

DELEGATED APPLICATION REPORT

Address: Hanover House, 202 Kings Road, Reading

Application No: 181831/FUL

Proposal: Removal of external cladding and associated works.

Applicant: Adelais Properties Limited

Date received (valid from): 22/10/18

Target Decision date: 17/12/18

Case officer: Jonathan Markwell

1. Site Description and Surrounding Area

- i. The application site comprises a part-five, part-seven storey 'L' shaped building located on the junction of Kings Road and Eldon Road. The primary frontage is on Kings Road, although the vehicular entry point is on Eldon Road, leading to a ground floor car park with exit point onto Eldon Terrace to the south.
- ii. The application site building has recently been converted from office (& educational at fourth floor level) to residential (see relevant history section below). The application site is located within Eldon Square Conservation Area. Within the Conservation Area Appraisal Hanover House is not specifically referred to, although one of the features identified as making a negative impact on the historic character and appearance of the conservation area is modern developments on the south side of Kings Road. The site is also within the Reading Central Area Action Plan boundary and an air quality management area. Furthermore, a tree preservation order (TPO) protects 4 individual trees on the Kings Road frontage and a group of 6 Birch trees on the east boundary. In addition, there is a TPO tree overhanging from 1a Eldon Road to the south.
- iii. The surrounding area comprises a mix of uses, predominantly residential in nature. A number of the adjacent buildings are listed, such as No's 173-183 Kings Road to the north (Grade II*), No. 220&222 to the east (Grade II), No's 2-10 (even) Eldon Road to the south-west (Grade II) and No's 196-200 (even) Kings Road to the west (Grade II). To the south-east and south No's 1-9 Town Place, 9-17 (odd) Eldon Terrace and 1-3 (odd) Eldon Road are not listed buildings, but are identified as being of townscape merit.

2. The Proposal

- i. Planning permission is sought for the removal of external cladding and associated works. The applicant has confirmed the following context for the submission of the application:

Following the tragic fire that broke out on the 14 June 2017 at Grenfell Tower in the Royal Borough of Kensington and Chelsea, all tall residential buildings were subject to checks on their cladding. Royal Berkshire Fire and Rescue Service directed that the Building Research Establishment should test a cladding panel; it has reported that the panel does not meet the requirements for limited combustibility and following the test result, RBFRS has recommended that the cladding is removed from the building. As an interim measure to protect residents from possible risk, RBFRS has required that vehicles cannot be parked directly beneath the building until the cladding is removed in accordance with recent DCLG guidance. This application proposes to remove the cladding in order to improve the fire safety of the building.

- ii. It is clarified that the removal of the cladding on the building separately in itself is considered to require planning permission, as this would fall within the definition of development (section 55 of the Town & Country Planning Act) as building operations (section 55 (1A) (d), also bearing in mind 55 (2) a(ii) and the change in appearance of the existing material beneath).

55 Meaning of “development” and “new development”.

- (1) Subject to the following provisions of this section, in this Act, except where the context otherwise requires, “development,” means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.*

F1[(1A) For the purposes of this Act “ building operations ” includes—

- (a) demolition of buildings;*
- (b) rebuilding;*
- (c) structural alterations of or additions to buildings; and*
- (d) other operations normally undertaken by a person carrying on business as a builder.]*

- (2) The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—*

- (a) the carrying out for the maintenance, improvement or other alteration of any building of works which-*
 - (i) affect only the interior of the building, or*
 - (ii) do not materially affect the external appearance of the building,*

and are not works for making good war damage or works begun after 5th December 1968 for the alteration of a building by providing additional space in it underground.

- iii. More specifically, the proposals seek to remove the metal composite cladding (approved in the 1980s - see relevant history section above) and expose the pre-cast concrete panels underneath the existing cladding. Concrete is a non-combustible material and has a slow rate of heat transfer. The objective of the application is subsequently to improve the fire safety of the residential building and reduce the risk of fire being transferred externally via the cladding material. The Heritage Statement also confirms that original photographs illustrate the design and materials, and therefore the application seeks to return solid elements to the facades back to their original form. The horizontal precast cladding has exposed coloured aggregate finishes whereas the exposed columns within the facades to the rear block have smooth finishes. The applicant details that the surface finishes will be retained. Photographs submitted with the application detail that some small areas were removed (on a test basis) to reveal the original precast concrete cladding.

3. Consultation

i. Neighbour & Local Group Consultation

2 site notices were erected on 31/10/18, expiring on 21/11/18. A press notice was published on 01/11/18, expiring on 22/11/18.

Reading CAAC was formally consulted and has confirmed support for the application, for the following reasons:

For a heritage perspective, “an increased appreciation of 1960s architecture and concrete in the heritage world means the removal of 1980s cladding and the exposure of coloured aggregate

finishes and columns with smooth finishes, whilst being undertaken for safety reasons, will be a welcome innovation... Whilst it may be seen by some to be unusual sometimes less is more... We feel it is a more innovative solution than many more brutal approaches to 1960s buildings and look forward to seeing the results”.

Reading CAAC also highlight that one of the issues faced by this type of cladding over the years was that not only had it become unfashionable but general environmental pollution led to the finishes soon looking very dirty. Consequently Reading CAAC believe the company needs to put in place a programme to:

- repair any damaged original finishes (which cannot be assessed until the cladding is removed) and
- to undertake a cleaning programme should this prove necessary.

No other responses have been received.

ii. Internal Consultation

RBC Environmental Protection only has potential concerns regarding the construction and demolition phases of the development. More specifically, there are concerns about potential noise associated with the construction (and demolition) of the proposed development and possible adverse impact on nearby residents (and businesses). As such, a compliance condition regarding the hours of work is recommended (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), in the interests of the amenities of nearby residents.

