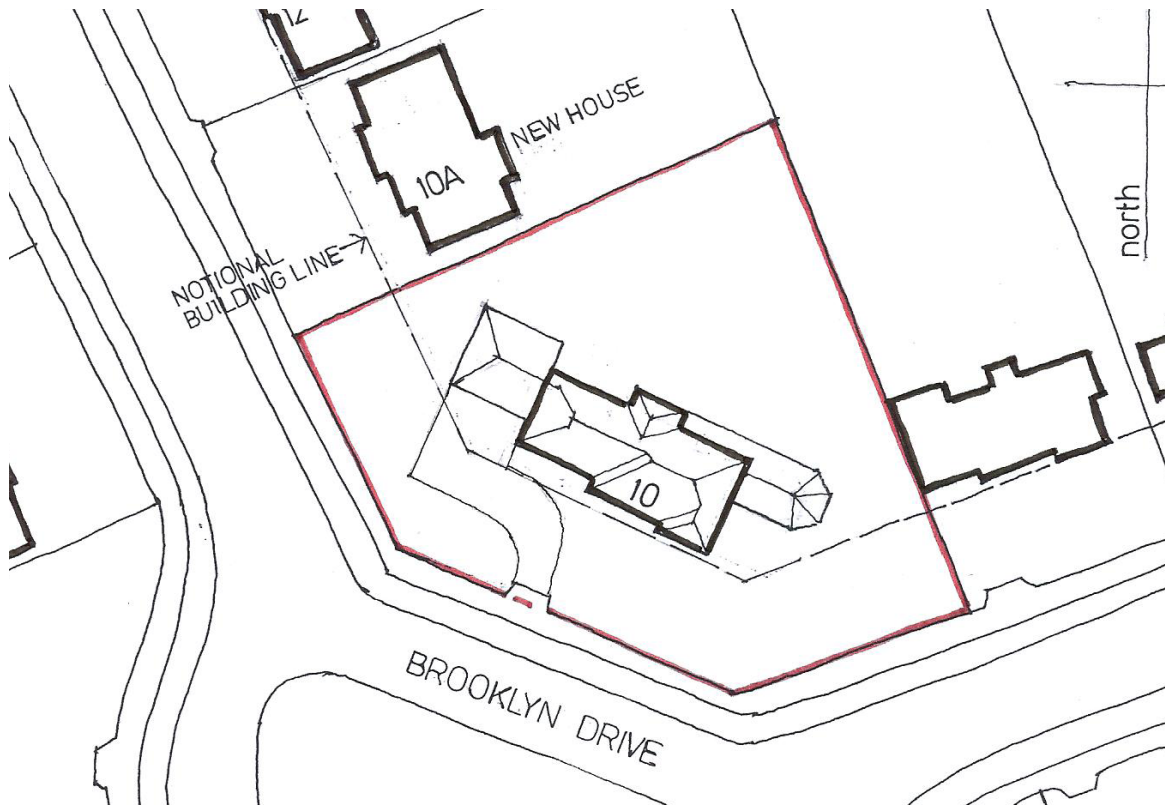
Site Location Plan – 10 Brooklyn Drive



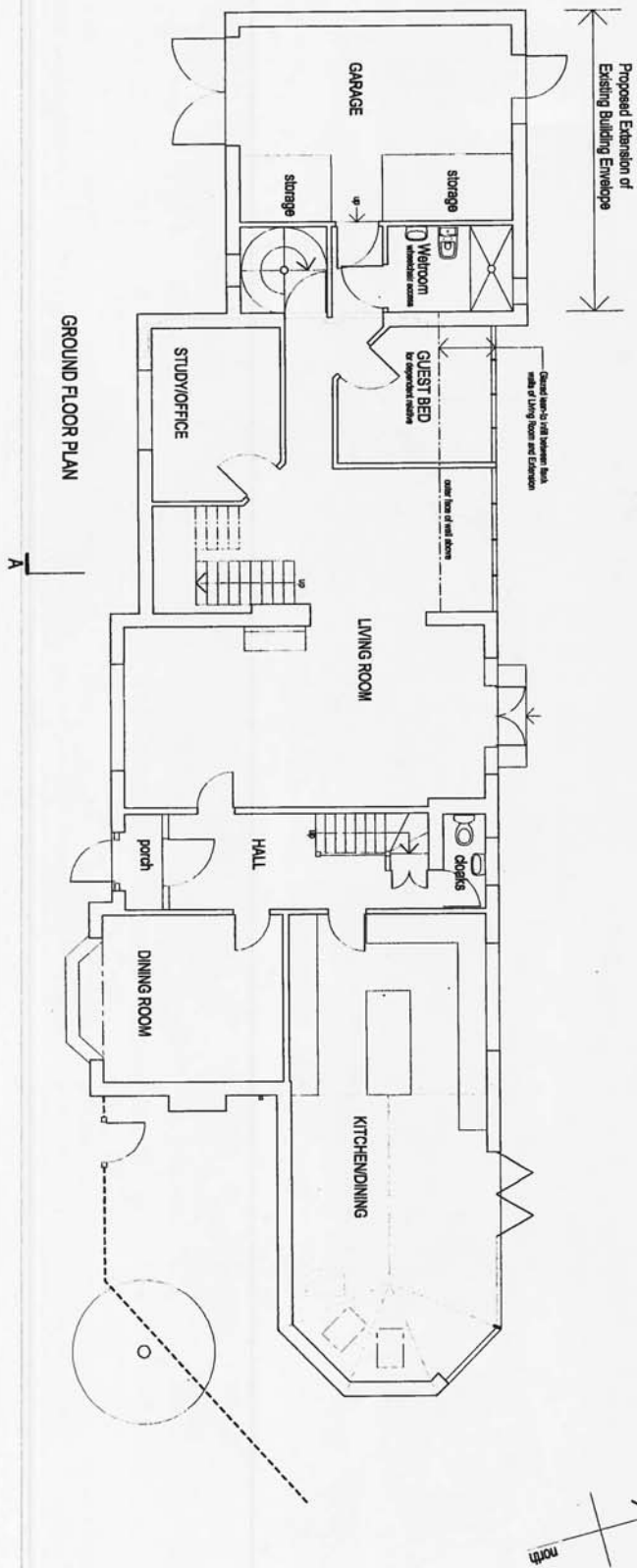
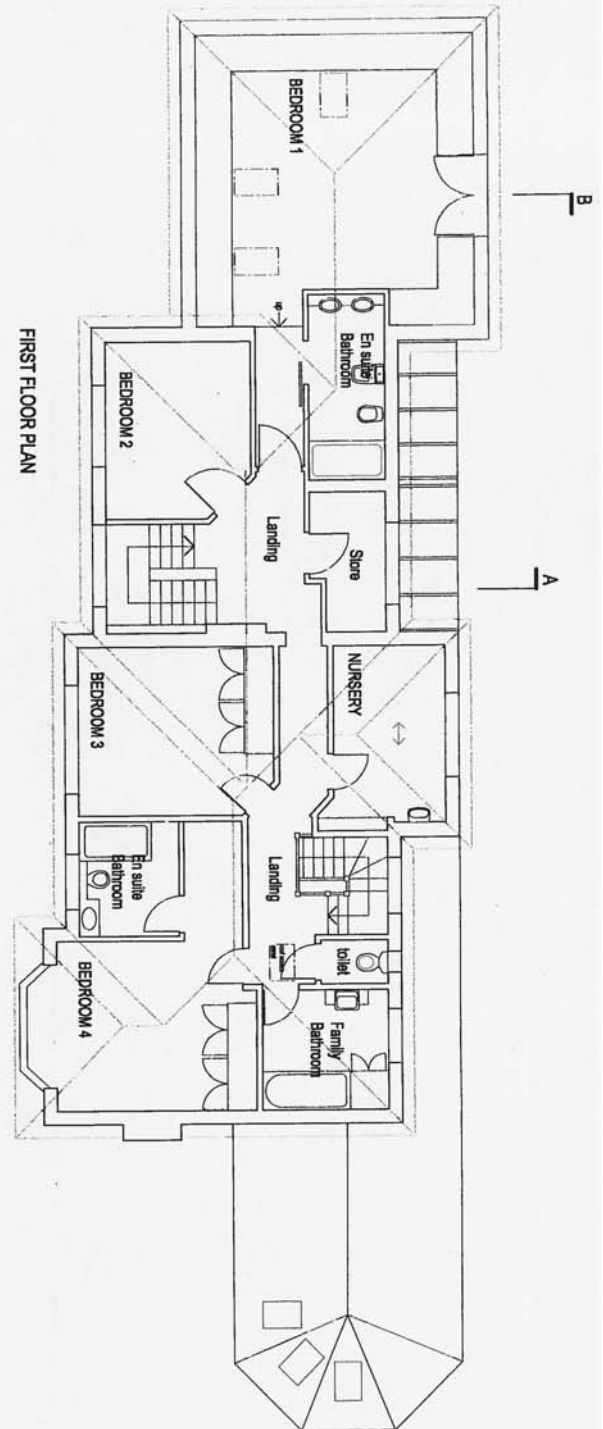
Existing front elevation

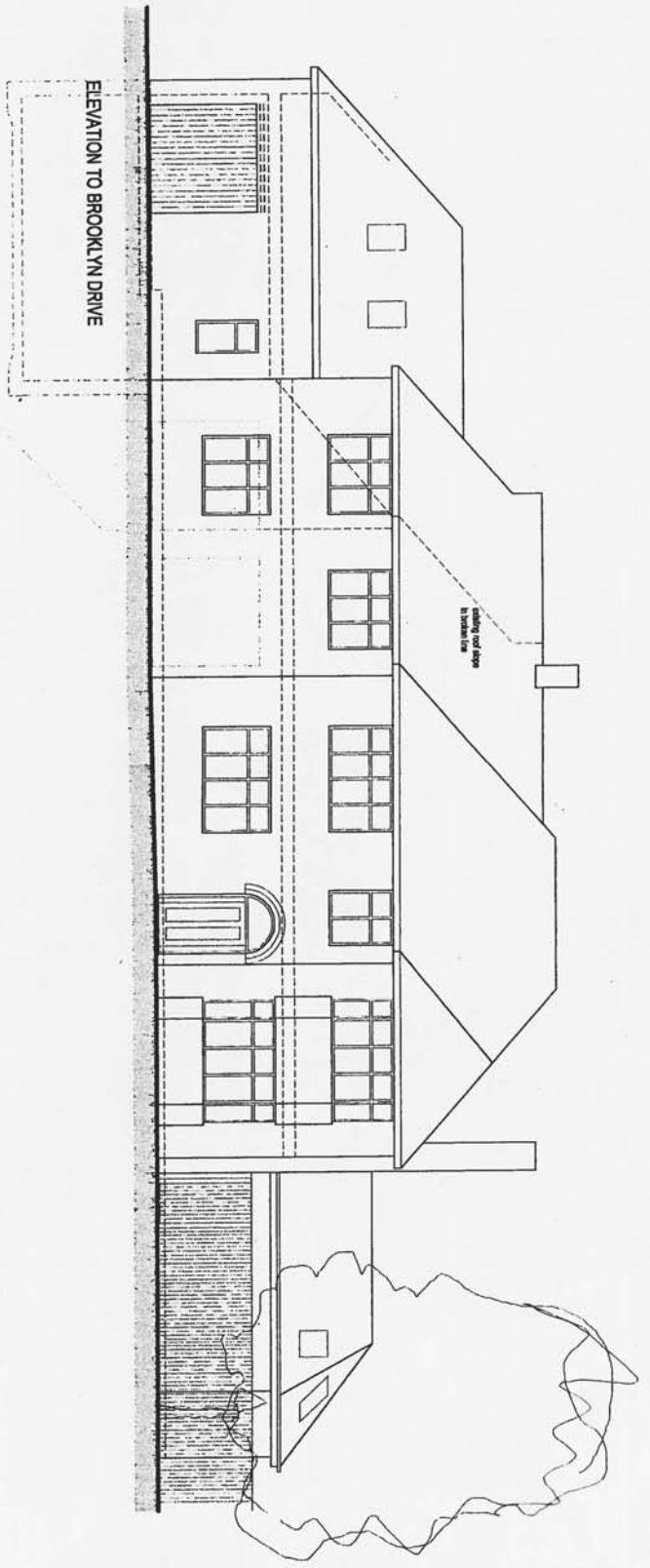


Proposed Block Plan

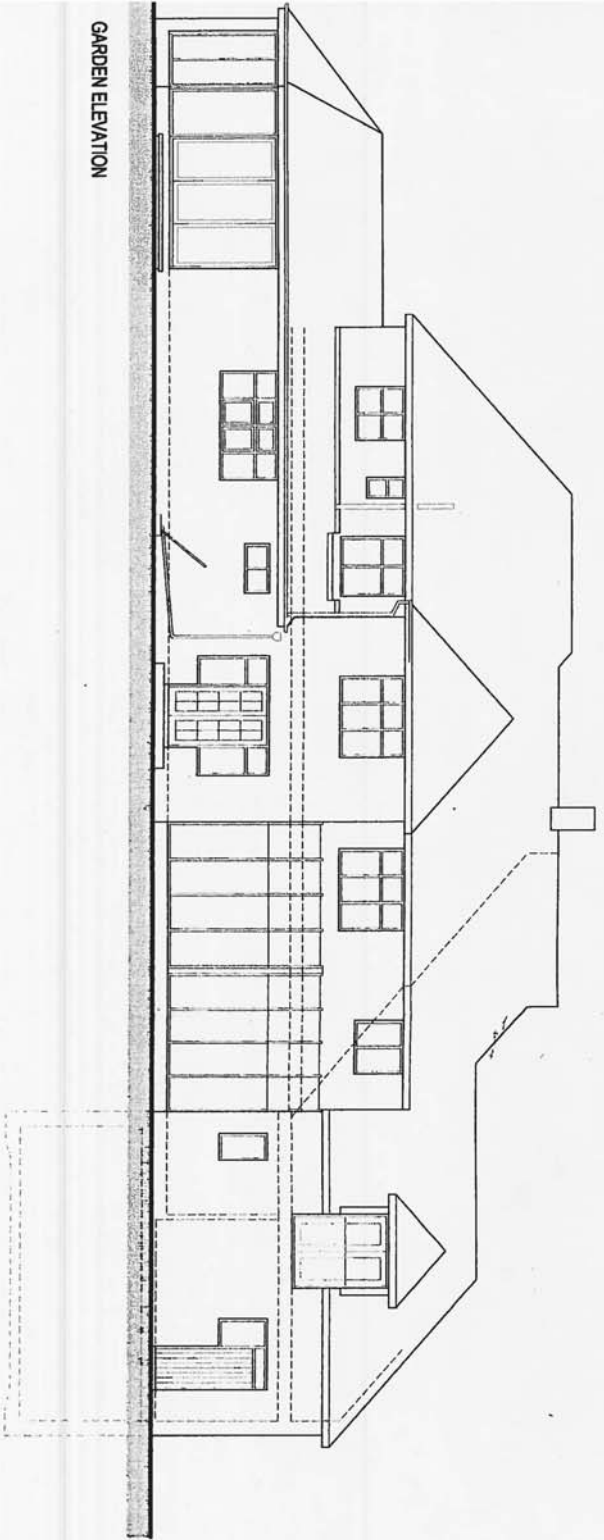


Proposed elevations and floor
plans





GARDEN ELEVATION



READING BOROUGH COUNCIL
REPORT BY DIRECTOR OF ENVIRONMENT

TO:	PLANNING APPLICATIONS COMMITTEE		
DATE:	16th January 2013	AGENDA ITEM:	6
TITLE:	TELECOMMUNICATIONS APPLICATIONS		
SERVICE:	PLANNING	WARDS:	ALL
AUTHOR:	David Breeze	TEL:	0118 9372410
JOB TITLE:	Planning Manager (Implementation)	E-MAIL:	david.breeze@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

1.1 To update the Committee on new applications and decisions on the following types of applications for telecommunications development, since the last meeting of the Committee.

- (i) **Prior approval notifications received**
- (ii) **Prior approval notifications decided**
- (iii) **Planning applications received for planning permission**
- (iv) **Planning Applications decided**

2. RECOMMENDED ACTION

2.1 That you note the report.

3. PROPOSAL

3.1 Planning Applications Committee at its meeting on 24 May 2001 asked for a regular report to be brought to this Committee to inform the Committee of new “prior approval notifications” since the last meeting. For the sake of the completeness it is also proposed to include details of planning applications relating to telecommunications development.

3.2 Details of Appeals on Telecommunications developments are set out in Report on Planning Appeals.

- (i) **Prior approval notification received:**

None
- (ii) **Prior approval notification decided:**

None
- (iii) **Planning applications received for planning permission:**

None

(iv) **Planning Applications decided:**

None

4. CONTRIBUTION TO STRATEGIC AIMS

- 4.1 The review of telecommunications development proposals is in line with the Council's strategic aim to promote a safe and healthy environment for all and to develop Reading as a Green City with a sustainable environment and economy.
- 4.2 This supports the aims of the Sustainable Community Strategy (Reading 2020) in respect of :
- Cleaner and Greener Environments
 - Thriving Economy and Skills

5. COMMUNITY ENGAGEMENT AND INFORMATION

- 5.1 Neighbour consultation takes place on planning applications and applications for prior approval.

6. EQUALITY IMPACT ASSESSMENT

- 6.1 In assessing applications, officers will have regard to Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7. LEGAL IMPLICATIONS

- 7.1 None arising directly from this report.

8. FINANCIAL IMPLICATIONS

- 8.1 None arising directly from this report.

9. BACKGROUND PAPERS

Planning Applications Committee 24 May 2000, Item 6: Telecommunications development - amendments to existing delegation.
Circular 4/99 Planning for Telecommunications.
Planning Policy Guidance Note 8 (PPG 8) Telecommunications 1992.
Code of Best Practice: Telecommunications Prior Approval Procedures, DOE

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT

READING BOROUGH COUNCIL

ITEM NO. 7

PLANNING APPLICATIONS COMMITTEE: 16 JANUARY 2013

TITLE: OBJECTION TO INCLUSION THREE LIME TREES IN A TREE PRESERVATION ORDER
AT 31 ELSLEY ROAD, READING

Ward: Kentwood

RECOMMENDATION

That the Tree Preservation Order be confirmed with the inclusion of all the Lime trees with G1.

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To report to Committee objections to Tree Preservation Order No. 52/12 relating to 31 Elsley Road, Reading (copy of TPO plan attached – Appendix 1).

2. BACKGROUND

- 2.1 Following receipt of an enquiry as to whether the trees at 31 Elsley Road were subject to a Tree Preservation Order, Officers undertook a site visit to assess the amenity value of the trees as aerial and street view photographs indicated that they may be worthy of a Tree Preservation Order.
- 2.2 The site visit confirmed that one individual Lime tree on the frontage and one group of Lime trees along the side of the property were worthy of inclusion within a Tree Preservation Order. A TPO was served on 1 November 2012.

3. RESULT OF CONSULTATION

- 3.1 An objection to three of the trees within 'G1' of the Tree Preservation Order has been made by the owner of 31 Elsley Road, based on the following:

- The three trees directly abut the property and could potentially cause significant damage to the structure in the future.
- There had always been an intention to remove them when finances allowed due to the potential risk, but now there is concern about being restricted from taking action to protect the property in the future.

- 3.2 In response to the objections, officers have the following comments:

Policy CS38: Trees, Hedges and Woodlands of the Council's adopted Core Strategy states that 'Individual trees, groups of trees, hedges and woodlands will be protected from damage or removal, and the Borough's vegetation cover will be extended'. In particular, paragraph 11.43 states that 'The

current practice of protecting trees through Tree Preservation Orders (TPO's) and safeguarding existing TPO's will be continued'.

It is normal procedure for Officers to require evidence of tree related damage to a property prior to approving the felling of a protected tree. It is impossible to say with certainty whether any tree will cause damage to a nearby property even if the tree species and soil type are such that the potential risk may be higher. No details have been provided to show why the three trees in question, compared to other Limes on site, are considered to be a particular risk. Action, i.e. felling a tree, would only need to be allowed once the Council were notified of tree related damage occurring. This was determined in the case of *Delaware Mansions Ltd V Westminster City Council 2001*. If tree related damage was proven, felling would be agreed, hence the presence of the TPO does not prevent appropriate action being taken in the future.

In addition, in the more recent case of *Berent V Family Mosaic Housing and the London Borough of Islington 2012*, the Court determined that there was no 'real risk' of reasonably foreseeable damage purely due to proximity of trees and the fact that clay soil was present. As damage to the property, on current information, is not necessarily foreseeable, and in any case felling would not have to be agreed until damage had occurred, we do not consider the omission of these trees from the TPO as reasonable.

Also, the trees have been managed as pollards, so should continue to be managed this way, which will reduce their root activity.

4. CONCLUSION AND RECOMMENDATION

- 4.1 Due to the potential loss of trees in the urban environment, it is generally not considered reasonable to remove all trees considered to have a potential risk of causing property damage. This approach is supported by recent case law. Whilst the address in question is in a relatively well treed area, omitting the three Limes from the TPO on the basis of potential damage would set an unwelcome precedent which could lead to unnecessary tree felling; contrary to policy CS38. The Council's adopted Tree Strategy promotes the statutory protection of trees and retention of protected trees '*unless it is satisfied that it [felling] is necessary and justified*'. The line of Lime trees provide amenity value to the locality which is considered to outweigh the potential risk the trees present to the property. Officers therefore consider that the TPO should be confirmed with the inclusion of all 6 Lime trees in G1.

