

DELEGATED APPLICATION REPORT

Address: Virgin Media, 37 Boulton Road

Application No: 190643/FUL

Proposal: Installation of two external ground level condensers

Applicant: Virgin Media Limited

Agent: Mr Peter Brotton

Date received (valid from): 17/4/2019

Target Decision date: 12/06/2019

Case officer: Sarah Burr

1. Site description and surrounding area

The application site is a two storey building located within an industrial area on Boulton Road. This industrial area is near a retail park and surrounded by other commercial buildings. The eastern edge of the site is bounded by the River Kennet. It is also located within an area of contaminated land. The site is partially located within an area of biodiversity, public and strategic open space and major landscape feature. The site has recently been granted planning permission for various external alterations including installation of three condensers to high level gantry and replacement of an emergency generator unit (see planning history).

2. The Proposal

The proposal is for two condensing units which measure 1.45m x 0.55m x 1.7m each and new pipework to serve the units. The condensing units will be located on the ground to the rear of the neighbouring property, 35 Boulton Road, in an existing service area. The condensers will be located among five existing condensers at ground level, as well as an existing generator. The new condensers will be placed approximately 6 m to the rear of the neighbouring building (35 Boulton Road).

3. Consultation

Neighbours consultation:

The following addresses were formally notified of the application via letter on 01/05/19:

35 Boulton Road

39 Boulton Road

Additionally a site notice was sent to the agent on 1st May 2019.

No responses have been received.

Internal Consultees

Environmental Protection

The application has been reviewed by the Council's Environmental Health and Nuisance Officer. It was concluded that due to the distance from residential receptors, there are no objections from Environmental Protection.

Ecology

The Ecology Consultant has provided verbal comments regarding the application and has no objections.

Transport

There are no Transport objections as there is no impact on the highway or changes to the existing parking arrangements.

4. Plans and Documents Considered

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

Reference No. 2008-295-DA1 - Design and Access Statement

Drawing No. 2008-295-P1 - Existing Elevations

Drawing No. 2008/295/LP1 - Location Plans

Reference No. 2008/295/PS - Condenser Specifications and Supporting Letter

Drawing No. 2008/295/BP1 - Proposed Block Plan

Drawing No. 2008-295-P2 - Proposed Elevations

Drawing No. 2008-295-P3 - Proposed Plans

All received 18th April 2019

5. Relevant Planning History

170957/FUL - Various external alterations including installation of 3 condensers to high level gantry and replacement of emergency generator unit (Application permitted 16/08/2017)

151916/FUL - Proposed addition of 2 floor mounted condenser units onto high level gantry to rear of technical site and associated works (Application permitted 08/12/2015)

111409/FUL - Alterations to external louvres and erection of 10 external air conditioning condenser units and associated works (Application permitted 20/02/2012)

041368/FUL - Installation of an air conditioning unit to the South elevation of existing site (Application permitted 09/07/2004)

990637/FUL - Installation of a prefabricated building to house a direct current electrical supply room, upgrades to generator and fuel tank and relocation of existing satellite dishes (Application permitted 26/09/2000)

940727/FUL - Change of use from warehouse (B8) to telecommunications and cable TV centre with associated support systems and network control centre with ancillary office space and four satellite dishes (Applications permitted 28/04/1994)

930917/FUL - Change of use from warehouse (B8) to cable TV telecommunications centre, satellite dish and 40 ft. mast. (Application withdrawn 10/02/1994)

6. Equality Act 2010:

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

7. Relevant Planning Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Reading relevant to the application site comprises the Reading Local Development Framework 'Core Strategy' 2008 (Altered 2015) and 'Sites and Detailed Policies Document' 2012 (Altered 2015).

The 'National Planning Policy framework' ('NPPF') 2012 states clearly that its content is to be a material consideration in the determination of applications. The 'NPPF' states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Core Strategy and Sites and Detailed Policies Document) according to their degree of consistency with the 'NPPF' (the closer the policies in the plan to the policies in the 'NPPF', the greater the weight that may be given). Accordingly, the 'NPPF' and the following development plan policies and supplementary planning guidance are relevant:

8. Relevant Policies

The application has been assessed against the following policies:

National

National Planning Policy Framework;
National Planning Policy Guidance;

RBC Local Development Framework

Core Strategy 2008 (Altered 2015)

CS7 Design and the Public Realm
CS34 Pollution and Water Resources
CS36 Biodiversity and Geology
CS37 Major Landscape Features and Strategic Open Space

Sites and Detailed Policies Document 2012 (Altered 2015)

DM4 Safeguarding Amenities

9. Appraisal

The main issues to be considered are:

- Impact on the host dwelling and the surrounding area
- Impact on the neighbouring amenity
- Impact on landscape and open space
- Impact on biodiversity

1) Impact on the host dwelling and the surrounding area

The two proposed new condensing units measure 1.45m x 0.55m x 1.7m and will be positioned in an existing external service area at the rear of the neighbouring building and therefore will not be visible from the street scene. Due to the modest scale of the works, the lack of nearby residential receptors, and confirmation by the Council's Environmental Protection officer, the proposed new chillers will not have a significant noise impact. Therefore it is not considered that the proposal will have a substantially harmful impact on the host property or the surrounding area in terms of its design, location or noise generated.

2) Neighbouring amenity

As noted above, there are no nearby residential dwellings that could be affected by the proposal. The nature of the surrounding area is commercial. The units are therefore acceptable and are not considered harmful to the character of the building or the surrounding area.

3) Landscape and open space

Although the western end of the plot is technically located within an area of Major Landscape Features and Strategic Open Space (Core Strategy Policy CS37), the condensers are proposed in an existing paved service area that does not have any landscape or open space significance. Therefore, the proposal is not considered to detract from the character or appearance of the landscape.

4) Impact on biodiversity

Again, the proposed condensers will be located in an existing paved service area directly behind the commercial buildings that has no biodiversity value. Ecology consultants are satisfied that the proposals will not bring impacts for wildlife and biodiversity in the area.

Conclusion

The proposed condenser units have been assessed and found to be acceptable as they comply with the identified policies above.

10. Recommendation

Grant planning permission, subject to the following conditions:

Conditions

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

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

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

Reference No. 2008-295-DA1 - Design and Access Statement

Drawing No. 2008-295-P1 - Existing Elevations

Drawing No. 2008/295/LP1 - Location Plans

Reference No. 2008/295/PS - Condenser Specifications and Supporting Letter

Drawing No. 2008/295/BP1 - Proposed Block Plan

Drawing No. 2008-295-P2 - Proposed Elevations

Drawing No. 2008-295-P3 - Proposed Plans

(Received 18th April 2019)

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

Informatives

1. The local planning authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the prescribed target or agreed extended timescale for the decision to be issued.
2. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any conditions(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.