5. LEGAL IMPLICATIONS

- 5.1 Preparing, serving confirmation and contravention of TPO's are services dealt with by the Council's Legal Section.

6. FINANCIAL IMPLICATIONS

- 6.1 Administrative.

7. EQUAL OPPORTUNITIES IMPLICATIONS

7.1 None.

8. SUSTAINABILITY IMPLICATIONS

8.1 The aim of TPO's is to secure trees of high amenity value for present and future generations to enjoy. Trees also have high environmental benefits through their absorption of polluted air, creation of wildlife habitats, reduction of surface water runoff and flooding caused by heavy rain, provision of shelter and shading and reduction of noise. The Council's Tree Strategy highlights the importance of the use of TPOs in the retention and protection of important trees in the Borough. Policy CS38 of the Council's Core Strategy relating to Trees, Hedges and Woodlands also reinforces the need to continue making new and retaining existing Tree Preservation Orders.

9. BACKGROUND DOCUMENTS

9.1 Planning Sections street index and at a glance map of TPO's

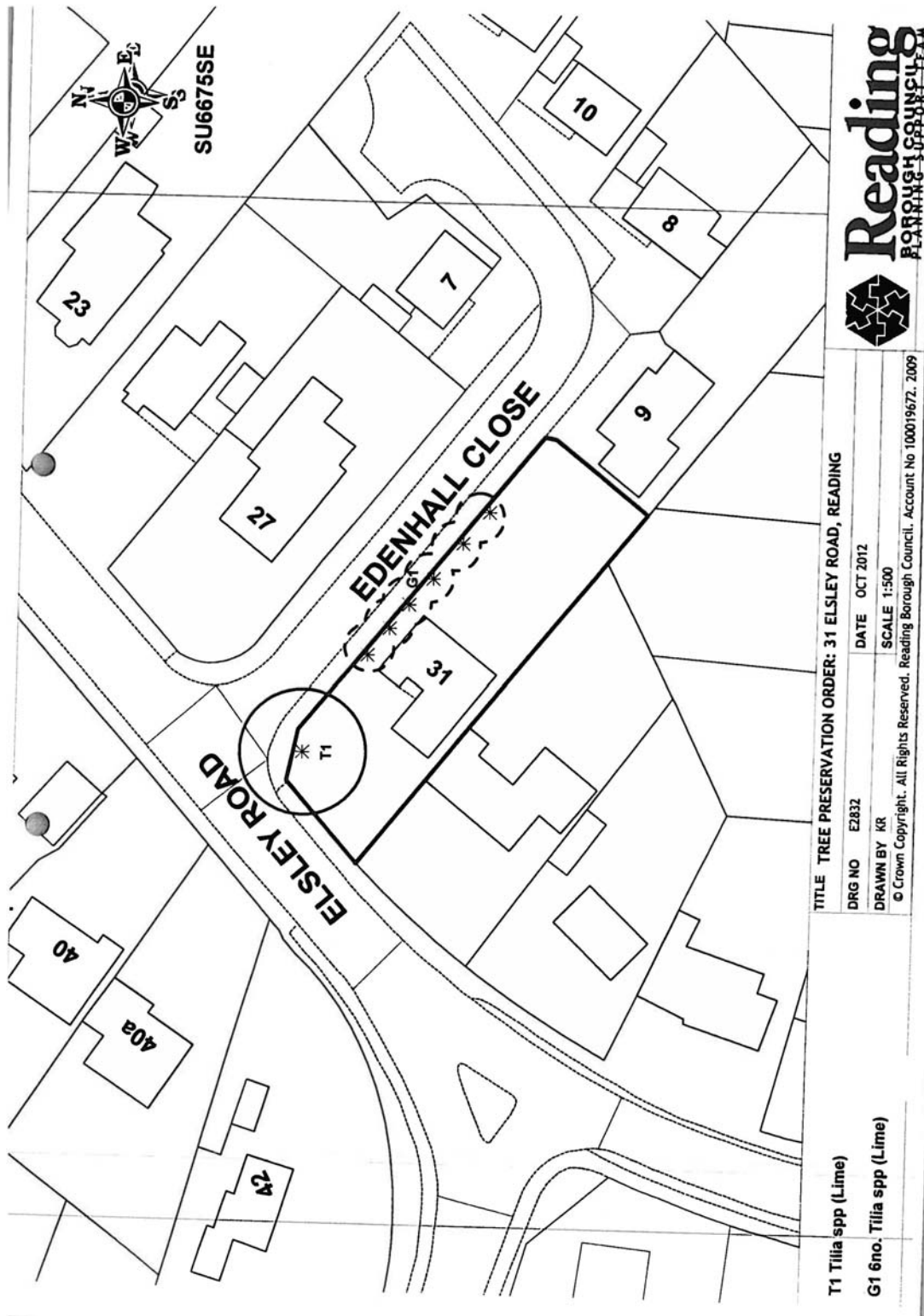
9.2 Register of Tree Preservation Orders

9.3 Plan of TPO 52/12, relating to 31 Elsley Road, Reading (Appendix 1)

Officer: Sarah Hanson



The three Lime trees in question



ABBEY

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 16 January 2012

ITEM NO. 8

Ward: Abbey
App No.: 12/00654/EXT
Address: 7-11 Station Road, Reading, RG1 1LG
Proposals: Application for an extension of the time limit for implementation of permission 09/00073/FUL for the addition of 1 floor to accommodate a residential (C3) 2-bedroom apartment, the conversion of 4 upper floors from commercial (A2) to contain 12 No. 1-bedroom residential units. The conversion of commercial space at street level to ancillary residential storage and utility accommodation and partly to extend the retained retail unit.
Applicant: Messrs. Laughton, Bailey and Wright
Date valid: 23 April 2012
Major Application: 13 week target decision date 23 July 2012
26 week target decision date: 22 October 2012

Subject to submission of acceptable details in relation to the provision of a contribution to Affordable Housing, delegate to Head of Planning and Building Control to (i) **GRANT** permission subject to completion of a s106 legal agreement or (ii) to **REFUSE** permission should the legal agreement not be completed by 16 February 2013 (unless the Head of Planning and Building Control agrees to a later date for completion of the legal agreement).

The legal agreement to secure the following:

- i) Three of the units to be provided as Affordable Housing (size and location within the building to be agreed).
- ii) A financial contribution of £22,770 towards Leisure and Open Space infrastructure at Forbury Gardens and, or, Abbey Ruins and, or, Chestnut Walk. Payment to be index linked from the date of Permission and to be made prior to first occupation of the development.
- iii) A financial contribution of £2,707 towards Education infrastructure in the western area and/or at Katesgrove Primary School. Payment to be index linked from the date of Permission and to be made prior to first occupation of the development.

Conditions to include

New Condition 16. Submission of details of green roofs

Other conditions of permission 09/00073/FUL to be re-applied as follows (numbering as per original):

- 1. TL1 Time Limit – three years
- 2. M4 Materials- Details and samples to be submitted
- 3 Submission of certificate demonstrating compliance with BREEAM ‘Excellent’ standard.
- 4. C5 Construction Method Statement
- 5. C1 Hours of demolition / Construction
- 6. C3 No materials shall be burnt

7. TR15 Bicycle Storage - provision in accordance with plans
8. Refuse Storage – provision in accordance with plans
9. TR20 No parking permits – addresses
10. TR21 No parking permits – information
11. Installation of the proposed shopfront, entrance doors and refuse store doors, in accordance with the approved plans and materials, prior to occupation.
12. The development shall not be occupied until the works required to comply with the recommendations of the 'PPG24 Noise Assessment' report No. 30404.1v1, March 2009 and submitted glazing and ventilation specifications have been implemented.
13. No plant or other air handling equipment shall be installed until a BS4142:1997 acoustic assessment has been submitted and approved by the LPA.
14. Details of a scheme for the management of service vehicle deliveries to the site to be submitted. No deliveries shall take place other than in accordance with the approved details.

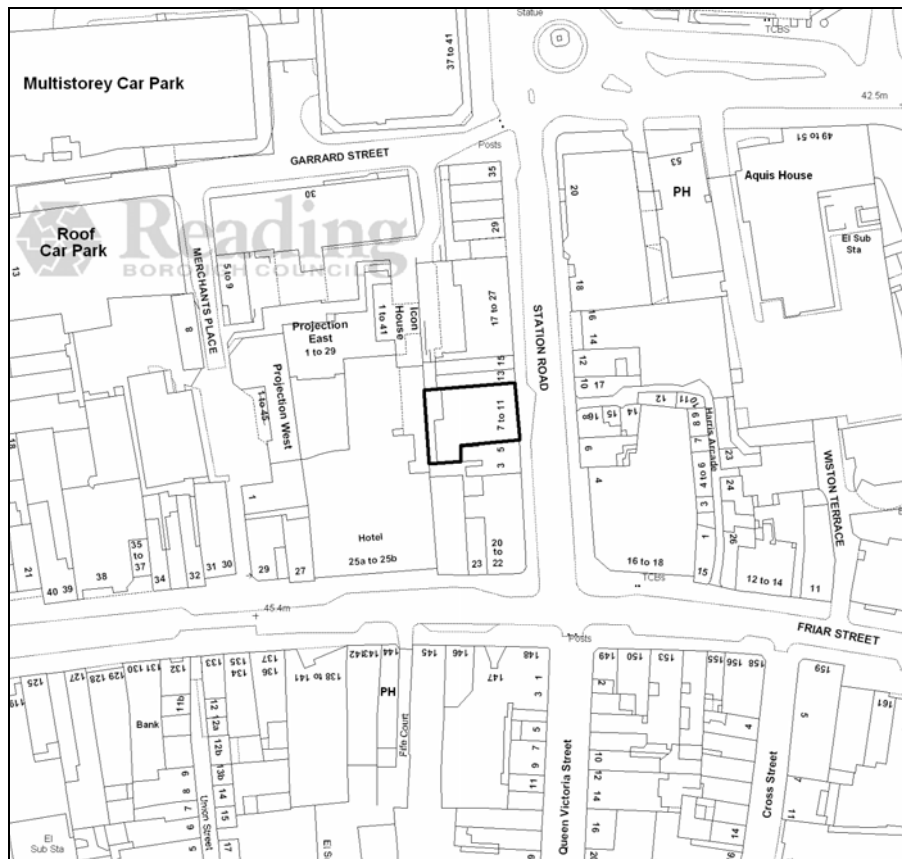
Informatives:

1. Accordance with plans
2. Relevant policies
3. The applicant is advised that an application for building regulations applies.
4. The applicant is advised to liaise with the Councils transport control team as soon as practicable to ensure that all relevant highway notices are applied for and granted prior to the commencement of development.
5. Parking permit informative.
6. Positive and Proactive Approach

Reasons for Refusal if legal agreement not completed by 16 February 2013, or later date agreed by HPBC:

In the absence of a completed legal agreement to secure an acceptable level of affordable housing, taking into account development viability, the proposal fails to contribute adequately to the housing needs of Reading Borough and to the creation of mixed and balanced communities and as such is contrary to Policy DM6 (Affordable Housing) of the Sites and Detailed Policies Document 2012; Policy CS16 (Affordable Housing) of the Reading Borough Core Strategy (adopted 2008); Policy RC9 (Living in the Centre) of the Reading Borough LDF Reading Central Area Action Plan (2009) and Supplementary Planning Guidance: Planning Obligations under Section 106 of the Town and Country Planning Act 1990 (adopted 2004).

In the absence of a completed legal agreement to secure contributions towards education, and local leisure & open space infrastructure, the proposal fails to deal with its direct impact on these facilities, contrary to Policies CS9 (Infrastructure, services, resources and amenities), CS29 (Provision of Open Space) and CS32 (Impacts on Community Facilities) of the Reading Borough Core Strategy (adopted 2008); Policy DM3 (Infrastructure Planning) of the Sites and Detailed Policies Document 2012; and Supplementary Planning Guidance 'Planning Obligations under Section 106 of the Town and Country Planning Act 1990'.



Site location plan (not to scale)



APPRAISAL

- 1 The application is being brought back to Planning Applications Committee following the resolutions to grant on 12 December 2012 and also prior to that on 27 June 2012. The resolution was subject to the completion of a S106 agreement to secure three affordable housing units within the site and a further financial contribution, equivalent to 0.9 units to meet the Policy DM6 target of 30 percent provision (3.9 units). The 12 December 2012 committee report is appended to this report and provides the reasoning in support of the recommendation. It has come to light that there is an error in the 12 December 2012 report as it included a reason for refusal relating to the lack of Affordable Housing in the event that the legal agreement is not completed, but failed to include a reason for refusal relating to the other financial contributions referred to in the recommendation as these would also fail to be secured if the legal agreement is not completed.
- 2 This report is intended solely to rectify the error and sets out a revised recommendation which includes an additional reason for refusal relating to education and open space/leisure infrastructure contributions. All other assessment and reasoning associated with the proposed development is covered in full by the reports to committee dated 27 June 2012 and 12 December 2012; these are both appended to this report.
- 3 The applicant has confirmed that they intend to address the matters relating to Affordable Housing but advise that this is taking longer than expected due to delays caused by Christmas and communication problems with their solicitor. This being the case, it is considered that the most reasonable and pragmatic course of action is to allow a month from 16 January Committee for completion of the legal agreement.

Case Officer: Steve Vigar

Appendix 1: 12 December 2012 Planning Applications Committee Report
Appendix 2: 27 June 2012 Planning Applications Committee Report

APPENDIX 1 - 12 DECEMBER 2012 PLANNING APPLICATIONS COMMITTEE REPORT

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 12 December 2012

ITEM NO.

Ward: Abbey
App No.: 12/00654/EXT
Address: 7-11 Station Road, Reading, RG1 1LG
Proposals: Application for an extension of the time limit for implementation of permission 09/00073/FUL for the addition of 1 floor to accommodate a residential (C3) 2-bedroom apartment, the conversion of 4 upper floors from commercial (A2) to contain 12 No. 1-bedroom residential units. The conversion of commercial space at street level to ancillary residential storage and utility accommodation and partly to extend the retained retail unit.
Applicant: Messrs. Laughton, Bailey and Wright
Date valid: 23 April 2012
Major Application: 13 week target decision date 23 July 2012
26 week target decision date: 22 October 2012

Subject to submission of acceptable details in relation to the provision of a contribution to Affordable Housing, delegate to Head of Planning and Building Control to (i) **GRANT** permission subject to completion of a s106 legal agreement or (ii) to **REFUSE** permission should the legal agreement not be completed by 9 January 2013 (unless the Head of Planning and Building Control agrees to a later date for completion of the legal agreement).

The legal agreement to secure the following:

i) Three of the units to be provided as Affordable Housing (size and location within the building to be agreed).

iii) A financial contribution of £22,770 towards Leisure and Open Space infrastructure at Forbury Gardens and, or, Abbey Ruins and, or, Chestnut Walk. Payment to be index linked from the date of Permission and to be made prior to first occupation of the development.

iv) A financial contribution of £2,707 towards Education infrastructure in the western area and/or at Katesgrove Primary School. Payment to be index linked from the date of Permission and to be made prior to first occupation of the development.

Conditions to include

New Condition 16. Submission of details of green roofs

Other conditions of permission 09/00073/FUL to be re-applied as follows (numbering as per original):

1. TL1 Time Limit - three years
2. M4 Materials- Details and samples to be submitted
- 3 Submission of certificate demonstrating compliance with BREEAM 'Excellent' standard.

4. C5 Construction Method Statement
5. C1 Hours of demolition / Construction
6. C3 No materials shall be burnt
7. TR15 Bicycle Storage - provision in accordance with plans
8. Refuse Storage - provision in accordance with plans
9. TR20 No parking permits - addresses
10. TR21 No parking permits - information
11. Installation of the proposed shopfront, entrance doors and refuse store doors, in accordance with the approved plans and materials, prior to occupation.
12. The development shall not be occupied until the works required to comply with the recommendations of the 'PPG24 Noise Assessment' report No. 30404.1v1, March 2009 and submitted glazing and ventilation specifications have been implemented.
13. No plant or other air handling equipment shall be installed until a BS4142:1997 acoustic assessment has been submitted and approved by the LPA.
14. Details of a scheme for the management of service vehicle deliveries to the site to be submitted. No deliveries shall take place other than in accordance with the approved details.

Informatives:

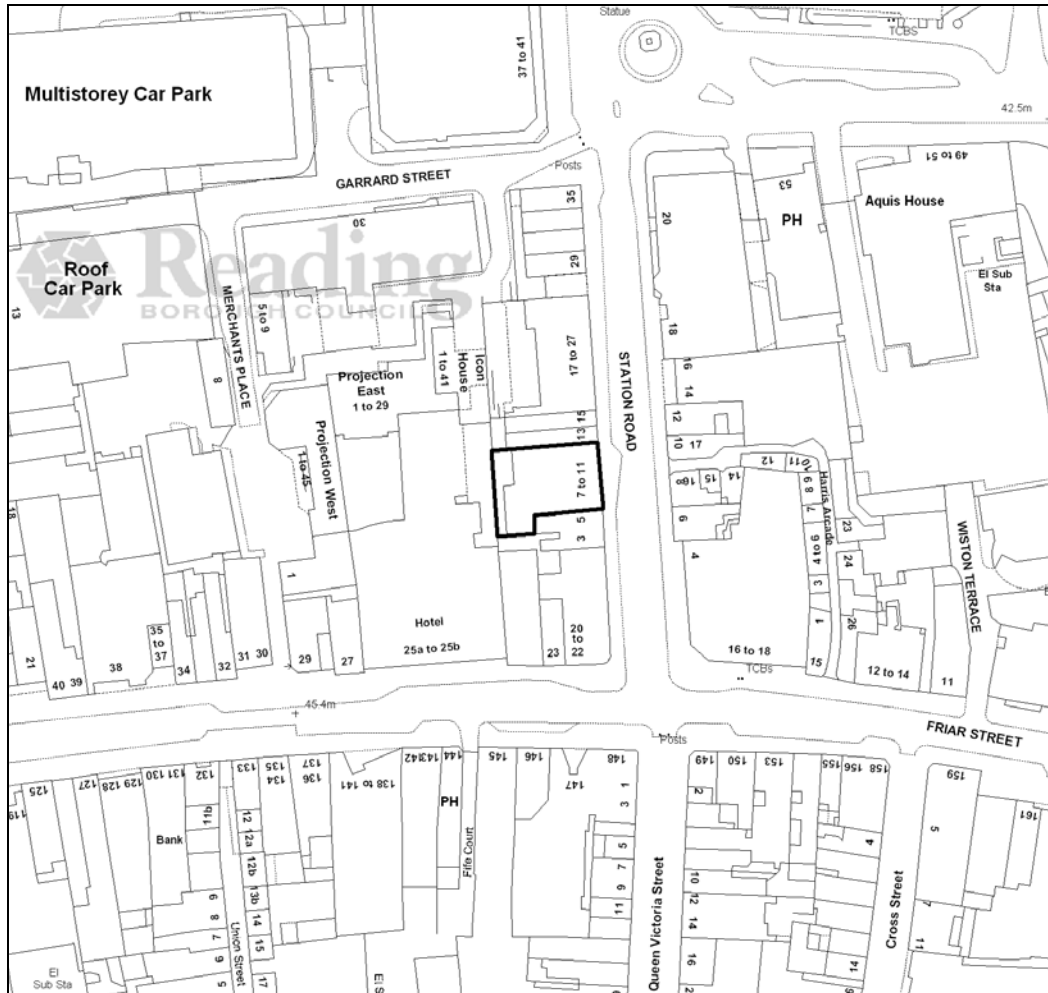
1. Accordance with plans
2. Relevant policies
3. The applicant is advised that an application for building regulations applies.
4. The applicant is advised to liaise with the Councils transport control team as soon as practicable to ensure that all relevant highway notices and applied for and granted prior to the commencement of development.
5. Parking permit informative.
6. Positive and Proactive Approach

Reason for Refusal if legal agreement not completed by 9 January 2013, or later dated agreed by HPBC:

In the absence of a completed legal agreement to secure an acceptable level of affordable housing, taking into account development viability, the proposal fails to contribute adequately to the housing needs of Reading Borough and to the creation of mixed and balanced communities and as such is contrary to Policy DM6 (Affordable Housing) of the Sites and Detailed Policies Document 2012; Policy CS16 (Affordable Housing) of the Reading Borough Core Strategy (adopted 2008); Policy RC9 (Living in the Centre) of the Reading Borough LDF Reading Central Area Action Plan (2009) and Supplementary Planning Guidance: Planning Obligations under Section 106 of the Town and Country Planning Act 1990 (adopted 2004).

- 1.1 The site is located within the Reading Central Area fronting Station Road, a narrow, but busy route linking the town centre retail area to Reading Station. The site is within Site RC1a (Development within the Station/River Major Opportunity Area - Friar Street and Station Road) in the Reading Central Area Action Plan (adopted January 2009), which consists of a large area centred upon Reading Station bounded by Friar Street to the south, Greyfriars Road to the west and Vastern Road to the north and east. The site adjoins a row of Grade II listed buildings to the north (13 to 27 Station Road) and forms part of a row of buildings to the north and south that run the length of the western side of Station Road. A large hotel building exists immediately to the rear of the site.

- 1.2 The site comprises a five storey, late 20th Century, commercial building fronting Station Road. The building is currently occupied by a Class A1 retail unit within one half of the ground floor. The remainder of the ground floor frontage forms the entrance to office uses on the upper floors.



Site location plan (not to scale)



2. PROPOSAL AND SUPPORTING INFORMATION

2.1 The application for an extension of time to the full planning permission granted under application 09/00073/FUL. The original report to Planning Applications Committee described the development as follows. The proposals have not changed from those originally approved:

- “1. The change of use of part of the ground floor and all of the upper floors from office use to residential use in the form of 12 one-bedroom flats and 1 two-bedroom flat.*
- 2. A single storey roof extension to accommodate the two-bedroom flat.*
- 3. The provision of new entrance doors to the entrance to the flats and refuse store*
- 4. The provision of a refuse store within the front part of the building to allow collection of waste directly from the building.*
- 5. The provision of storage space for the flats, bicycle storage and wash down area towards the rear of the building at ground floor level.*
- 6. The extension to the rear of the existing A1 retail unit to provide an increase of 70 square metres in A1 retail floorspace.*
- 7. The provision of a new shopfront to the A1 retail unit”*

- 2.2 Planning permission was originally granted on 28 April 2009. The development has not been implemented but remains extant as the valid application to extend the time limit was received on 23 April 2012, before the time limit had expired. Planning Applications Committee resolved on 27 June 2012 to grant planning permission, subject to the completion of the Section 106 agreement to secure financial contributions towards leisure and education infrastructure. The Section 106 agreement has not yet been completed by the applicant.
- 2.3 The extension of time application is made under the provisions of The Town and Country Planning (Development Management Procedure) (England) Order 2010. The legislation requires that the application be for the same development as the previous permission. If granted, a new planning permission would be created. The process therefore requires the Local Planning Authority to consider any changes in policy or other material considerations which may have occurred since the grant of planning permission.
- 2.4 The policy position has changed since the resolution to grant on 27 June 2012 in that the Sites and Detailed Policies Document has been adopted and now forms part of the Development Plan.
- 2.5 The original 2009 Committee report and Update Report and the decision notice approving application 09/00073/FUL, together with the recent report to Committee on 27 June 2012 relating to 12/00654/EXT are appended to this report.
- 2.6 **Information supplied with the original application:**
- Plans:
- 1734 PL 80 – Planning Proposals (Revised) East Elevation
 - 1734 PL 81 – Planning Proposals (Revised) West Elevation
 - 1734 PL 82 – Planning Application (Revised) Section A-A
 - 1734 PL 83 – Planning Application (Revised) Streetscene Drawing
 - 1734 PL 70 – Planning Proposals Ground Floor Plan (Revised) and First Floor Plan
 - 1734 PL 51 – Planning Proposals Second Floor Plan and Third Floor Plan
 - 1734 PL 72 – Planning Proposals (Revised) Fourth Floor Plan and Fifth Floor Plan
 - 1734 PL 73 – Planning Proposals (Revised) Roof Plan
 - 1734 SV 01 – Survey Plans Site Plan and Site Location Plan
 - 1734 SV 02 – Survey Plans Ground Floor Plan and First Floor Plan
 - 1734 SV 03 – Survey Plans Second Floor Plans and Third Floor Plan
 - 1734 SV 04 – Survey Plans Fourth Floor Plan and Roof Plan
 - 1734 SV 05 – Survey Plans East Elevation
 - 1734 SV 06 – Survey Plans West Elevation
 - 1734 SV 07 – Survey Plans Section A-A
- Supplementary Documents:
- Design and Access Statement – Dated March 2009
 - BREEAM:Ecohomes – Pre-Assessment Estimator

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history exists, other than application 09/00073/FUL and the resolution to grant 12/00654/EXT.

4. CONSULTATIONS

- 4.1 The following were consulted. The 21 day consultation period ended on 25 May 2012

RBC Building Control

- 4.2 No objection

RBC Transport Strategy

- 4.3 Confirm no objection

RBC Environmental Protection

- 4.4 No objection subject to the previous conditions relating to noise insulation, details of any future external plant or machinery and controls on burning of construction waste are applied again to the new permission.

Reading UK CIC

- 4.5 No comments received.

RBC Townsafe

- 4.6 No comments received

RBC Education Service

- 4.7 Request financial contribution in accordance with original permission.

RBC Leisure Service

- 4.8 Request financial contribution in accordance with original permission.

RBC Waste Operations

- 4.9 No objection received.

- 4.10 The same neighbouring properties were consulted by letter as 09/00073/FUL. No objections have been received

5. LEGAL AND PLANNING POLICY CONTEXT

- 5.1 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. Material considerations include relevant policies in the National Planning Policy Framework (NPPF) - among them the 'presumption in favour of sustainable development'. However the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).

- 5.2 On 23 October 2012, at the meeting of the Full Council, the 'saved' policies of the Reading Borough Local Plan (1998) were superseded and the policies of the Reading Borough Local Development Framework: Sites and Detailed

Policies Document (SDPD) were adopted. The SDPD has been published in hard copy and on the Council's website.

- 5.3 The following local and national planning policy and guidance is now relevant to this application:

5.4 National Planning Policy and Guidance

National Planning Policy Framework (NPPF)

5.6 Reading Borough Local Development Framework - Adopted Core Strategy (2008)

CS1	Sustainable Construction and Design
CS4	Accessibility and the Intensity of Development
CS5	Inclusive Access
CS7	Design and the Public Realm
CS9	Infrastructure, Services, Resources and Amenities
CS15	Location, Accessibility, Density and Housing Mix
CS18	Residential Conversions
CS20	Implementation of the Reading Transport Strategy
CS24	Car / Cycle Parking
CS25	Scale and Location of Retail, Leisure and Culture Development
CS26	Network and Hierarchy of Centres
CS29	Provision of Open Space
CS33	Protection and Enhancement of the Historic Environment
CS34	Pollution and Water Resources
CS36	Biodiversity and Geology

5.7 Reading Centre Area Action Plan (adopted January 2009)

RC1a	Development in the Station/River Major Opportunity Area – Friar Street and Station Road.
RC5	Design in the Centre
RC9	Living in the Centre
RC10	Active Frontages
RC14	Public Realm

5.8 Reading Borough Council Supplementary Planning Guidance

Sustainable Design and Construction SPD (2011)
SPG - 'Planning Obligations under s.106 of the Town & Country Planning Act 1990' (adopted July 2004, amendments adopted September 2004)
Revised Parking Standards and Design SPD 2011

5.9 Reading Borough LDF Sites and Detailed Policies Document, (adopted October 2012)

SD1	Presumption in Favour of Sustainable Development
DM1	Adaptation to Climate Change

- DM3 Infrastructure Planning
- DM4 Safeguarding Amenity
- DM5 Housing Mix
- DM6 Affordable Housing
- DM10 Private and Communal Outdoor Space
- DM12 Access, Traffic and Highway-related Matters

6. APPRAISAL

- 6.1 The application is being brought back to Planning Applications Committee following the resolution to grant on 27 June 2012, (which was before the adoption of the Sites and Detailed Policies Document) because delays in the applicant signing the Section 106 agreement has resulted in the SDPD being adopted before the decision was issued. The Development Plan policy context has changed in the intervening period and the proposals must therefore be re-assessed in the light of the changes.
- 6.2 The changes in planning policy since the original approval 09/00073/FUL was granted including the publication of the National Planning Policy Framework (NPPF) in 2012 and the Council's SPD Revised Parking Standards and Design (adopted 2011) were taken into account by the Committee on 27 June 2012. This report therefore focusses specifically on the changes in policy resulting from the adoption of the Sites and Detailed Policies Document. All other considerations were addressed in the 27 June Committee report, which is appended to this report.

i) Affordable Housing

- 6.3 Policy DM6 Affordable Housing is of particular relevance now that it is adopted as it was not afforded weight in its draft form in the report to Committee on 27 June 2012.
- 6.4 The proposal involves 13 dwellings and therefore falls within the 10-14 dwelling range set out in the policy. The policy requires thirty percent of the dwellings within this range to be provided as Affordable Housing and requires this provision to be on site in the first instance, with a financial contribution negotiated to make up the full requirement.
- 6.5 In the case of this application, thirty percent of the thirteen units proposed equates to 3.9 dwellings. The basic Affordable Housing requirement would therefore comprise three dwellings on site with the remaining 0.9 dwellings being provided in the form of a financial contribution towards provision elsewhere in the Borough.
- 6.6 The financial contribution element would be calculated based on the price a Registered Provider, for example a housing association, would pay for a dwelling unit. This is assumed to be 55% of Gross Development Value (GDV). Therefore for example if the average price of a unit within the proposal were to be £130,000, the Affordable Housing contribution from the developer would be the remaining 45% of the value of 0.9 units: $0.45 \times 0.9 \times 130,000 = £52,650$.

- 6.7 To enable the precise figure for this proposal to be decided, the applicant has been advised to submit several independent valuations of the GDV of the proposed development based on current market values. This has not yet been received and delegated authority to grant approval subject to a figure based on a GDV to be agreed with the Council's Valuer and based on the formula set out above. If an agreement is not completed within a reasonable timescale, delegated authority is sought to refuse the application due to the failure to contribute sufficiently to the housing needs of the Borough and to the creation of mixed and balanced communities as required by Policy DM6, CS16 and the national policy guidance contained within the National Planning Policy Framework.
- 6.8 In accordance with the National Planning Policy Framework, Policy DM6 is sensitive to the fact that the affordable housing requirements may affect the viability of the proposal and allows an applicant to make the case that their development proposal would not be viable because of the affordable housing requirement. In those circumstances it is for the applicant to clearly present and justify, through an open book viability assessment, why this is the case. Any viability appraisal would be expected to be based on a residual valuation methodology. No such viability information has been submitted to date, but if received will be reported to Committee in an update.

ii) Other Policy Changes

- 6.9 It is considered that all other relevant SDPD policies were referred to and given appropriate weight in their draft form in the report to Committee on 27 June 2012 (appended to this report). The adoption of these policies, does not alter the conclusions set out in the 27 June report.
- 6.10 The S106 planning obligations relating to leisure/open space and education infrastructure, as set out in the 27 June 2012 report, remain acceptable to the applicant and would be included in the updated S106 agreement as set out in the revised recommendation at the top of this report.

iii) Equality Impact

- 6.10 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. It is considered that it remains the case that there is no indication or evidence (including from consultation on the original, or current application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to this particular planning application.
- 6.11 In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

iv) Discussions with Applicant

- 6.12 If permission is granted, the Council's decision notice will need to explain in an informative how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application. These proposals have been the subject of discussions with the applicant at both original application stage and in respect of the extension of time application in respect of the issues set out in the table below. The recommendation to grant permission is subject to the receipt of a satisfactory proposal to provide a contribution to Affordable Housing.

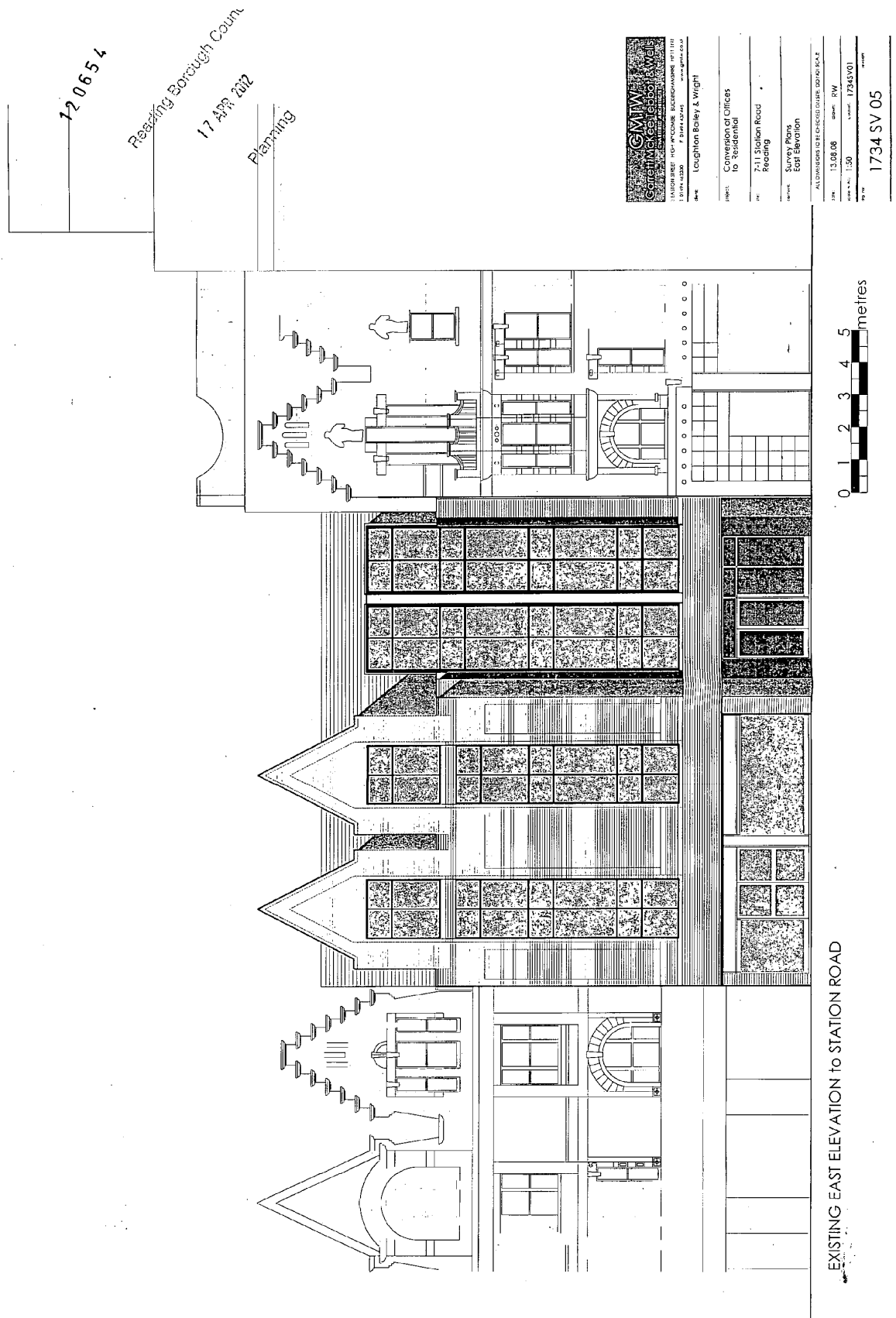
Planning Issue requiring resolution	Issue resolved at pre-application stage ?	Issue resolved at application stage ?	Comments
Completion of S106 Agreement	N/A	Pending receipt of a full proposal for Affordable Housing	Delay in determining the application after PAC on 27 June 2012 due to difficulty in completing the S106 agreement.
Affordable housing	N/A	Ditto	Applicant asked to address requirements of Policy DM6 Affordable Housing which was adopted after 27 June 2012 PAC.

7.0 Conclusion

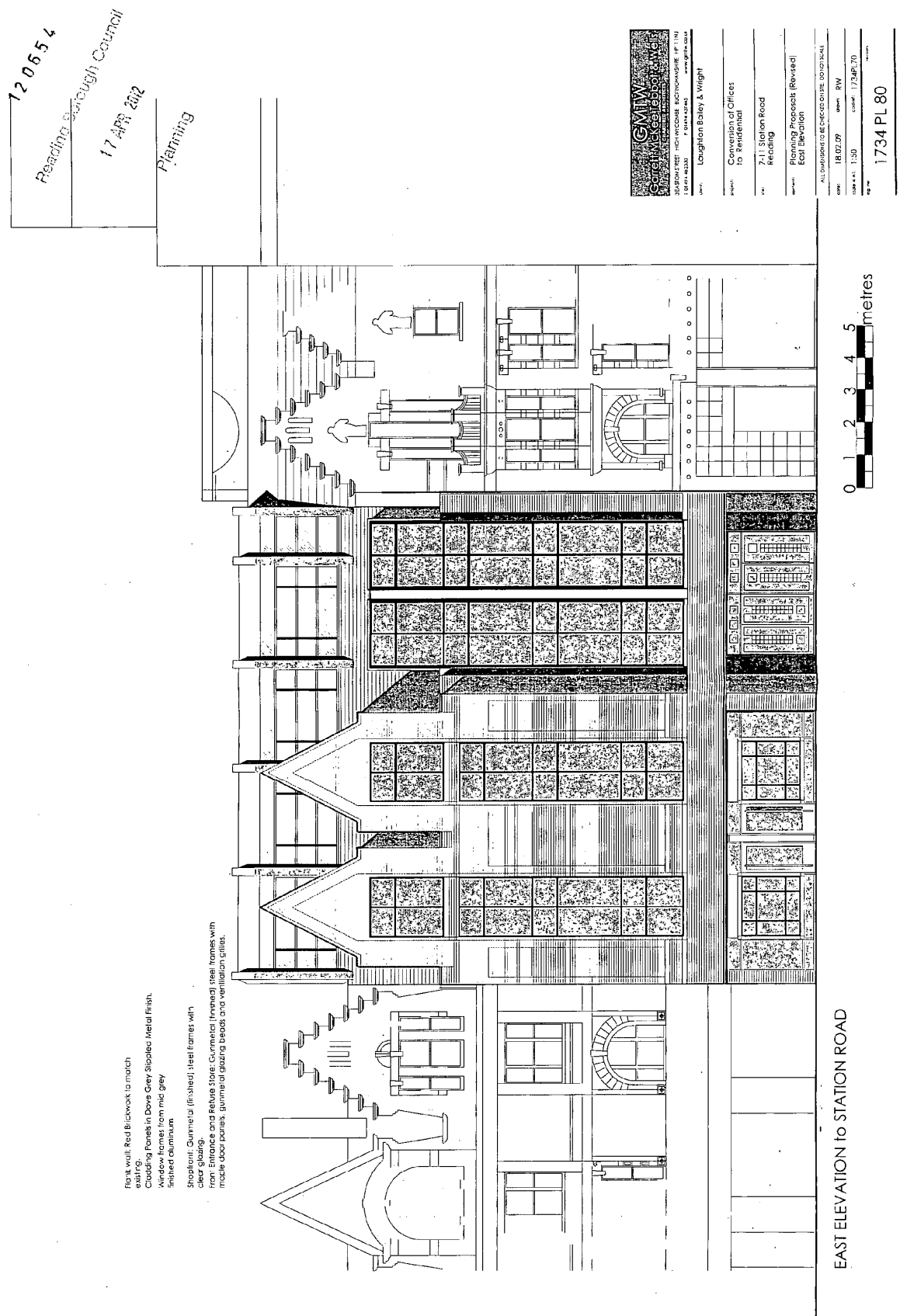
- 7.1 The principle of the development remains acceptable within the context of changes in development plan policy, subject to the resolution of the Affordable Housing issue.

Case Officer: Steve Vigar

Existing front elevation



Proposed front elevation



Proposed

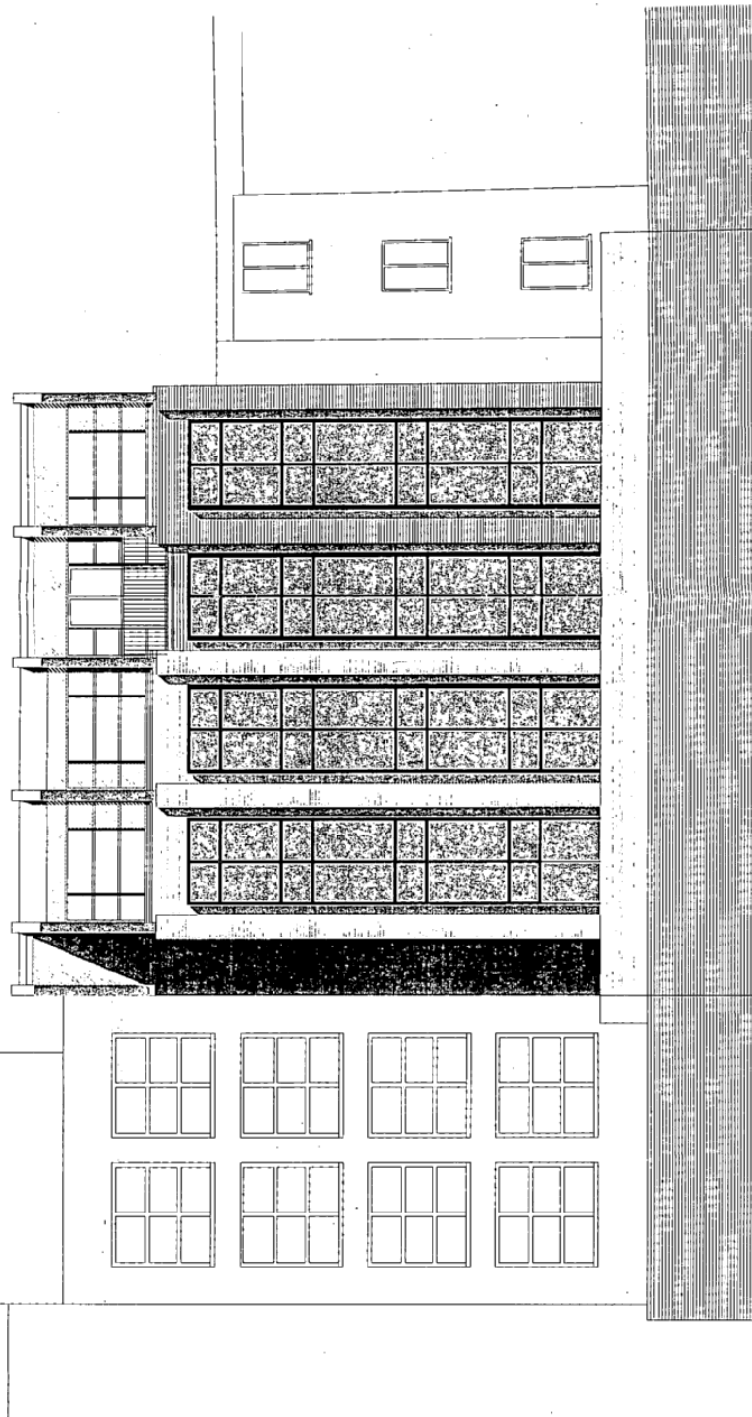
720654

Reading Borough Council
17 Apr 2017

17 Sep 2012

Planning

Blank wall, Red Brickwork to match existing.
Cladding Panels in Dove Grey Stippled Metal Finish.
Window frames from mid grey finished aluminium
Glass mid grey bullstade and rails to balconies



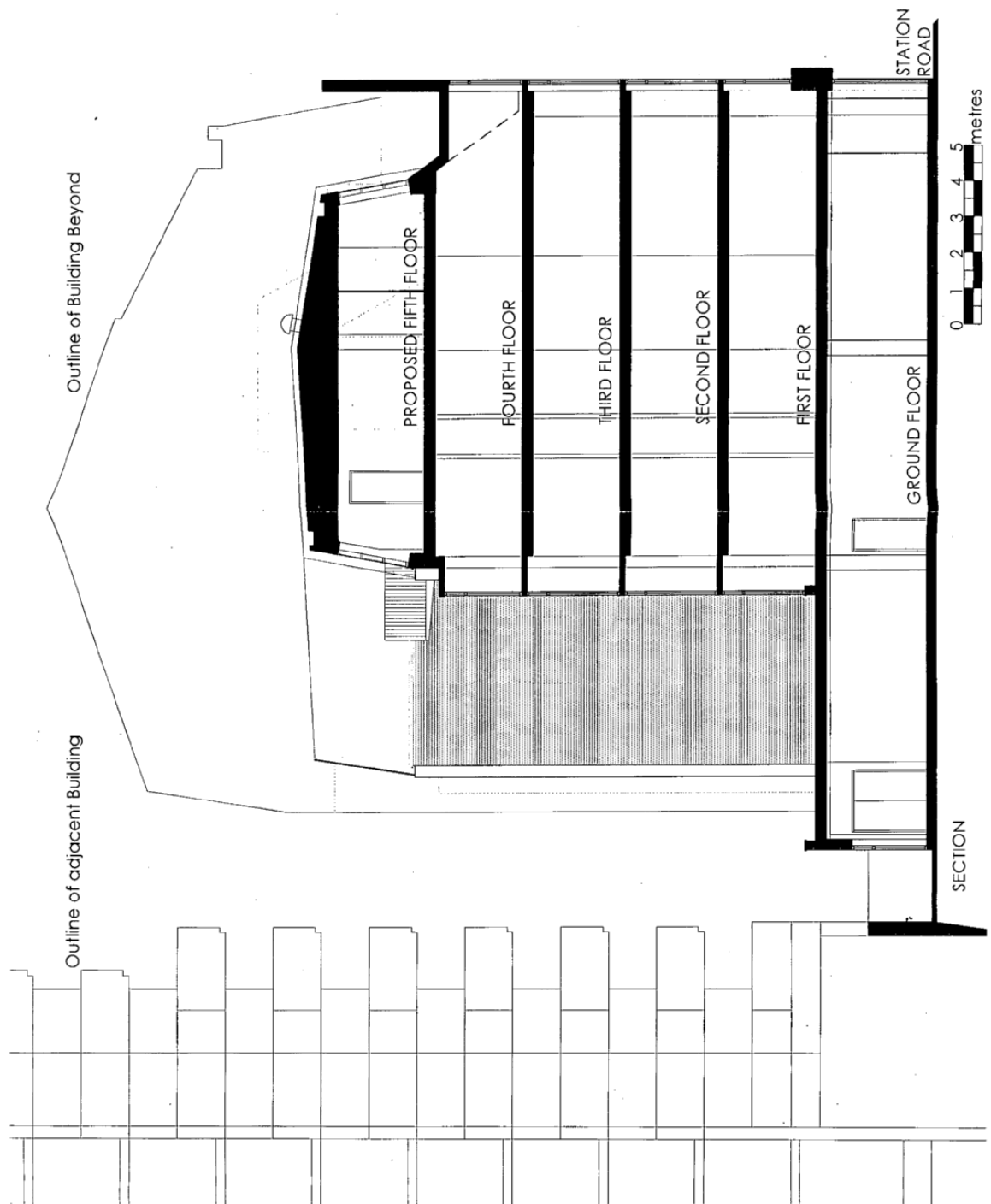
WEST ELEVATION



1734 PL 81

Proposed rear elevation

Proposed cross-section

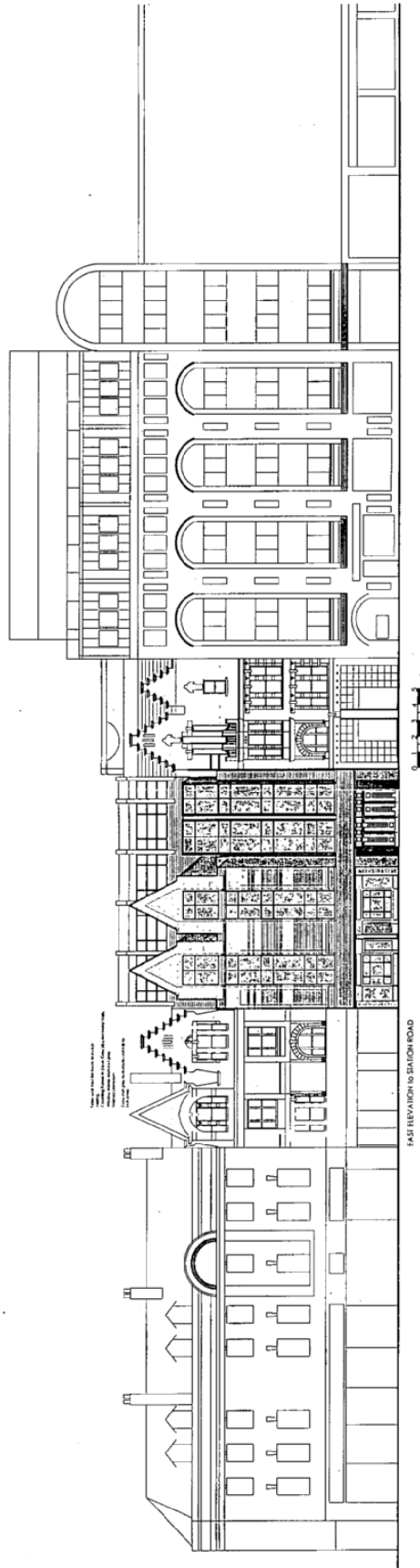


120654
Reading Borough Council
17 Apr 2012
Planning

GMTW GARDINER & THEATRE 100-102 HIGH STREET, READING, RG1 1AA T: 0118 432000 F: 0118 432042 www.gmtw.co.uk	
Project: Conversion of Offices to Residential Site: 7-11 Station Road Reading Drawing: Planning Application (Revised) Section A-A Date: 18.02.09 Author: RW Scale: 1:50 Date: 17.04.10	
1734 PL 82	

Street scene -
proposed.

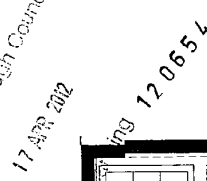
120654
Reading Borough Council
17 Apr 2012
Planning

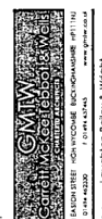


2 STATION STREET, READING, RG1 1HT
T: 01494 422230 F: 01494 437145 www.gmiw.co.uk
Name: Loughlan Bailey & Wright

PROJECT:	Conversion of Offices to Residential
REF:	2-11 Station Road Reading
DATE:	03.03.09
BY:	03.03.09
SCALE:	1:50
NO:	1734 PL 83

Reading Borough Council
17 Apr 2012





Conversion of Offices to Residential

7-11 Station Road
Reading

Subject: Planning Proposals (Revised)
Second Floor Plan and
Third Floor Plan

DATE:	18.02.09	STATUS:	RW
-------	----------	---------	----

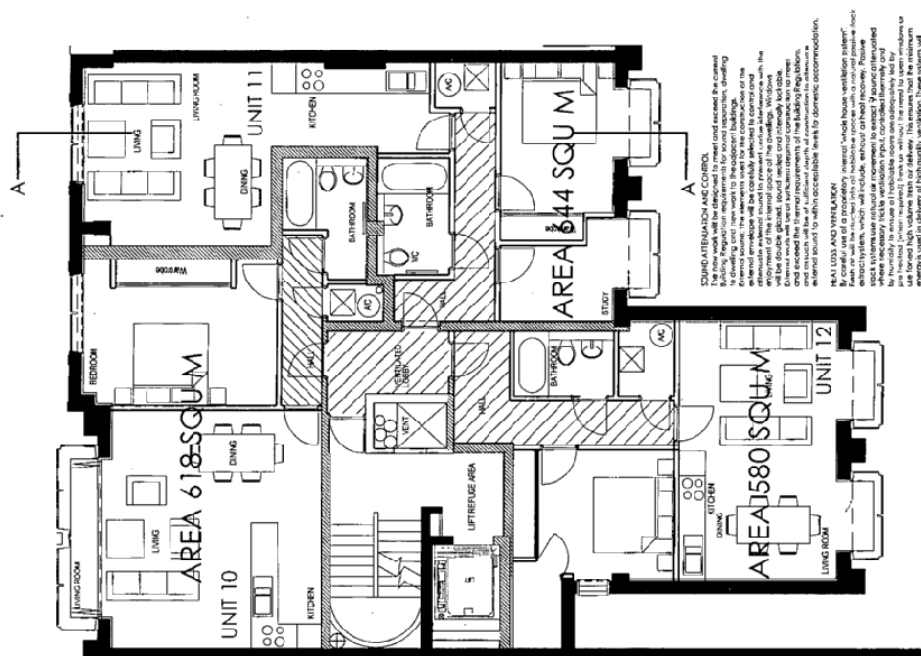
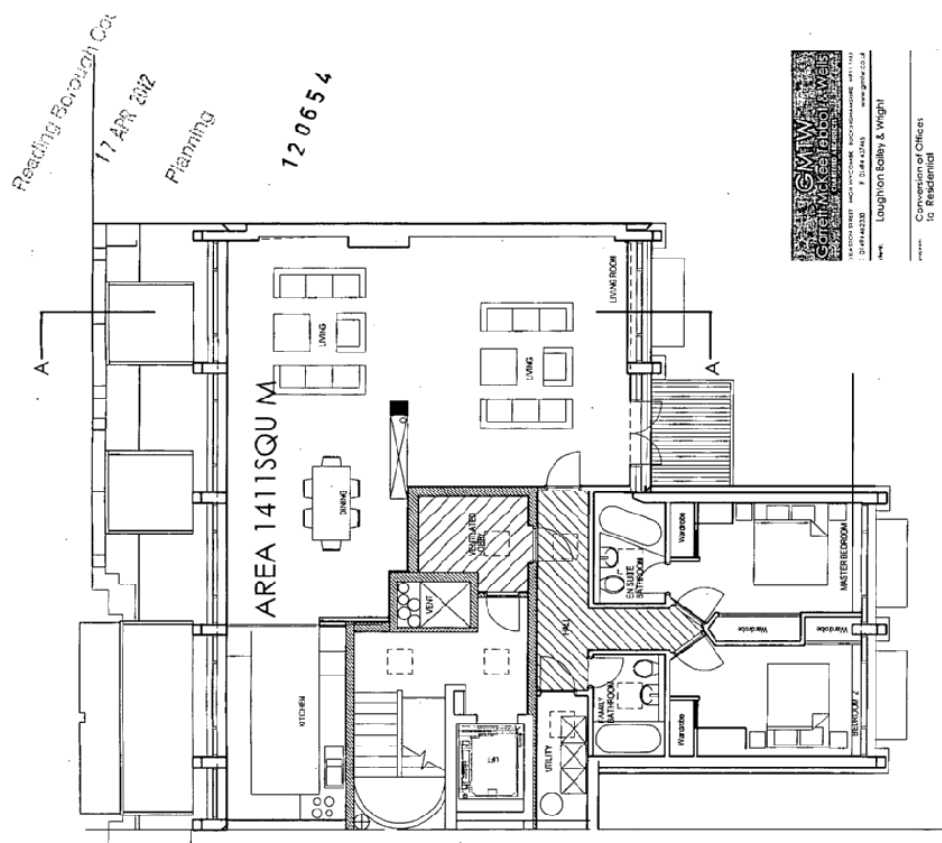
1734 PL71

THIRD FLOOR PLAN

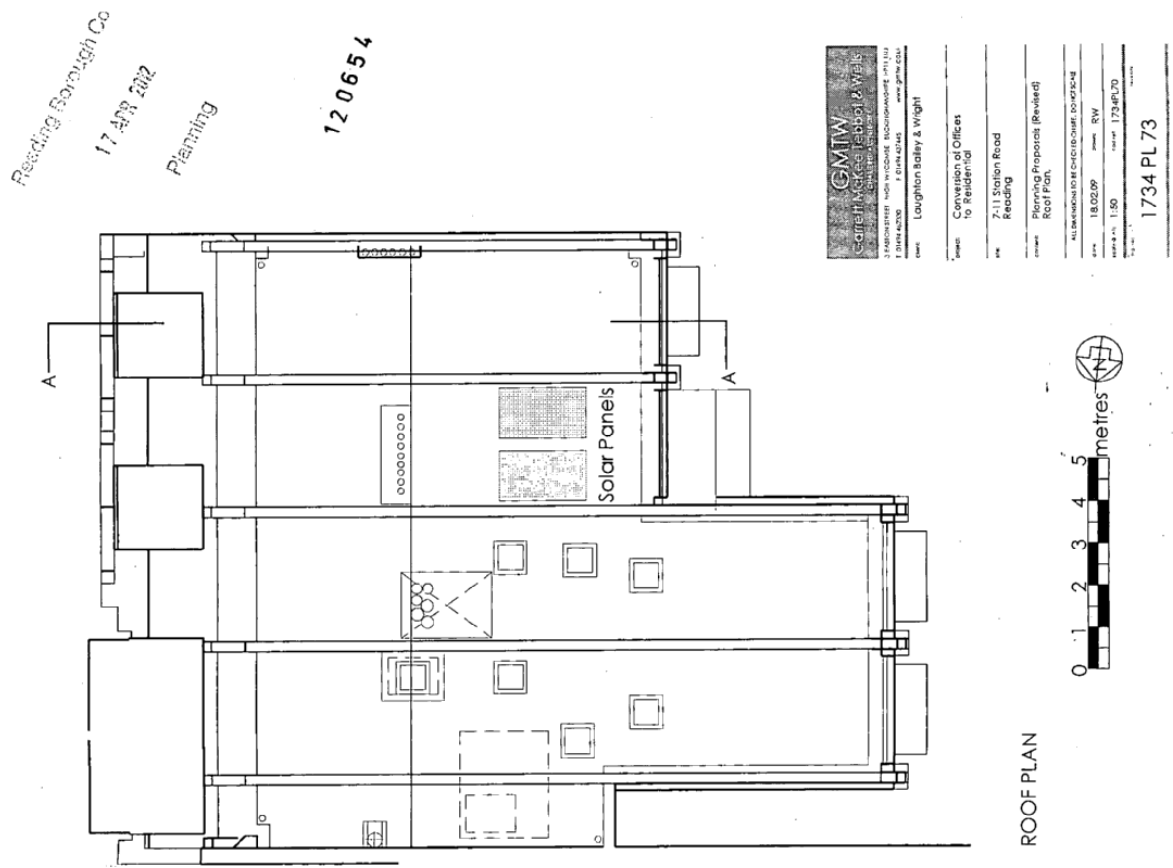


SECOND FLOOR PLAN

[illegible]



Proposed roof plan



APPENDIX 2: 27 June 2012 Planning Applications Committee Report.

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 27 June 2012

ITEM NO.

Ward: Abbey
App Nos.: 12/00654/EXT
Address: 7-11 Station Road, Reading, RG1 1LG
Proposals: Application for an extension of the time limit for implementation of permission 09/00073/FUL for the addition of 1 floor to accommodate a residential (C3) 2-bedroom apartment, the conversion of 4 upper floors from commercial (A2) to contain 12 No. 1-bedroom residential units. The conversion of commercial space at street level to ancillary residential storage and utility accommodation and partly to extend the retained retail unit.
Applicant: Messrs. Laughton, Bailey and Wright
Date received: 23 April 2012
Major Application: 13 week target decision date 23 July 2012

RECOMMENDATION

Delegate to Head of Planning and Building Control to (i) **GRANT** permission subject to completion of a s106 legal agreement or (ii) to **REFUSE** permission should the legal agreement not be completed by 23 July 2012 (unless the Head of Planning and Building Control agrees to a later date for completion of the legal agreement). The legal agreement to secure the following:

i) A financial contribution of £22,770 towards Leisure and Open Space infrastructure at Forbury Gardens and, or, Abbey Ruins and, or, Chestnut Walk. Payment to be index linked from the date of Permission and to be made prior to first occupation of the development.

ii) A financial contribution of £2,707 towards Education infrastructure in the western area and/or at Katesgrove Primary School. Payment to be index linked from the date of Permission and to be made prior to first occupation of the development.

Conditions to include

New Condition 16. Submission of details of green roofs

Other conditions of permission 09/00073/FUL to be re-applied as follows (numbering as per original):

1. TL1 Time Limit - three years
2. M4 Materials- Details and samples to be submitted
- 3 Submission of certificate demonstrating compliance with BREEAM 'Excellent' standard.
5. C5 Construction Method Statement
6. C1 Hours of demolition / Construction
7. C3 No materials shall be burnt
8. TR15 Bicycle Storage - provision in accordance with plans
9. Refuse Storage - provision in accordance with plans
10. TR20 No parking permits - addresses

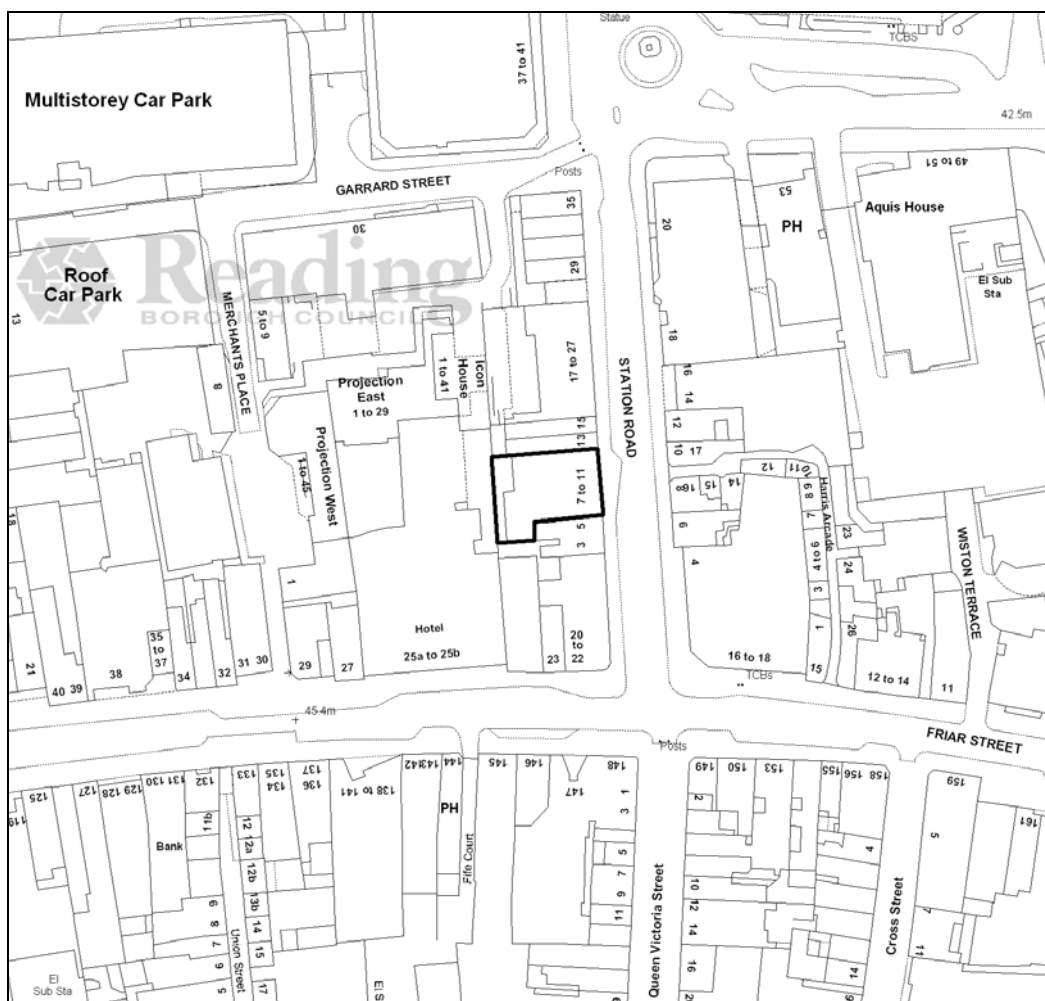
11. TR21 No parking permits – information
12. Installation of the proposed shopfront, entrance doors and refuse store doors, in accordance with the approved plans and materials, prior to occupation.
13. The development shall not be occupied until the works required to comply with the recommendations of the 'PPG24 Noise Assessment' report No. 30404.1v1, March 2009 and submitted glazing and ventilation specifications have been implemented.
14. No plant or other air handling equipment shall be installed until a BS4142:1997 acoustic assessment has been submitted and approved by the LPA.
15. Details of a scheme for the management of service vehicle deliveries to the site to be submitted. No deliveries shall take place other than in accordance with the approved details.

Informatives:

1. Accordance with plans
2. Relevant policies
3. The applicant is advised that an application for building regulations applies.
4. The applicant is advised to liaise with the Councils transport control team as soon as practicable to ensure that all relevant highway notices are applied for and granted prior to the commencement of development.
5. Parking permit informative.

1. INTRODUCTION

- 1.1 The site is located within the Reading Central Area fronting Station Road, a narrow, but busy route linking the town centre retail area to Reading Station. The site is within Site RC1a (Development within the Station/River Major Opportunity Area – Friar Street and Station Road) in the Reading Central Area Action Plan (adopted January 2009), which consists of a large area centred upon Reading Station bounded by Friar Street to the south, Greyfriars Road to the west and Vastern Road to the north and east. The site adjoins a row of Grade II listed buildings to the north (13 to 27 Station Road) and forms part of a row of buildings to the north and south that run the length of the western side of Station Road. A large hotel building exists immediately to the rear of the site.
- 1.2 The site comprises a five storey, late 20th Century, commercial building fronting Station Road. The building is currently occupied by a Class A1 retail unit within one half of the ground floor. The remainder of the ground floor frontage forms the entrance to office uses on the upper floors.



Site location plan (not to scale)

2. PROPOSAL AND SUPPORTING INFORMATION

2.1 These applications are for an extension of time to the full planning permission granted under application 09/00073/FUL. The original report to Planning Applications Committee described the development as follows. The proposals have not changed from those originally approved:

"1. The change of use of part of the ground floor and all of the upper floors from office use to residential use in the form of 12 one-bedroom flats and 1 two-bedroom flat.

2. A single storey roof extension to accommodate the two-bedroom flat.

3. The provision of new entrance doors to the entrance to the flats and refuse store

4. The provision of a refuse store within the front part of the building to allow collection of waste directly from the building.

5. The provision of storage space for the flats, bicycle storage and wash down area towards the rear of the building at ground floor level.

6. The extension to the rear of the existing A1 retail unit to provide an increase of 70 square metres in A1 retail floorspace.

7. The provision of a new shopfront to the A1 retail unit"

- 2.2 Planning permission was granted on 28 April 2009. The development has not been implemented but remains extant as the valid application to extend the time limit was received on 23 April 2012, before the time limit had expired. The applicant is seeking an extension of time under the provisions of The Town and Country Planning (Development Management Procedure) (England) Order 2010.
- 2.3 The legislation requires that the application be for the same development as the previous permission. If granted, a new planning permission and listed building consent would be created. The process therefore requires the Local Planning Authority to consider any changes in policy or other material considerations which may have occurred since the grant of planning permission.
- 2.4 The original Committee report and Update Report (1 April 2009) which assessed the original application and the decision notice approving the application are appended to this report.

2.5 Information supplied with the original application:

Plans:

1734 PL 80 – Planning Proposals (Revised) East Elevation
1734 PL 81 – Planning Proposals (Revised) West Elevation
1734 PL 82 – Planning Application (Revised) Section A-A
1734 PL 83 – Planning Application (Revised) Streetscene Drawing
1734 PL 70 – Planning Proposals Ground Floor Plan (Revised) and First Floor Plan
1734 PL 51 – Planning Proposals Second Floor Plan and Third Floor Plan
1734 PL 72 – Planning Proposals (Revised) Fourth Floor Plan and Fifth Floor Plan
1734 PL 73 – Planning Proposals (Revised) Roof Plan
1734 SV 01 – Survey Plans Site Plan and Site Location Plan
1734 SV 02 – Survey Plans Ground Floor Plan and First Floor Plan
1734 SV 03 – Survey Plans Second Floor Plans and Third Floor Plan
1734 SV 04 – Survey Plans Fourth Floor Plan and Roof Plan
1734 SV 05 – Survey Plans East Elevation
1734 SV 06 – Survey Plans West Elevation
1734 SV 07 – Survey Plans Section A-A

Supplementary Documents:

Design and Access Statement – Dated March 2009
BREEAM:Ecohomes – Pre-Assessment Estimator

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history exists, other than application 09/00073/FUL

4. CONSULTATIONS

4.1 The following were consulted. The 21 day consultation period ended on 25 May 2012

RBC Building Control

4.2 No objection

RBC Transport Strategy

4.3 Confirm no objection

RBC Environmental Protection

4.4 No objection subject to the previous conditions relating to noise insulation, details of any future external plant or machinery and controls on burning of construction waste are applied again to the new permission.

Reading UK CIC

4.5 No comments received.

RBC Townsafe

4.6 No comments received

RBC Education Service

4.7 Request financial contribution in accordance with original permission.

RBC Leisure Service

4.8 Request financial contribution in accordance with original permission.

RBC Waste Operations

4.9 No objection received.

5. LEGAL AND PLANNING POLICY CONTEXT

5.1 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. Material considerations include relevant policies in the National Planning Policy Framework (NPPF) - among them the 'presumption in favour of sustainable development'. However the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).

5.2 In this regard the NPPF allows full weight to be given to the adopted policies of the Local Development Framework (LDF) (Core Strategy) until March 2013. It allows that due weight to be given to the saved policies of the Reading Borough Local Plan (RBLP) according to its degree of their consistency with the NPPF. It allows weight to be given to the emerging Sites and Detailed Policies Document (SDPD) appropriate to the degree of advancement of its preparation, the extent to which there are any unresolved objections to its policies and the degree of consistency with the policies in the NPPF. The SDPD is well advanced and underwent public examination in late 2011. Main modifications have since been proposed by the Inspector.

5.3 The Council's adopted supplementary Planning Guidance and Supplementary Planning Documents are also material planning considerations.

Accordingly this application has been assessed against the following policies:

5.4 National Planning Policy and Guidance

National Planning Policy Framework (NPPF)

5.5 Reading Borough Local Plan (1998) (saved policies)

HSG5	Residential Design Standards
HSG9	Location of Residential Development
TRN6	Pedestrians
TRN11B	Development and Traffic
CUD4	Setting of Listed Buildings
CUD14	Standards of Design in Development

5.6 Reading Borough Local Development Framework - Adopted Core Strategy (2008)

CS1	Sustainable Construction and Design
CS4	Accessibility and the Intensity of Development
CS5	Inclusive Access
CS7	Design and the Public Realm
CS9	Infrastructure, Services, Resources and Amenities
CS15	Location, Accessibility, Density and Housing Mix
CS18	Residential Conversions
CS20	Implementation of the Reading Transport Strategy
CS24	Car / Cycle Parking
CS25	Scale and Location of Retail, Leisure and Culture Development
CS26	Network and Hierarchy of Centres
CS29	Provision of Open Space
CS33	Protection and Enhancement of the Historic Environment
CS34	Pollution and Water Resources
CS36	Biodiversity and Geology

5.7 Reading Centre Area Action Plan (adopted January 2009)

RC1a Development in the Station/River Major Opportunity Area - Friar Street and Station Road.

RC5	Design in the Centre
RC9	Living in the Centre
RC10	Active Frontages
RC14	Public Realm

5.8 Reading Borough Council Supplementary Planning Guidance

Sustainable Design and Construction SPD (2011)

SPG - 'Planning Obligations under s.106 of the Town & Country Planning Act 1990' (adopted July 2004, amendments adopted September 2004)

Revised Parking Standards and Design SPD 2011

Emerging Local Policy

- 5.9** The Sites and Detailed Policies Document (SDPD) Submission Draft 2011 which, when adopted, will form part of the Local Development Framework (LDF), sets out proposed site allocations and detailed development management policies. It has been submitted to the Secretary of State for examination, which took place during December 2011. In accordance with

para. 216 of the NPPF, the draft SDPD is considered to be a material consideration in the determination of applications.

6. APPRAISAL

6.1 The main changes in planning policy since the original approval 09/00073/FUL was granted are the publication of the National Planning Policy Framework (NPPF) in 2012; the Council's SPD Revised Parking Standards and Design (adopted 2011); and the emerging policies within the Sites and Detailed Policies Document Submission Draft (2011). The following appraisal addresses the effect of these changes upon the acceptability of the proposed extension of time.

i) Principle of development

6.2 It is considered that the principle of maintaining an active retail use at ground floor, with residential above, remains in accordance with Policy RC1a (Development in the Station/River Major Opportunity Area – Friar Street and Station Road) and that there have been no changes in development plan policy since the original permission was granted to suggest a different approach. The NPPF, published in 2012 supports development which maintains the vitality of town centres and which minimise journey lengths for shopping, leisure and work. The improvements to the ground floor retail use and the provision of dwellings on the upper floors contributes to this aim.

ii) Density and Dwelling mix

6.3 The density of 369 dwellings per hectare was found to be acceptable in relation to the original permission when assessed against policy CS15 of the Core Strategy (2008). There have been no changes in development plan policy in the intervening period to alter this conclusion. The NPPF (para. 47) suggests that local authorities should “set out their own approach to housing density to reflect local circumstances”. This being the case, it is considered that the NPPF does not require a different approach to that taken on the original application in respect of dwelling density. The NPPF reiterates the need to provide a mix of house types and sizes set out in PPS3, which it replaces (NPPF para. 50). This requirement is reflected in development plan policies CS15 and RC9 and was taken into account in granting the original permission. It is considered therefore that the NPPF does not require a different approach with regard to dwelling mix.

iii) Transport, Car and Cycle Parking

6.4 The proposed scheme was accepted previously with no on-site vehicle parking due to its town centre location. The Council's Transport Development Control section have confirmed that they do not object to this arrangement being carried forward into the new permission.

6.5 The original permission was accepted with a dedicated cycle storage and wash-down area at the rear of the site at ground floor level. This provision is considered to comply with the Council's Revised Parking Standards and Design SPD (2011) and it is recommended that the condition requiring its provision and equipping with suitable cycle stands be re-imposed.

6.6 Draft Policy DM12 (Access, Traffic and Highway-related Matters) contained within the draft Sites and Detailed Policies Document is relevant to the

current proposal. It is considered that the current proposals would comply with this policy in respect of access to the transport network, its impact upon the safety of the transport network (including pedestrians and cyclists, traffic generation and servicing arrangements).

iv) Design and Heritage Protection

6.7 There have been no development plan policy changes in respect of the protection of the historic environment since the original permission was granted. It is considered that the NPPF, in addressing matters relating to heritage in section 12, does not raise any new issues that have not already been addressed in determining the original application.

v) Impact on Neighbours

6.8 The effect on neighbours was a material consideration at the time that the original permission was granted. Draft Policy DM4 (Safeguarding Amenity) of the Sites and Detailed Policies Document Submission Draft (2011) is a new material consideration and should be afforded significant weight. It is considered however that the new emerging policy does not conflict with the original assessment and that the current proposals remain acceptable in respect of neighbouring amenity. The NPPF also does not introduce new matters for consideration in respect of residential amenity.

vi) Amenity of Future Occupiers

6.9 The main issues of daylighting, outlook and outdoor amenity space were fully considered in determining the original permission. It is considered that the requirements of draft policy DM10 (Private and Communal Outdoor Space) are similar to those of SPG Space Around Dwellings, which it will supersede once adopted. It is considered that this emerging policy does not suggest a different approach to that taken in granting the original permission.

vii) Noise

6.10 The original permission included an assessment of environmental noise and proposed suitable mitigation measures. It is considered, on the advice of the Council's Environmental Protection team, that these mitigation measures remain appropriate and that no new noise-related matters have arisen in the intervening period. Changes in national policy following the publication of the NPPF do not alter this conclusion.

viii) Environmental Sustainability

6.11 The proposal predominantly consists of the conversion of the existing building with a relatively small area of new-build. As such it is considered that the appropriate method of environmental accreditation remains the BREEAM EcoHomes standard. EcoHomes is due to be replaced by the BREEAM Domestic Refurbishment standard in July 2012. It is considered that Condition 3 of the original permission, requiring submission of a certificate certifying compliance with the Ecohomes remains appropriate but the reference to 'BREEAM EcoHomes' should be replaced with a requirement for the 'appropriate BREEAM certificate' to be submitted to allow for the forthcoming changes in the accreditation process. The applicant confirmed that the proposals would meet the 'Excellent' BREEAM standard and has not sought to amend this.

6.12 Policies DM1 (Adaptation to Climate Change) and DM2 (Decentralised Energy) contained within the draft Sites and Detailed Policies Document, require developments to address the issue of environmental sustainability. It is considered that, following the publication of the National Planning Policy Framework, these policies should be afforded significant weight. These policies develop existing requirements set out in Core Strategy Policy CS1. Policy DM1 requires buildings to be designed to maximise resilience to climate change and to minimise surface water runoff. In response to this new policy, the applicant has agreed to accept a condition securing areas of green roof in place of the conventional roof currently approved. This would have multiple environmental benefits by reducing the rate and amount of surface water runoff, improving the thermal properties of the building and improving the biodiversity potential of the roof area. Policy DM2 refers to 'decentralised energy'. It is considered that in this instance the relatively small scale of the proposal (below the 20 dwelling threshold for Combined Heat and Power referred to in the policy) does not justify a specific requirement for decentralised energy provision, however it is considered that in meeting the BREEAM Excellent standard some form of on site energy generation, for example photovoltaics, or solar water heating, would be installed.

6.13 It is considered that the proposals would result in substantial improvements in the environmental sustainability of the building. Socioeconomic benefits that would arise from enlarging and improving the retail outlet and allowing the redundant office space to be used for housing. On this basis it is considered that the proposal can be described as 'sustainable development', in accordance with para. 14 of the NPPF.

ix) Infrastructure Requirements

6.14 Since planning permission was granted in 2009, the Community Infrastructure (CIL) Regulations 2010 and the NPPF have been introduced. It is considered necessary to re-appraise the planning obligations secured by the Section 106 agreement linked to the extant permission in the light of these changes.

6.15 As identified under the 2009 application, it is considered that the proposal would have an impact on open space and education infrastructure by increasing the numbers of persons likely to use and rely on such facilities. In the event that the proposals are found to be acceptable in all other respects, financial contributions would be sought in accordance with the Council's S106 SPG '*Planning Obligations Under Section 106 of the Town and Country Planning Act 1990*' (adopted 2004), subject to the Community Infrastructure Levy (CIL) Regulations 2010. This would be necessary to ensure that adequate infrastructure would be provided to serve the needs of future occupants of the proposed development and therefore make the development acceptable in planning terms.

6.16 Without the necessary contributions, the development would fail to make adequate provision towards the identified infrastructure needs of the Borough and would be contrary to Core Strategy Policies CS9: (Infrastructure, Services, Resources and Amenities), CS29 (Provision of Open Space) and CS32 (Impacts on Community Facilities). The requirements of these policies are supported by this Council's Supplementary Planning Guidance '*Planning Obligations Under Section 106 of the Town and Country Planning Act 1990*'. Draft Policy DM3 (Infrastructure Planning) of the draft

Sites and Detailed Policies Document is also relevant which places highest priority upon the need to secure education and open space infrastructure.

- 6.17 Cumulative small developments within the urban area of Reading Borough can produce significant additional demands for services and facilities in the same way that a smaller number of large developments would. However, unlike large developments which can often accommodate some provision of these services and facilities within the site, smaller developments are unable to do so and it would be unreasonable to expect them to. It is therefore considered reasonable to expect the applicant in such cases to make a financial contribution towards a pooled fund to provide improved services and facilities shared between a number of sites within the Borough.
- 6.18 The applicant has confirmed that they are willing to contribute financially to provide the necessary infrastructure to support the new development. It is considered that the proposed planning obligations under section 106 satisfy the three tests set out in the Community Infrastructure Levy Regulations 2010 as described above.
- 6.19 Provided that all other aspects of the proposals are found to be acceptable, it is considered that the proposed development would be acceptable, provided that a legal agreement under Section 106 is completed securing the financial contributions referred to below.

Open Space

- 6.20 £22,770 is sought towards the provision of leisure and recreation infrastructure towards leisure/open space improvements in central Reading, including works at Forbury Gardens, Chestnut Walk and Abbey Ruins areas of public open space. These areas are identified within Policy RC14 (Public Realm) of the Reading Central Area Action Plan (adopted 2009) as being important areas of public open space. The policy requires new development within the Central Area to contribute towards improvements to the public realm in these areas of open space.
- 6.21 It is considered by the Council that this contribution would satisfy the CIL Regulations in that it would be:
- (a) Necessary to make development acceptable in planning terms. The development would not be acceptable without increasing the capacity of open space leisure facilities that are likely to be used by future users of the site and occupiers of the new dwellings. An increased population using the parks will require additional toilet facilities, additional play equipment, additional furniture and more footpath capacity. An increase in the ratio of persons using the parks compared to the facilities available, would result in a poorer quality leisure environment and the potential for damage to existing facilities through over-use;
 - (b) Directly related to the development. It can reasonably be assumed that the aforementioned areas of open space would be used by future users of the site due to their nature and proximity to the application site. The provision of open space and associated leisure facilities are sought in accordance with adopted Core Strategy Policies CS9: (Infrastructure, Services, Resources and Amenities) and CS29: Provision of Open Space form part of the Development Plan for Reading as well as Policy RC14 referred to above. The importance

of Open Space provision in policy terms is therefore established in general. The failure to provide an adequate increase in the quantity or quality of open space to serve the new development would be contrary to the aims of the Development Plan. It may not be possible, or appropriate, to state where monies would be spent at the most detailed level, for example, given the long timescales involved and the method of pooling funds from a number of developments (as per sections B21 to B23 of Circular 05/2005), it would be difficult to state with absolute precision which bench, bin, path etc. the money was to fund. However it would be possible to demonstrate a clear audit trail to a particular phase of the infrastructure programme.

- (c) Fairly and reasonably related in scale and kind to the development. It is considered that a contribution of £22,770 towards open space provision, compared to the much greater cost to the Council of providing it, would be commensurate with the scale and type of development and calculated based on the costs set out in the Council's adopted SPG.

Education

- 6.22 £2,707 is sought towards education infrastructure improvements in the western area and/or at Katesgrove Primary School. This contribution would satisfy the CIL Regulations in that it would be (a) necessary to make development acceptable in planning terms – the development would not be acceptable without making reasonable provision for education as the development would include a two-bedroom dwelling capable of family occupation; (b) directly related to the development – the contribution would go towards capital programmes to enlarge and increase the pupil capacity of schools in the areas surrounding the application site; and (c) fairly and reasonably related in scale and kind to the development – it is considered that the level of contribution is consistent with the scale and type of development and the anticipated increase in demand for educational facilities and the Councils adopted Planning Obligations SPG. The method of calculating the amount of contribution is set out in the Council's adopted Planning Obligations SPG.

x) Equality Impact

- 6.23 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. It is considered that there is no indication or evidence (including from consultation on the original, or current application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to this particular planning application.
- 6.24 In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

7.0 Conclusion

- 7.1 The principle of the development remains acceptable within the context of changes in development plan and national planning policy. The proposals

have been assessed and found to represent a sustainable form of development.

Case Officer: Steve Vigar

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 16th January 2013

ITEM NO. 9

Ward: Abbey
App No.: 12/01633/FUL
Address: 69 Caversham Road, Reading, RG1 8AD
Proposal: Change of use from A1 to D2 (gymnasium)
Applicant: PureGym
Date valid: 23rd October 2012
Major Application:
13 week target decision date: 22nd January 2013
26 week target decision date: 23rd April 2013

Delegate to officers to **GRANT** planning permission, subject to no new substantive objections being received during the formal newspaper advertisement period (expires 30th January 2013).

Conditions to include:

1. Standard three year time limit
2. Plans approved
3. Use restricted to Gym, and no other D2 use
4. Materials to be approved (to include the required window vinyls)
5. No development shall take place until a noise assessment of the proposed air conditioning plant has been submitted, approved by the local planning authority and implemented if necessary
6. No development shall take place until a noise assessment of the proposed internal activities have been submitted, a mitigation scheme if necessary is approved by the local planning authority and implemented
7. Classes shall only take place between the hours of 06:15 and 20:00.
8. Car Park Management Plan to include details of the physical barrier.
9. Cycle storage - details to be submitted.

Informatives

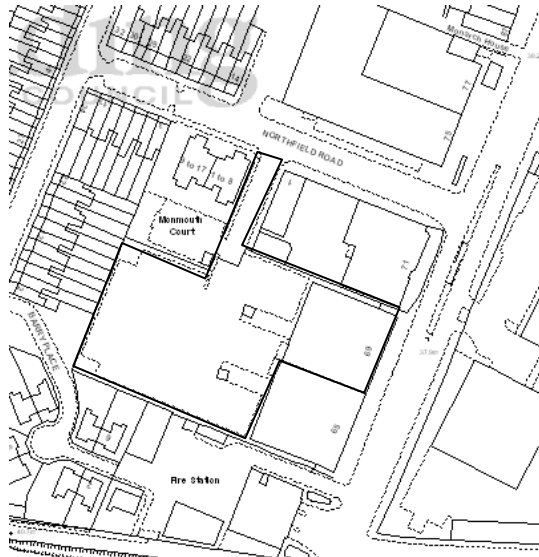
- Development plan compliance
- Statement regarding pro-active discussion with developer
- Building Regulations approval required
- Terms and conditions
- Pre-commencement conditions

1. INTRODUCTION

- 1.1 The application site contains an existing 2 storey retail unit to the west of the Caversham Road situated between the railway line (to the south) and Northfield Road (to the north). The associated parking area is set to the rear of the site accessed via Northfield Road. This shared car park access also serves residential units within Monmouth Court (this building fronts onto Northfield Road). The site is bounded by a retail unit at No 65 (Dawsons) and the Fire Station to the south, another retail unit (Drews) to

the north and residential properties to the west (on three sides of the car parking area). The area is characterised by a mix of residential and commercial properties with the former Royal Mail sorting office opposite - this site now has outline planning permission for mixed use development of retail/residential/hotel/commercial. There are approximately 110 car parking space within the site, shared between the two commercial units.

1.2



- 1.3 The application falls within the Major Category; additionally Councillor Page requested the scheme to be reported to Committee due to the issues relating to the proposed gym operating 24 hours, 7 days a week.

2. PROPOSAL

- 2.1 The proposal is for the change of use of the existing A1 retail unit into a Gymnasium D2 use. The proposal seeks to operate 24 hours a day 7 days a week, with gym classes taking place between 06.15 and 20.00. The application does not propose any external structural changes to the building. The building has an existing mezzanine floor that is proposed to contain gym floor area and a studio (to the rear of the building). The ground floor will contain further gym floor area, changing rooms, an element of office/ storage space and vending machine area.

- 2.2 Supporting information supplied with the application consists of:

- Planning, Design and Access Statement (DAS)
- Further supporting statement regarding usage
- Car Park Management Plan
- TRICS Assessment

Plans:

SK03.10.12-03 Ground Floor Layout

SK03.10.12-04 Mezzanine Floor Layout

3. PLANNING HISTORY

87/TP/1111 Outline. Permitted the erection of 2 DIY non retail warehouses and associated car parking with 12 flats. Permitted.

88/TP/886 Reserved Matters. Permitted the erection of 2 DIY non retail warehouses and car parking. No flatted element. This was subject to hours of use conditions. Permitted.

91/0314/FD Relaxation of conditions 4 & 11 of planning permission 87/TP/1111 to allow trading between 0800 & 2000 hrs Mon-Fri, 0900 to 1800 hr on Sat, Servicing to take place between 0900-1500 hrs Mon-Fri. Permitted.

93/00413/VARIAT Permanent retention of the development approved under planning consent 87/1111/FD without compliance with Conditions 4 and 10. To allow trading between 0800 & 2000 hrs Mon-Fri, 0900 to 1800 hr on Sat, Servicing to take place between 0900-1500 hrs Mon-Fri. Permitted.

07/01078/FUL Change of use from 2 retail units to casino including alterations to building. Refused. Reasons for refusal:

1. The proposal by virtue of the location of the existing access road, proximity of the car parking spaces to residential properties and the hours of operation sought result in vehicle movements at the site particularly during the late night/early morning which will have a significantly detrimental impact on the residential amenity of adjoining occupiers with regard to noise and light pollution contrary to policy TRN11B, LE16, NE8 and CEN10 of the Adopted Local Plan CS34 of Core Strategy Document (Submission Draft).

2. Due to the proposed hours of use of the premises and terrace area and associated accesses during the late night/early morning, the proposal would result in a significantly harmful level of noise disturbance to occupants of surrounding residential properties at a time when they are entitled to quiet amenity and when most are asleep. The proposal is therefore contrary to policies LE16, NE8 and CEN10 of the Adopted Local Plan CS34 of Core Strategy Document (Submission Draft).

3. The resultant design of the proposal due to the introduction of the entrance tower, alterations to the fenestration, materials and cladding elements is out of keeping with the simple, unfussy appearance of the existing premises, creating an overly prominent commercial feature in the street scene to the detriment of the character of the surrounding area. The

proposal is therefore contrary to policies CUD14, LEI6 and CEN10 of the Local Plan and CS7 of Core Strategy Document (Submission Draft) and PPS1.

Appeal lodged 18th January 2008, but was withdrawn in April 2008.

4. CONSULTATIONS

4.1 Statutory:
None.

4.2 Non-statutory:

RBC Building Control: Application required.

RBC Transport Strategy: In the circumstances it is considered that the proposed development would not result in the site increasing the demand for parking spaces.

In order to comply with the Council's cycle parking standard the development should be provided with covered and secure cycle storage equipped with 'Sheffield' type stands capable of accommodating 1 No bicycle/6 staff and 1 No bicycle/40 sqm.

The proposed development will generate fewer trips to the existing use and is therefore acceptable; and no financial contribution is sought.

RBC Environmental Protection: Issues relate to:

1. Noise arising from development - plant noise, car park noise, noise from inside gym. To be dealt with by condition requiring the submission of noise assessment prior to implementation and restriction on class times.
2. Light - glazing of windows. To be dealt by condition requiring window vinyls to be put in place.

Thames Water: No objections on sewerage or water infrastructure grounds.

4.3 Neighbour consultation:
Letters were sent to the following addresses; 2 site notices was erected by the officer (on Caversham Road and Northfield Road) and advertisement is required to be published (9th January 2013):

Caversham Road: Fire station, 65, 71-73,
Barry Place: 8, 9
Swansea Road: 2 -18 (even nos)
Northfield Road: No 1, three commercial units
Monmouth Court: 1-17 (all)

One letter of objection has been received in relation to increase in activity, noise and disturbance, increase in traffic, increase in crime, concern venue will become a casino and stating there are enough gyms in the area.

5. RELEVANT PLANNING POLICY AND GUIDANCE

5.1 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. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'.

- 5.2 On 23 October 2012, at the meeting of the Full Council, the ‘saved’ policies of the Reading Borough Local Plan (1998) were superseded and the policies of the Reading Borough Local Development Framework: Sites and Detailed Policies Document (SDPD) were adopted.
- 5.3 The following local and national planning policy and guidance is relevant to this application.
- 5.4 **National**

National Planning Policy Framework

Reading Borough Local Development Framework Core Strategy (2008)

CS1 (Sustainable Construction & Design)
CS2 (Waste Minimisation)
CS4 (Accessibility and the Intensity of Development)
CS5 (Inclusive Access)
CS7 (Design & the Public Realm)
CS9 (Infrastructure, Services, Resources and Amenities)
CS20 (Implementation of the Reading Transport Strategy)
CS24 (Car/Cycle Parking)
CS34 (Pollution and Water Resources)

Reading Central Area Action Plan (2009)

RC5 Design in the centre
RC7 Leisure, Culture and Tourism

Sites and Detailed Policies Document, (October 2012)

DM2 (Decentralised Energy)
DM3 (Infrastructure)
DM4 (Safeguarding Amenity)
DM12 (Access, Traffic and Highway-Related Matters)
DM14 (Impact of Main Town Centre Uses)

The Council’s adopted supplementary Planning Guidance and Supplementary Planning Documents are also material planning considerations.

Supplementary Planning Guidance/Documents

- Planning Obligations Under S.106 of the Town and Country Planning Act 1990 (2004)
- Sustainable Design and Construction (2011)
- Parking Standards and Design (2011)

6. APPRAISAL

- 6.1 The main issues are:
- Principle of use
 - Residential Amenity
 - Traffic generation and parking

Principal of use

- 6.2 The application site is located within the centre as defined by the adopted Reading Central Area Action Plan. Policy RC7 (RCAAP) sets out that the central area will be the focus for leisure development, and gymnasiums (as established in the former PPS4) are considered to be a town centre use. The application site is not allocated within the defined Primary Shopping area so there is no objection to a change of use from retail to an alternative town centre use, including a leisure use. The change of use of the premises to a gymnasium is therefore acceptable in principle, and this leisure use is considered to maintain the vitality and viability of Reading Town Centre. The proposal is therefore considered acceptable in relation to Policy RC7 (Leisure, Culture and Tourism of RCAAP) and DM14 (Impact of Main Town Centre Uses) of SDPD.
- 6.3 The application seeks change of use from A1 to D2 specified as gym usage. As the application will be assessed on the specified gym use, permission would be conditioned to restrict the use solely to this and no other use within use class D2.
- 6.4 The areas of concern in relation to the previous application for a casino at Nos 65 -69 Caversham Road are relevant to this application (both leisure uses, open to the public overnight); however there are material differences between the operation and peak hours of use. The previous use as a casino raised objections in relation to the peak times for use and vehicle movements (being between 9pm and 1am, being open until 6am), the time when residents should be entitled to quiet amenity. Whilst the current proposal is for 24 hour opening the character and pattern of usage is very different (characteristically gym usage dropping to under 6 clients between midnight and 5am) and the unit itself is smaller.
- 6.5 The detailed consideration of the current application for the proposed gym use is set out below:
- Residential Amenity
- 6.6 The application site is bounded by residential properties that are directly adjacent to the car parking area but are set 60m from the building itself. The impact of traffic movements and parking are set out below.
- 6.7 In relation to the operation of the gym over a 24 hour period the impact of noise and light pollution have been carefully considered by officers.
- 6.8 Noise generation could occur from the installation of plant on the roof or to the rear (eg air conditioning units). Residential dwellings are 'noise sensitive receptors' where the applicants would have to ensure that the noise rating is kept below the existing noise level. It is considered this can be controlled by a condition to require that any proposed plant is subject to a noise report to specify levels of noise which is approved prior to the development being implemented.
- 6.9 Noise generation specific to gym usage, as opposed to the existing retail use, is in the form of music, impact noise from the use of the studio, from the use of equipment and weights being dropped. The latter two would only impact the adjoining premises that are in commercial use. The applicant has set out that the building will be sufficiently insulated and that music within the gym will be kept below 60db during the day and can be reduced after midnight. It is proposed that a condition is imposed to require that a noise assessment is submitted and approved prior to the implementation of

development to ensure the rear glazed door is upgraded if required. It is considered this can be achieved via condition. Organised classes are proposed to operate between 06.15 to 20.00 (with approx. 20 occupants per class) this is considered to be acceptable as these times are in keeping with typical daytime waking hours, and will be subject to condition regarding class times. The applicant has also set out that there will be 24 hour security at the site to monitor gym users.

- 6.10 In relation to increased light spill from the application building there are no windows on the rear elevation of the building, but there is a glazed door. The applicant has stated that any glazing at the rear of the unit will be covered with vinyls such that lights that are on in the gym overnight do not affect the residents to the rear of the site. This will be required by condition.
- 6.11 The proposal is therefore considered acceptable in relation to Policy CS34 (Pollution and Water Resources) of the Core Strategy and DM4 (Safeguarding Amenity) SDPD.

Traffic generation and parking

- 6.12 The applicant has provided additional information to ascertain the likely trip rates for the existing and proposed uses. Officers also undertook independent assessments and concurred the proposed development will generate fewer trips to the existing use and therefore is acceptable in terms of traffic generation.
- 6.13 In relation to vehicle parking the car park is bordered on three sides by the residential rear gardens of properties on Northfield Road, Cardiff Road and Barry Place. The boundary treatments consist of brick walls and timber fencing which allow some sound to travel as the applicants have the right to use the whole car park when the adjacent retail unit is closed. Following discussion with officers they have agreed that use of the car park should be restricted to its eastern half directly to the rear of the buildings between the hours of 8pm and 6am. The applicant has submitted a Car Park Management Plan to position a physical barrier closing off the western 'half' of the car park during the hours of 20:00 to 06:00 seven days a week to ensure that the amenity of nearby residential properties is protected. A member of the PureGym staff will be on site 24 hours a day who will monitor the use of the car park.
- 6.14 Due to the low level of predicted users and car trips between these hours the reduced parking area is considered to provide sufficient parking; and safeguard the amenity of residents on Northfield Road, Cardiff Road and Barry Place. In relation to the residents of Monmouth Court the parking area for these units is set to rear of the flats and shares the access from Northfield Road. There are two ground floor flats that have 2 side facing windows adjacent to the access road, 2 of these 4 windows are obscurely glazed, therefore not serving habitable rooms. With the car parking restrictions and level of usage of the access road by gym users between the hours of midnight and 6am; and that there is no control of residents' movements to and from their own car park it is considered that vehicle movements to the site in the early morning will not have a significantly detrimental impact on the residential amenity of adjoining occupiers to warrant the refusal of planning permission.

- 6.15 The proposal is therefore considered acceptable in relation to Policy CS24 (Car/Cycle Parking) and CS34 (Pollution and Water Resources) of the Core Strategy and DM4 (Safeguarding Amenity) and DM12 (Access, Traffic and Highway-Related Matters) of SDPD.

External Alterations

- 6.16 There are no external alterations sought to the building. On the Caversham Road frontage the unit has double entrance doors and distinctive arched windows at ground floor, with rectangular windows at first floor. These are to be retained. To the rear orientated towards the car park and residential properties beyond the site, the unit has glazed double entrance doors. In order to minimise light spillage window vinyls are proposed. These are not considered to have a detrimental impact in visual terms. Signage will be sought at a later date, but this can be controlled by the required advertisement consent application. The proposal is therefore considered to be acceptable with regard to Policy CS7 of the Core Strategy and RC7 of RCAAP.

Sustainability

- 6.17 In terms of the Breeam requirement Core Strategy Policy CS1 states all developments should maximise the use of energy efficiency and energy conservation measures. The internal alterations include only the instillation of temporary walls, and shower and toilet facilities for gym members. Whilst no formal assessment is required Sustainability improvements are being carried out by water savings and the introduction of cycle parking. It is therefore considered Policy CS1 has been addressed.

Planning obligations

- 6.18 Given the proposal will generate fewer trips to that of the existing use no contribution to RUAP would be required. This has been assessed against CS20 (Implementation of the Reading Transport Strategy) of the Core Strategy.

Equalities impact assessment

- 6.19 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. There is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application. In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

Discussions with applicant

- 6.20 If permission is granted, the Council's decision notice will need to explain in an informative how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application. These proposals have been the subject of discussions with the applicant at application stage in respect of the issues set out in the table below. The recommendation to grant permission is considered to be a positive result of these discussions.

Planning Issue requiring resolution	Issue resolved at pre-application	Issue resolved at application	Comments
-------------------------------------	-----------------------------------	-------------------------------	----------

	stage ?	stage ?	
Building design prevent light spill.	No pre-application submission	N/A	Widow vinyl added by negotiation.
Effect of late night Parking on residential amenity.	Ditto	Yes ✓	Restriction of number of spaces and Traffic Management Plan submitted
Design and Access Statement lacked sufficient information on peak hours of operation.	Ditto	Yes ✓	Supplemented with further gym usage information.

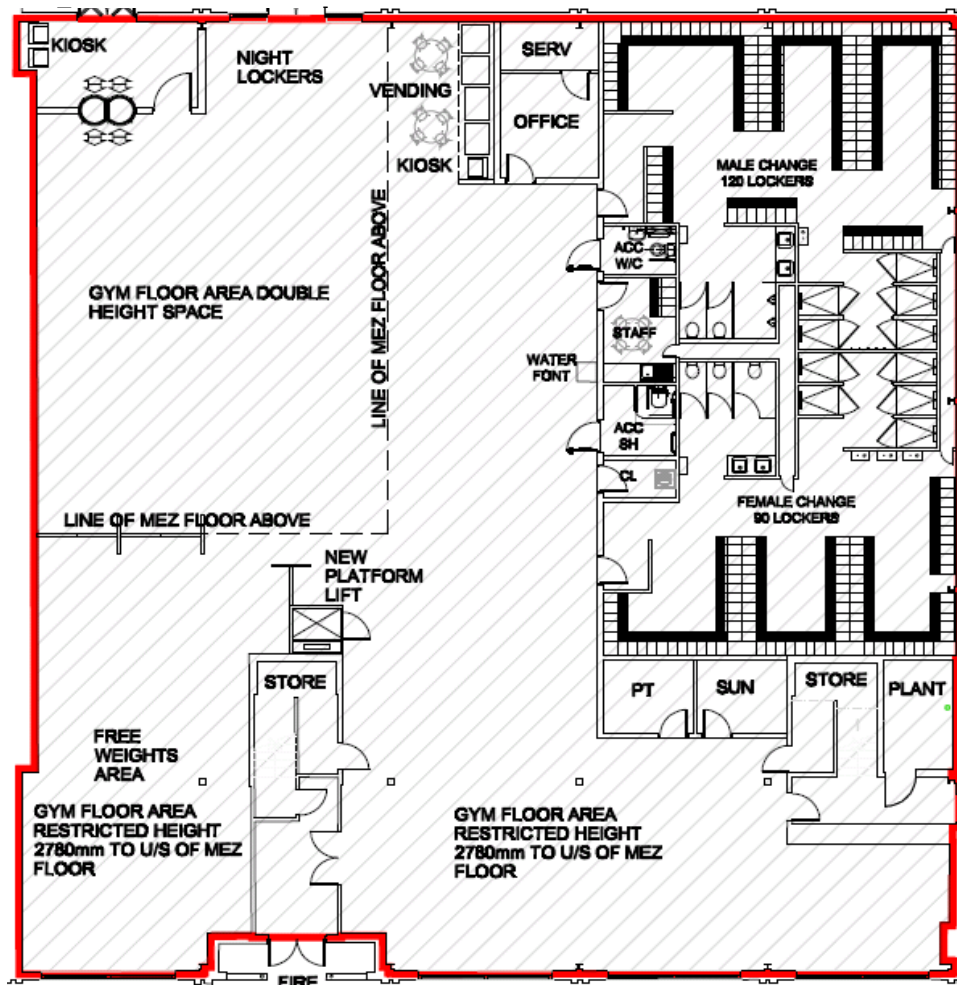
7. CONCLUSION

- 7.1 The assessment above considers that a D2 use as a gymnasium is acceptable in this location. In relation to its proposed 24 hour, 7-day a week operation the impact of traffic movements, noise and light pollution have been carefully considered by officers. Due to the limited number of gym visitors during late night and very early morning hours, and subject to the Traffic Management Plan and other controls required by condition the amenity of neighbouring residential occupants is not considered to be significantly detrimentally effected.
- 7.2 For these reasons and subject to agreement the officer recommendation is to grant planning permission.

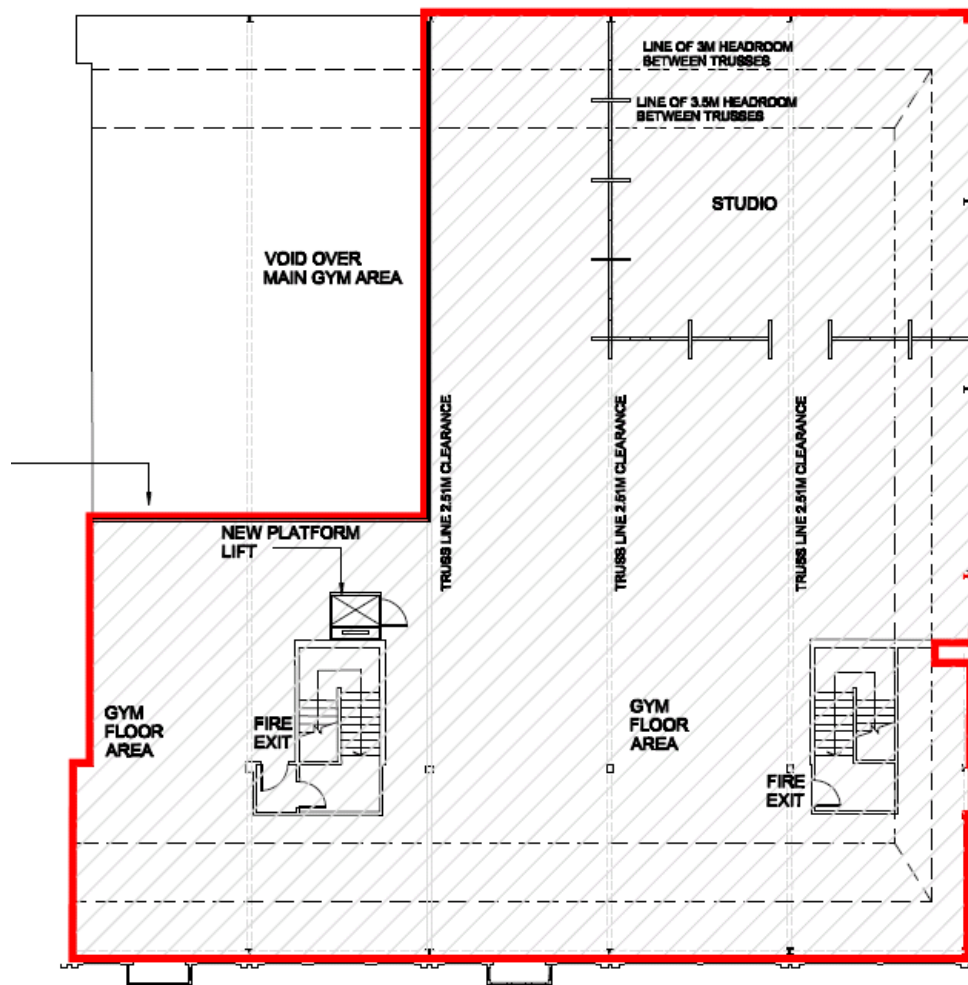
Case Officer: Susanna Bedford

Ground Floor Plan:

Entrance doors to car park at rear



Mezzanine Level Plan:



KATESGROVE

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 16 January 2013

ITEM NO.10

Ward: Katesgrove
App No.: 12/01629/FUL
Address: Abbey School Playing Field, Kendrick Road
Proposal: Development of an all weather playing field with floodlights and fencing.
Applicant: The Abbey School
Date received: 18 October 2012
Major Application: 13 week target decision date: 5 February 2013

RECOMMENDATION

Subject to confirmation from Sport England that it does not object to the proposal being granted planning permission without their requested conditions - **GRANT**.

Conditions to include:

1. 3 years implementation
2. Approved Plans.
3. Tree, vegetation and ground protection details to be approved.
4. Landscaping to be carried out in accordance with approved plan
5. Replacement of any trees or plants within a period of 5 years
6. Retention of hedge on eastern boundary
7. The floodlighting must be installed in accordance with the approved design specifications
8. The floodlighting shall be installed and maintained in accordance with the submitted lighting technical details such that the level of light spillage does not exceed 10lux at nearby residential windows as recommended by the Institute of Lighting Engineers guidance.
9. No development shall take place until a Construction Method Statement has been submitted and approved in writing by the local planning authority
10. The hours of construction, groundwork and associated deliveries shall be restricted to 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior written approval from the Local Planning Authority.
11. The Artificial Grass Pitch hereby permitted shall be constructed in accordance with Sport England Technical Design Guidance notes to include: Artificial Surfaces for Outdoor Sports and Artificial Sports Lighting.
12. The Artificial Grass Pitch shall be used for Outdoor Sport or other purposes ancillary to the school use only and for no other purpose (including without limitation any other purpose in Class D2 of the Use Classes Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
13. The Artificial Grass Pitch and its associated floodlighting shall not be used outside the hours of: 09:00 and 19:00 Monday to Friday
09.00 and 17.00 on Saturday; and
10:00 and 17:00 on Sunday and public holidays

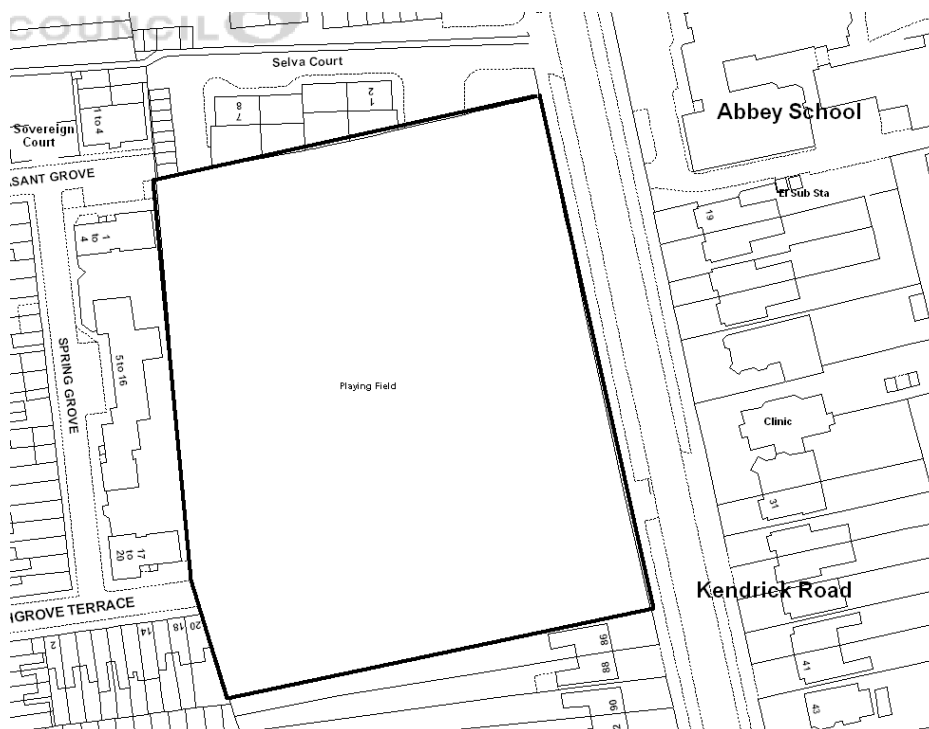
Informatives to include:

1. Reasons for approval
2. Damage to the highway
3. Proactive working

4. Developer responsible for suitability of site for proposed development

1. INTRODUCTION

- 1.1 The application site area is 1.2 hectares of grassed playing field used by Abbey School. The whole pitch slopes down from the south west corner towards the north east corner and there are a few trees and planting on the west boundary and a substantial hedge along the eastern boundary. Residential properties lie to north, west, south and south east with Abbey School on the opposite (east) side of Kendrick Road. The pitch has been used for hockey and other grass based sports and athletics for many years. The site lies in the Kendrick Road Conservation Area.
- 1.2 Members of Planning Applications Committee visited the site on November 27th 2012.



Plan not to scale

2. PROPOSAL AND SUPPORTING INFORMATION

- 2.1 The proposal seeks approval to re-surface part of the existing recreational playing field by levelling an area 97.4 m by 59 metres with the longer edge running parallel to Kendrick Road and applying a synthetic playing surface. Six 13 metre high floodlighting columns are proposed (3 on each side of the long edges) and fencing enclosing the playing area would be mainly a 3 metre high mesh fence rising to 4.5 metres high behind the two goal areas (north and south).
- 2.2 The applicant applied for pre-application advice in December 2011 and in summary the officer advice was that subject to detailed information on lighting to enable an assessment to be made of the potential harm to residential amenity from the proposed flood lighting, the number and design of the lighting columns and proposed hours of use the proposal was likely to be acceptable in policy terms as an appropriate form of development for this existing playing field in school use site subject to the right balance

being achieved between its benefits, which need to be demonstrated, and impacts on the surrounding area.

- 2.4 Supporting information with the application explains that grass pitch hockey is rarely played now so the school pupils travel to Reading Hockey Club to play their matches and to train. Therefore if the school's own pitch, which lies opposite the school, could be resurfaced with an artificial pitch this would significantly reduce these trips and the time taken. Having the pitch flood lit would allow matches and training to take place after school during the winter months. Originally, some community use was proposed with the flood lights proposed to be used only on weekdays and turned off at 8pm.
- 2.5 In response to pre-application comments the applicant has held a public consultation meeting with 29 attendees, has provided access for archaeologists to assess the archaeological interest of the site and has provided a wildlife report. The applicant acknowledges in the Design and Access Statement that the site is located in a conservation area and notes that the proposed green plastic coating and small diameter of the wire on the fences will mean that they are not easily visible from outside the site and the lighting columns, in the context of the existing high street lighting columns would not appear out of place.
- 2.6 Further information has been submitted to demonstrate the impact of light spill from the proposed lighting columns and the applicant has now agreed to restrict hours of use of the floodlights to 7pm on weekdays and to 5pm at the weekend.



2010 Aerial Photograph
PLANNING HISTORY

3.

4. CONSULTATIONS
(i) Statutory Consultation

Sport England. Comments in full as follows:

“It is understood that the site forms part of, or constitutes a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No. 2184), in that it is on land that has been used as a playing field within the last five years, and the field encompasses at least one playing pitch of 0.2 ha or more, or that it is on land that is allocated for the use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement.

Sport England has therefore considered the application in the light of its playing fields policy. The aim of this policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. The policy seeks to protect all parts of the playing field from development and not just those which, for the time being, are laid out as pitches. The policy states that:

“Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, or land last used as a playing field or allocated for use as a playing field in an adopted or draft deposit local plan, unless, in the judgement of Sport England, one of the specific circumstances applies.” Reason: Development which would lead to the loss of all or part of a playing field, or which would prejudice its use, should not normally be permitted because it would permanently reduce the opportunities for participation in sporting activities. Government planning policy and the policies of Sport England have recognised the importance of such activities to the social and economic well-being of the country.

It is proposed to replace the School’s existing grass playing field with an artificial grass pitch. Aerial images of the playing field area suggest that the playing field has in the past been used to accommodate 2 grass hockey pitches (approx. 84 x 50) and to accommodate an athletics layout in summer. According to the Applicant’s Planning Statement, the playing field also slopes, which further limits its use.

The Abbey is a Girls’ School and hockey is a preferred sport which is now usually played on an artificial surface. It is understood that the proposed surface will be Tigerturf Evo Pro or Lano Revolution which benefits hockey, tennis, lacrosse and athletics, all included in the curriculum requirements of the School. These surfaces are an 18mm polyethylene sand dressed product. The pitch will be floodlit.

England Hockey has identified that there is a need for a sand based surface artificial grass pitch in the local area. England Hockey has welcomed the School’s intention to provide community use of the pitch. This would allow the pitch to be used for matches and weekend junior training. The provision of floodlighting is supported and if this could be allowed later than 8PM then the pitch would further benefit the community e.g. for Hockey Club evening training.

In view of the need for a hockey AGP in this area, Sport England does not wish to raise an objection to this application, subject to the following condition(s) being attached to the decision notice (if the Council are minded to approve the application):

(1) The Artificial Grass Pitch hereby permitted shall be constructed in accordance with Sport England Technical Design Guidance notes to include: Artificial Surfaces for Outdoor Sports and Artificial Sports Lighting. Reason: To ensure the development is fit for purpose, subject to high quality design standards and sustainable.

(2) The Artificial Grass Pitch shall be used for Outdoor Sport and for no other purpose (including without limitation any other purpose in Class D2 of the Use Classes Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). Reason: To protect the Artificial Grass Pitch from loss and/or damage, to maintain the quality of and secure the safe use of sports pitches.

(3) Prior to the first occupation of the development hereby permitted, a report setting out expected community use of the new outdoor sports facilities shall be submitted to and approved by the Local Planning Authority in consultation with Sport England. The report shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved scheme shall be implemented upon commencement of use of the development. Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport.

(4) The Artificial Grass Pitch and its associated floodlighting shall not be used outside the hours of: 08:00 and 20:00 Monday to Friday, 08.00 and 20.00 on Saturday; and 10:00 and 18:00 on Sunday and Public Holidays unless otherwise agreed in advance and in writing by the local planning authority. Reason: To allow the floodlit Artificial Grass Pitch to stay open for use as long as possible for the development sport/increase participation into sport whilst balancing the needs of amenity and sustainability.

If you wish to amend the wording of the conditions or use another mechanism in lieu of the conditions, please discuss the details with the undersigned. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments.

If your Authority decides not to attach the above conditions, Sport England would wish to maintain/lodge a statutory objection to this application. Should your Authority be minded to approve this application without the above conditions, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, and the DCLG letter of 10 March 2011, the application should be referred to the National Planning Casework Unit.

Officer note: Sport England has been advised by officers that the imposition of community use on the existing playing field is not supported by development plan policies and would not meet the tests for applying a planning condition. Sport England's requested conditions 1, 2 (with use only by Abbey School added) & 4 (with amended times) are accepted but not condition 3. Officers are still awaiting a response from Sport England to confirm whether or not they would maintain an objection to the proposal in view of these amendments and omission.

(ii) Non Statutory Consultation

RBC Natural Environment:

With reference to the Design and Access Statement, dated October 2012 and to Landscape Proposals plan L1, dated 04-10-2012, I have the following comments:

As expressed at pre-app, there needs to be assurance that the existing trees and vegetation on site are not affected. Clarification has been provided on the proposed grading of the land to produce improved grassed areas and the proposed landscaping is positive as shown on drawing L1 from David Williams Landscape Consultancy. Whilst it is normal to only require landscaping implementation on completion, there would appear to be no reason why the tree planting could not take place within the current planting season, assuming the timing of the grant of permission allows sourcing and planting prior to the end of March 2013. This would help to ensure no gap between completion and planting of the screening.

If approved, conditions are requested to ensure that the Landscaping as shown on drawing L1 from David Williams Landscape Consultancy, dated 04-10-2012, is implemented and to require approval of tree/vegetation protection measures, including the protection of ground allocated for tree planting as shown on drawing L1.

RBC Transport:

During the pre-application discussions it was stated that the facilities were solely for the use of the school and therefore it was determined that no car or cycle parking would be required. However, the Design and Access Statement confirms that the applicants are proposing an 8pm closing time to allow for some community use of the facility.

Much of transport's initial comments flowed from the potential community use and associated car parking. A Transport Assessment was requested giving vehicle movements with a break down on the numbers that could use the facility as a community use and their likely mode of transport and to allow the calculation of an infrastructure improvement contribution.

However, with the applicant now confirming that they do not intend to use the improved facilities for community use these concerns have been resolved and the request for a transport contribution withdrawn. Subject to a condition to ensure that community use does not happen and requiring a construction methods statement to be submitted there are no transport objections to the proposal.

RBC Leisure:

No objections to the proposed development.

RBC Environmental Health:

The proposed development would result in a significant intensification of the use of the playing field. The proposed all weather hockey pitch is only 17m from the nearest residents which does not allow for much distance attenuation without some mitigation incorporated into the design. Without careful consideration noise from the increased use of the hockey pitch may have a detrimental impact on the amenity of nearby receptors.

However, following recent agreements from the developer that the pitch is to be for school use only and that they are happy to have the hours restricted to 7pm in the week and 5pm on the weekend. I now believe that the proposal strikes the correct balance between improving the available facilities and protecting the amenity of the residents. In order to ensure that the agreed hours of use are adhered to I recommend the addition of a condition to restrict the hours of use and to be used by the school only.

Clarification was sought on the level of light trespass reaching the nearest receptors. Additional information submitted regarding the light scheme and the revised hours of use

have alleviated concerns about the loss of amenity to residents. Provided that the scheme of lighting is installed as proposed I am satisfied that there will not be a loss of amenity. I would recommend that a condition is used requiring the agreed scheme to be installed so that no more than 10lux of light spillage reaches the windows of the nearest residential properties.

Finally conditions should be used to deal with concerns about potential noise and dust associated with the construction of the proposed development and possible adverse impact on nearby residents (and businesses).

Berkshire Archaeology:

Following pre-application advice archaeological field evaluation has been undertaken on this site. Although archaeological remains were present, these are of 19th-20th century date and are not considered to be significant or coherent archaeological features requiring further investigation or preservation. Therefore it is considered that there are no further archaeological implications associated with this proposal.

(iii) Public/local consultation and comments received

The application was advertised in the local press as a major development and a site notice was posted. Letters were sent to: Kendrick Road 86 - 92A (evens) and 19 - 39 (odds); Selva Court 1 - 8; Spring Grove 1 - 20; Highgrove Terrace 18 & 20. 10 letters of comment received. Main concerns raised:

- Traffic generation & car parking
- Light pollution
- Noise pollution
- Impact on wildlife
- Impact on views of neighbours
- Impact on character of Conservation Area
- Ground conditions

5. RELEVANT PLANNING POLICY AND GUIDANCE

5.1 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. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'.

5.2 The following local and national planning policy and guidance is relevant to this application:

National Planning Policy Guidance

National Planning Policy Framework (NPPF)

The South East Plan 2009

Reading Borough Local Development Framework Core Strategy Document, 2008.

Policy CS7 (Design and the Public Realm)

Policy CS25 (Scale and Location of Retail, Leisure and Culture Development)

Policy CS28 (Loss of Open Space)

Policy CS33 (Protection and Enhancement of the Historic Environment)

Policy CS36 (Biodiversity and Geology)

Policy CS34 (Pollution and Water Resources)

Policy CS38 (Trees, Hedges and Woodlands)

Local Development Framework: Sites & Detailed Policies Document (2012)

Policy SD1 (Presumption in Favour of Sustainable Development)

Policy DM4 (Safeguarding Amenity)

Policy DM17 (Green Network)

Policy DM18 (Tree Planting)

Kendrick Road Conservation Area Appraisal Document (2006)

6. APPRAISAL

(i) Policy

- 6.1 The proposal involves development on an existing area of open space lying in a conservation area for the purpose of improving the sports facilities for the adjacent school, the owner of the site. NPPF guidance (para.70) requires the planning system to deliver “the social, recreational and cultural facilities and services the community needs” and (para.73) “Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities”. In principle, the proposal to improve the existing school facilities is considered acceptable. However, the proposal also needs to be assessed against local planning policy issues and the most relevant LDF policies are considered to be CS7, CS28, CS33, CS34 & DM4 and the main issues are listed below, which also reflect most of the concerns raised by neighbours:
- Visual impact on the appearance and character of the Conservation Area
 - Impact on amenity of neighbours from light spillage and noise and disturbance from potential increased use
 - Impact on neighbours from proposed ground works
 - Traffic impacts, including loss of facility for overflow car parking by school
 - Landscape/Ecology impacts

(ii) Visual Impact

- 6.2 This area of open space so close to the town centre is a valuable asset to the otherwise built up character of the area. Unusually for its town centre location open views across the site are possible but due to the high hedge on the Kendrick Road boundary and the enclosure of the site by the surrounding residential property boundaries public views of the playing field itself are limited. It is relevant when considering the visual impact of the proposal that the Kendrick Road Conservation Area Character Appraisal document describes the playing field as “an open grassed recreational area devoid of character but important to the setting of Kendrick Road.”



- 6.3 The proposal would not result in the loss of the open space and the only element of the proposed development that would be visible from outside the site would be the 6no.13 metre high lighting columns. While they would represent a modern addition to the appearance of the site officers consider that in the context of the existing 8 metre high lamp columns in this street the proposed slim design (10 inches in diameter at the base tapering to 3 inches at the top) with 2 lamps on top would not look significantly out of place. The lighting columns would be located close to the pitch edge and set down from existing ground level by up to 3 metres at the southern end. When combined with being spaced at least 32 metres apart this would mean that they would not present a cluttered appearance. More significantly, they would not harm the contribution of spaciousness that the playing field makes to the setting of the conservation area nor obscure views across the site. The columns will be most noticeable when lit, however the applicant has now confirmed (see comments later about light and noise pollution) that the intention is to not use the lights after 7pm weekdays or 5pm at weekends so the times when the columns will be made more visible will be limited to early evening only.
- 6.4 It is possible that glimpses of the proposed fencing around the pitch will be possible from outside the site but again officers are satisfied that the proposed specifications for the fence would mitigate any harm caused to views. The adherence to the proposed specifications can be a conditional requirement if planning permission is granted.

(iii) Impact on neighbours (light and noise)

- 6.5 The impact of the use of the lights can be considered with regard to the level of light spill or trespass that would occur outside of the boundaries of the playing pitch. Guidance has been produced by the Institution of Lighting Engineers (ILE) on the impacts of obtrusive light (Guidance notes for the reduction of obtrusive light - 2005). In this case the guidance states that light trespass at the windows of neighbouring properties should not exceed 10 lux in order for it to not be unduly obtrusive in this respect.
- 6.6 The light spill from the proposed lights has been presented by the applicant as contours on a plan in relation to neighbouring residential properties. The drawings and

calculations have been considered by environmental protection officers (see comments above) and the conclusion reached is that subject to the lighting columns and lamps being installed as detailed the floodlights would not have a significant impact on the amenity of local residents. The conditions shown above are recommended to ensure that the installation and maintenance of the lighting accord with this information.

- 6.7 While it must be acknowledged that the application site is an existing school playing field with no restrictions on how many use it or the hours of use it is reasonable that residents and officers were concerned that the proposed improvements, by making part of the pitch easier to play on and by illuminating it after dark and the proposed community use, would increase usage and thereby noise disturbance above what currently occurs and beyond current hours.
- 6.8 Sport England's comment is provided above which makes community use a proviso for their not raising an objection but this is at odds with local residents' concerns. The school's agent has responded as follows:

The matter of community use is an added extra to the use for the benefit of the school. This extra use has to be balanced against the amenities of the local residents. The EHO has expressed concerns with the use of the floodlights in to the evening on the basis of noise and light spill. It would seem that SE (Sport England) are not objecting on their primary consideration which is the loss of paying fields and I don't think that it is their remit to determine whether the application should fail if a community use is not provided. Given the reception that our thoughts received from the Councillors and the comments and positive response to our suggestions from the EHO I would consider that your considerations override the welcomed community use of SE. It would appear that the use by the community may lead to the refusal of the project resulting in a loss of facilities for both community and school. In this respect the use for the school is the added benefit. This is a matter that I have recently dealt with At Hampton School where the LPA considered the community use to be less important than the amenity of neighbours.

Further to our conversation on site on Thursday last and following receipt of the Environmental Health Departments comments the School wish to make some alterations to the proposals which will overcome the concerns.

The school is prepared to have conditioned no use by any outside body. This would do away with the concern regarding the intensification of the use. There are two pitches on site at present and this will be reduced to one, but of a greater quality and usability. The two pitches are only 80m long and thus are substandard. Most of the use of the new pitch will be cross pitch play with inter school games on the full pitch.

As a result of the reduction in use we are happy to reduce the use of the lights during the week to 7pm. Most school use will finish at 6.30 but this gives a little flexibility should games overrun. The lights will be on a time switch and will turn off automatically.

This reduction should also negate the need for a section 106 relating to highway payments as all persons using the site will be school pupils.

- 6.10 Officers advise that this amendment, to withdraw community use from the proposal, would not be a reason for refusing planning permission that would be supported by local adopted planning policy and the benefit in terms of protecting local amenity would

outweigh the benefits in terms of wider community use as requested by Sport England. It would also be unreasonable to insist on community use given the existing school use only of the site. The proposed amended hours of use is a reasonable approach to mitigate disturbance to neighbouring properties and it is not unreasonable of the school to want to make better use of this asset. The planning conditions that officers are recommending should sufficiently control the light and noise pollution and the use of the facility so that an appropriate balance between improved use and residential amenity can be achieved.

- 6.11 Officers are still in discussion with Sport England on this matter and hope that it will be confirmed in time for your meeting that they will not object to the planning application if community use is not included in the proposal and indeed restricted by the recommended conditions as set out above.

(iv) Impact on neighbours (ground works)

- 6.12 The proposed levelling of the pitch requires digging in to the slope at the southern end of the field by 3 metres. Neighbours living adjacent to the site boundary have raised concerns about the effect of the proposed ground works on their properties. The applicant has confirmed that at the southern end of the site no works will take place within 9 metres of the boundary. Over the adjacent 6 metres the ground will be excavated down by 3 metres to pitch level. In terms of wider concerns with the benefit of geological information provided in the archaeology report the applicant's consultant structural engineer has confirmed that the works to the excavated area will not have a damaging effect on the adjoining properties.
- 6.13 Officers advise that it is the responsibility of the developer to ensure that their development is safe. An informative is recommended to remind the developer of their responsibilities.

(v) Traffic Impacts

- 6.14 Transport officers initially had concerns for the potential community use of the playing field in terms of car parking and the potential for infrastructure contributions arising from increased trips. However, with the applicant now confirming that it is not their intention to offer the facility for community use these concerns have been resolved.
- 6.15 To respond to some residents' comments about car parking on the pitch the agent has confirmed that the cost of the new pitch and potential for damage to the playing surface would make the new pitch unsuitable for use as an overflow car park. It is understood that this car parking occurs once or twice a year on open days and prize giving so is not a regular occurrence. Parents will be directed to park elsewhere around the pitch on these occasions in future.
- 6.16 A construction method statement is required to confirm details of site works and construction vehicle access given that this is a busy feeder road to the town centre and a bus route.

(vi) Landscaping & Ecology

- 6.17 Generally, from the comments provided above, landscape officers are satisfied with the landscaping proposals for the site.

- 6.18 Policy C36 of the Core Strategy states that *“Where applicable, developments should be designed to protect, consolidate, extend and enhance the network of wildlife links and corridors”*. Policy DM17 “Green Network” of the SDPD states that *“The identified Green Network comprises Local Wildlife Sites, Local Nature Reserves, Areas of Biodiversity Action Plan (BAP) habitats and designated open space plus both existing and potential Green Links, all of which are shown on the Proposals Map”*.
- 6.19 The application site is shown on the proposals map to be dissected by a “green link”. The applicant is proposing to provide a new hedge and tree planting along the northern boundary, and some additional tree planting along the western boundary. Overall the planting proposed includes 15 new trees and a hedgerow along the north boundary so represents a net gain of planting of suitable native species, hence improves biodiversity on the site. Whilst a hedge has not been included on the southern boundary this has to be balanced with what is reasonable, e.g. the school need space around the pitch for access and maintenance and gain in landscaping elsewhere.
- 6.20 Some residents have raised concerns about the potential impact on wildlife but these concerns are not borne out in the ecology assessment produced on behalf of the applicant or shared by officers. The ecology assessment concentrated mainly on potential threat to local bat populations and concluded that the adjacent buildings, trees and hedges provided limited roosting opportunities while the pitch was not good foraging for bats in contrast to conventional rear garden habitats close by and that as Kendrick Road is already well lit by tall street lights the additional lighting of the pitch will not have a significant effect on any bats that might use the hedgerow.
- 6.21 Finally some residents in Selva Court, adjoining the north boundary of the site, have objected to the proposed hedge improvements on this boundary because it could impinge their views over the field. These concerns have been passed on to the applicant who has confirmed that they are happy to work with neighbours on an individual basis where there are concerns but as it is intended to maintain the hedge at 2m high there will be only limited effect on sunlight or daylight to property gardens and views from upper floors will be unobstructed. This is a reasonable response but not one that would be appropriate to make a planning condition as officers advise that as long as the hedge planting takes place on land controlled by the applicant they would be entitled to plant the hedge as they choose. By contrast, given the importance of the boundary hedge alongside Kendrick Road in terms of its contribution to the appearance of the conservation area and ability to screen the proposed pitch and associated structures a condition requiring that this hedge is retained at its current height would pass the relevant tests for a planning condition.
- 6.21 Officers conclude that subject to the recommended planning conditions being applied the proposed works comply with policies CS34, CS36, CS38 and DM18.



Equality Act 2010

- 6.22 In determining this application the Committee is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation.
- 6.23 There is no indication or evidence (including from consultation on the application) that the protected groups, who might have different needs, experiences, issues and priorities in relation to the planning application, will be adversely affected by the proposed works. In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development. The school is currently an all-girls school and it is anticipated that the majority of users of the new facilities will be girls.

Discussions with applicant

- 6.24 Where planning permission is either approved or refused, the Council's decision notice must include a statement in explaining how the LPA has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to the planning application.
- 6.25 In this instance a pre-application submission was made with discussion held between officers and the applicant. Following this the applicant liaised with Sport England, local residents and archaeologists before submitting the application as advised at pre-application. Since submitting the application considerable interest in the proposal has been shown by local residents and councillors and the applicant has been in several discussions with officers to respond to and overcome the concerns raised. The outcome of this discussion and exchanges on other issues are set out in the table below:

Planning Issue requiring resolution	Issue resolved at pre-application stage?	Issue resolved at application stage?	Comments
Playing field changes acceptable in conservation area	Advised careful attention to design would be important - to look acceptable and to minimise light spill	Yes ✓	Only the lighting columns will be seen from wider conservation area and their design is considered acceptable.
Community use and hours of use	Explained more information of numbers and times required	No - but discussions are continuing	School has been caught between Sport England's demands for greater community access to the improved facility and local residents' opposition to this. School has confirmed that it does not want community use because of increased management and maintenance for school. Restriction to school use can be secured by a planning condition. This would not prevent ancillary (and therefore limited) use by the community should the school wish to permit it up to 7pm Mon-Fri and 5pm Saturdays.
Trees and landscaping		Yes ✓	Confirmation provided on species etc. Implementation to be ensured via a condition.
Nuisance to neighbours (lighting and noise)	Issue flagged up	Yes ✓	With no community use school use of lighting will cease by 7pm Mon-Fri and 5pm Saturdays. Use will remain as now by the school.

Officers have been proactive in passing concerns on to the applicant at an early stage to address and positive in seeking solutions and agreeing those details that could be secured by condition. Officers consider that application represents sustainable development and it is recommended that you grant planning permission with the decision issued within the target determination period.

7.0 CONCLUSION

- 7.1 The proposed alterations to the playing surface of part of the sports pitch, the erection of mesh fencing around the pitch and the installation of 6 lighting columns will result in a change to the appearance of the playing field when seen from adjacent properties and the lighting columns will be seen from the street. However, the proposed changes will enable the school to make better use of this existing facility and reduce the need for pupils to travel some distance to play sport. In terms of impact on the character of the conservation area the proposals will not significantly harm the contribution that the site makes to the spacious appearance of this part of the conservation area. The only element that would be seen from outside the site would be the six lighting columns but officers are satisfied that their slim design would limit their visual intrusion. The improvements will lead to more use of the pitches so more noise and disturbance to neighbours could be

caused but in view of the existing use of the site as a school playing field and recreation ground this is not considered to be so unreasonable as to warrant refusing planning permission for being contrary to Policy DM4 of the Sites and Detailed Policies Document. The application is also considered to be acceptable in relation to its impact upon trees, landscaping and ecology.

- 7.2 Subject to Sport England's positive response to officer requests for amendments to their required conditions it is recommended that the application be granted planning permission. However, if Sport England objects to the application being approved without their required conditions being used, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, and the DCLG letter of 10 March 2011, the application should be referred to the Secretary of State (National Planning Casework Unit) for determination.

Case Officer: Julie Williams

THE ABBEY SCHOOL



Scale bar 1:250



1. The information on this plan is for reference only.
2. The information on this plan is for reference only.
3. The information on this plan is for reference only.
4. The information on this plan is for reference only.
5. The information on this plan is for reference only.
6. The information on this plan is for reference only.
7. The information on this plan is for reference only.
8. The information on this plan is for reference only.
9. The information on this plan is for reference only.
10. The information on this plan is for reference only.

HEALTH AND SAFETY NOTE

1. The information on this plan is for reference only.
2. The information on this plan is for reference only.
3. The information on this plan is for reference only.
4. The information on this plan is for reference only.
5. The information on this plan is for reference only.
6. The information on this plan is for reference only.
7. The information on this plan is for reference only.
8. The information on this plan is for reference only.
9. The information on this plan is for reference only.
10. The information on this plan is for reference only.

NEIL BODDINGTON

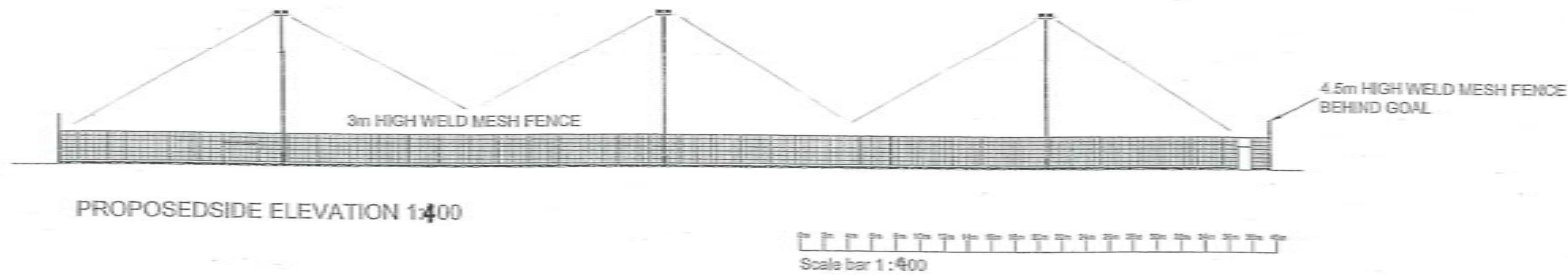
31 Shilham Street
Wokingham, Dorset
GU24 0NU
Tel: 01481 814685

THE ABBEY SCHOOL

Wokingham, Dorset

PROPOSED LAYOUT OF SYNTHETIC HOCKEY PITCH

DATE	BY	REV	REMARKS
15/01/2014	NEIL BODDINGTON	1	ISSUED FOR TENDERS
15/01/2014	NEIL BODDINGTON	2	REVISED TO INCLUDE FLOODLIGHTS
15/01/2014	NEIL BODDINGTON	3	REVISED TO INCLUDE LONG JUMP
15/01/2014	NEIL BODDINGTON	4	REVISED TO INCLUDE GATE
15/01/2014	NEIL BODDINGTON	5	REVISED TO INCLUDE 1:2 BANKING
15/01/2014	NEIL BODDINGTON	6	REVISED TO INCLUDE ELEVATIONS
15/01/2014	NEIL BODDINGTON	7	REVISED TO INCLUDE SCALE BAR
15/01/2014	NEIL BODDINGTON	8	REVISED TO INCLUDE NORTH ARROW
15/01/2014	NEIL BODDINGTON	9	REVISED TO INCLUDE TITLE
15/01/2014	NEIL BODDINGTON	10	REVISED TO INCLUDE HEALTH AND SAFETY NOTE



PROPOSED ELEVATIONS

BODDINGTONS PLANNING

Westfield House
31 Shirburn Street
WATLINGTON
Oxon. OX49 5BU
01491 614809

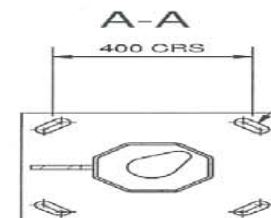
neil@boddingtonsplanning.com

Project: New ATP Elevations plan	Client: The Abbey School
Date: October 2012	Scale: 1:400/200 Drawing 1218/02



GEAR CUBICLE
IF REQUIRED.

C.L. OF PIVOT
735
A



4 NO. SLOTS 85x36 TO ENABLE $\pm 5^\circ$
ROTATION FOR M30x800LG
HOLDING DOWN BOLTS.

- NOTES:
1. FIRST ANGLE PROJECTION.
 2. DIMENSIONS SHOWN IN BRACKETED THUS (25) ARE REF. DIMENSIONS ONLY.
 3. REMOVE ALL BURRS & SHARP EDGES.
 4. DO NOT SCALE IF IN DOUBT ASK.
 5. WELDING SYMBOLS ARE TO BS EN 24063 & BS EN 29553.
 6. ALL STANDARDS & SPECIFICATIONS ARE TO BE TO THE LATEST REVISIONS.
 7. FILLET WELDS TO BE TO WELD PROVISION 55A 03100.
 8. MATERIAL: CHS TO BS EN 10210 OF S275 WITH A TENSILE STRENGTH OF 430N/mm². CHS TO BE EN 10210 GRD S275 WITH A TENSILE STRENGTH OF 480N/mm². PLATE FROM M.S TO BS EN 10025 S275. PLATE 25mm THICK AND OVER TO BE CHAIRPY TEST VALUE OF 27J (MIN) -15° .
 9. FINISH HOT DIP GALV TO BS EN ISO 1461.
 10. FOR DETAIL OF BASE SEE DRG NO. HL201/97 SERIES.
 11. FOUNDATION BOLTS ARE TYPE 3 TO DRG NO. CR014K.
 12. FOR DETAILS OF SHAFTS SEE DRG NO. HL201/4/25.
 13. WEIGHT OF SHAFTS AS FOLLOWS: OCT250S13 125KG. BASE: ASSY 230KG.
 14. SHAFT OVERLAP:-

SHAFT NO	MIN OVERLAP	DESIGN OVERLAP
OCT250S13 TO BASE	425	750

Copyright Strictly Reserved
Abacus Lighting Ltd.
© 2007

General tolerances unless
stated otherwise:-
0mm-500mm----- $\pm$
501mm-1000mm----- $\pm$
Above----- $\pm$

Drawn A.BOOOTH
Checked L DYE
Not to scale
Date 09/07/2007

Title HL250S13 MAST

Sales order No.

Abacus
LEADERS IN LIGHTING

Client STANDARD COMPONENT
Drg. No. HL250S13/3/AL5760

THAMES

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 16 January 2013

ITEM NO.11

Ward: Thames
App No.: 12/01775/FUL
Address: 29 Chiltern Road, Caversham
Proposal: Two storey side and first floor rear extension
Applicant: Mr. Crees-Jones
Date received: 15 November 2012
Other Application: 8 week target decision date: 10 January 2013

RECOMMENDATION

To **GRANT** planning permission.

Conditions

- Time limit – 3yrs
- Details of materials to be approved
- No additional first floor side windows
- Obscure glazing in first floor side window
- Approved Plans

Informatives

- Reasons for approval and Development Plan policies
- Compliance with approved plans & details
- Working in a positive and proactive manner

1. INTRODUCTION

- 1.1 The application site comprises a mid-twentieth century, two storey semi-detached house located in a small cul-de-sac off Chiltern Road. The surrounding residential area has many similar properties.



- 1.2 The house has previously been extended with a single storey, flat-roof side/rear extension; and the property has a detached garage in the rear garden along the eastern curtilage boundary.
- 1.3 To the rear is a footpath that runs between the back of the gardens of the houses along Chiltern Road and Grosvenor Road.
- 1.4 The application has been referred to PAC for decision because the applicant works for the Council.



2. PROPOSAL AND SUPPORTING INFORMATION

- 2.1 Planning permission is sought for the construction for a two storey side extension some 2.7m wide and a first floor extension, over the existing single storey rear extension. The extension would have an eaves height of some 5m, to match that of the existing house, and a pitched and hipped roof over that would tie into the roof of the main house.
- 2.2 **Submitted plans and documents**
- Location plan
 - Block plan
 - Existing plans and elevations
 - Proposed plans and elevations

3. PLANNING HISTORY

- 3.1 12/01250/FUL Two storey side and rear extension. Withdrawn (27/09/12).

4. CONSULTATIONS

- 4.1 Consultees
- Transport Strategy - No objections

4.2 Public/local consultation and comments received

Five neighbouring properties have been consulted. One letter of objection has been received from No.27 Chiltern Road which raises the following comments:

1. There is no need for the two storey side extension.
2. The extension is too large.
3. The development would adversely affect the light levels and views at No.27.
4. If every house in Chiltern Rd was built so densely it would adversely affect the character of the area.

5. RELEVANT PLANNING POLICY AND GUIDANCE

Legal and Planning Policy Context

5.1 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. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. However the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).

5.2 In this regard the NPPF allows full weight to be given to the adopted policies of the Local Development Framework (Core Strategy, Reading Central Area Action Plan, and Sites and Detailed Policies Document) until March 2013. The Council's adopted Supplementary Planning Guidance and Supplementary Planning Documents are also material planning considerations.

5.3 Accordingly, the National Planning Policy Framework and the following development plan policies and supplementary planning guidance are relevant:

5.4 Reading Borough LDF Core Strategy (Adopted January 2008)
CS7 Design and the Public Realm

5.5 Sites and Detailed Policies Document (Adopted October 2012)
DM9 House Extensions and Ancillary Accommodation

5.6 Supplementary Planning Guidance/Documents
SPG - A Design Guide to House Extensions

6. APPRAISAL

Design and appearance

6.1 Viewed from the front, the side extension would follow the hipped roof form and proportions of the main house; and, being set back from the front elevation and set down from the main roof ridge, the extension would appear subservient in scale.

6.2 From the rear, although the first floor extension would project both to the side and rear, it is considered that it would adequately link into the existing roof and would follow the hipped form of the main house and thus appear in keeping with the overall design of the property. It is noted that the adjacent property to the east (No.27) also has a large, two storey rear extension.

6.3 The objections, in respect of the size of the extension and the character of the area, from the neighbours at No.27 are noted. However, it is considered, as reasoned above,

that the residential character and appearance of the area would be maintained and SDPD Policy DM9 and Core Strategy Policy CS7 are satisfied.

Amenities

- 6.4 Given that the first floor rear extension maintains a 4.5m distance of separation to the common flank garden boundary with the adjoining semi (No.31), it is considered that the development would not appear unduly dominant or overbearing from the rear outlook of No.31.
- 6.5 No.27 raises objection with regard to the impact of the extension on their light and outlook. Whilst this objection is taken into account, it is considered, due to the splayed garden and orientation of the houses, the previous extension to the rear of No.27, and the intervening detached garages, that the impact on No.27 is minimised to an acceptable level.
- 6.6 No windows are proposed that would afford a significantly intrusive level of overlooking over neighbouring private amenity space.
- 6.7 The development would not harm the amenities of neighbouring residents and SDPD Policy DM4 is satisfied.

Parking

- 6.8 Existing parking provision would remain unaltered; and Transport raises no objection to the proposal.

Discussions with applicant

- 6.9 Where planning permission is either approved or refused, the Council's decision notice must include a statement in explaining how the LPA has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to the planning application.
- 6.10 In this instance, following the withdrawal of the previous application (12/01250/FUL), officers have worked with the applicant to agree a scheme, that no longer would appear overbearing from No.31 and has an appropriate roof design, which is now considered to be acceptable.
- 6.11 In the course of this application, officers have referred that application to PAC within an appropriate timeframe with a positive recommendation to grant planning permission.

Equalities Impact

- 6.12 In determining this application, the Local Planning Authority has had regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender, and sexual orientation. There is no indication the proposal would be different for these protected groups.
- 6.13 In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

Plans

29CR/2/JJ/01	Location plan
29CR/2/JJ/02C	Block plan
29CR/2/JJ/03	Existing plans and elevations
29CR/2/JJ/04C	Proposed plans and elevations

Case Officer: Andrew Somerville