The Council's Historic Buildings Consultant has no objections to the proposals, following discussions with the case officer.

The Natural Environment Officer originally commented that it was difficult to envisage how the cladding could be removed (including providing sufficient working space) without impinging on the soft landscape areas, especially on the east boundary between the building and Birch. Accordingly, it was reasonable to seek (and to avoid a pre-commencement condition) the applicant to confirm working space requirements/access for works and tree protection measures during the course of the application.

Following the submission of more information during the course of the application, the Natural Environment officer provided further comments: The site plan doesn't explicitly show protection but more the working zone, which is somewhat surprisingly small at 1m. Accordingly this doesn't form tree protection details but 'confirmation of working zones' details, which show that the trees should not be affected directly. However, officers have not been supplied with RPAs and it is likely that the 1m working zone could be within RPAs of the Birches on the east boundary. As such, suitable ground protection should be used - Ground protection/scaffolding combination is given in BS5837:2012 should be followed.

The RPAs of the trees on the north boundary should not be affected due to the lower level car park being used for the working zone and the retaining wall offering physical protection.

No comment has been made on the proximity of the canopies to the building so it is assumed that no pruning is required to allow for the working space - an informative can deal with this.

The intention to protect the trees is noted, as stated in the 'Protected Trees' document from Dartmouth Capital Advisors, dated 13 November 2018, although the level of detail is less than

that normally expected. However, within the context of the requirement to issue a decision swiftly and the nature of the proposals as a whole, it is considered in this specific instance that a compliance condition is secured for the development to be carried out in accordance with the information submitted and for the scaffolding/ground protection on the east boundary to be in accordance with BS5837:2012.

iii. External Consultation

Royal Berkshire Fire and Rescue Service were formally consulted. No response has been received.

4. Plans & Documents Considered

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

A-Z1-10-102 Rev P10 - Site Plan Block Plan
A-10-300 B Rev P10 - Existing South Elevation
A-10-301 B Rev P10 - Existing North Elevation
A-10-302 B Rev P10 - Existing East - West Elevation
A-10-300 Rev P10 - Proposed South Elevation
A-10-301 Rev P10 - Proposed North Elevation
A-10-302 Rev P10 - Proposed East - West Elevation
As received 22/10/18

A-SK-10-100 P02 - Site Plan Trees and Protection, as received 14/11/18
Protected Trees Statement by Dartmouth Capital Advisors, dated 13/11/18, as received 14/11/18

Design and Access Statement (including Heritage Statement) by Hamilton Architects dated 15/08/2018, as received 22/10/18
Planning Statement by Gerald Eve dated 17/10/18, as received 22/10/18

5. Relevant Planning History

Application site

1960s - numerous applications for various proposals at the site, including the original allowed on appeal outline permission.

85/TP/478 - Office block refurbishment including recladding of external elevations enclosed roof mounted air conditioning plant. Granted 15/08/1985.

Condition 3 required “details, including samples, of the external materials and finishes to be used on the walls and roofs of the buildings shall be submitted to and approved by the Local Planning Authority before any development is commenced.” Details were submitted and the aluminium composite cladding was approved on 11/03/1986. It is this cladding that this application seeks to remove.

141343 - Excluding the fourth floor, change of use of building from Class B1(a) (offices) to C3 (dwellinghouses) to comprise up to 80 x 1 bed units and 10 x 2 bedroom units. (Amended description). Office Prior Approval Granted 10/10/14.

150229 - Change of use of fourth floor to residential use (Class C3) to provide 14 residential units and associated works. Granted following completion of s106 legal agreement 23/06/15.

Neighbouring Mulberry House, 1a Eldon Road

171521 - Demolition of Mulberry House (Class D1) and replacement with soft landscaping (nil use) (amended description). Granted 5/12/17.

180591 - Demolition of Mulberry House (Class D1) and erection of part 3, part 5 storey building providing 7 (3x1 & 4x2-bed) residential units (Class C3), 5 parking spaces, landscaping and associated works. Current application under consideration.

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

- i. 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), Central Area Action Plan (2009) and ‘*Sites and Detailed Policies Document*’ 2012 (Altered 2015).

The ‘*National Planning Policy framework*’ (‘NPPF’) 2018 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

- i. The application has been assessed against the following policies:

National

National Planning Policy Framework 2018;
National Planning Policy Guidance;

RBC Local Development Framework

Core Strategy 2008 (Altered 2015)

CS1 Sustainable Construction and Design
CS7 Design and the Public Realm
CS24 Car / Cycle Parking
CS33 Protection and Enhancement of the Historic Environment
CS34 Pollution and Water Resources
CS36 Biodiversity and Geology
CS38 Trees, Hedges and Woodlands

Reading Centre Area Action Plan (2009)

RC5 Design in the Centre
RC9 Living in the Centre

Sites and Detailed Policies Document 2012 (Altered 2015)

DM4 Safeguarding amenity
DM12 Access, Traffic and Highways-Related Matters

Other relevant documentation

Eldon Square Conservation Area Appraisal (2007)
Historic England Good Practice Advice in Planning Note 1: Conservation Area Designation, Appraisal and Management (Historic England, 2016)
Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking (Historic England, 2015a)
Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Historic England, 2015b)

9. Appraisal

- i. The main issues are considered to be:
- Design / Effect on Heritage Assets & Eldon Square Conservation Area
 - Amenity
 - Trees and landscape
 - Transport
 - Other matters
- ii. Design / Effect on Heritage Assets & Eldon Square Conservation Area
The applicant, in support of the proposal, considers that the original precast concrete is sensitive to the character and appearance of the Eldon Square Conservation area having been consented and constructed in this form originally. More specifically, the applicant details that Hanover House was a modern insertion within the conservation area, with its original concrete

cladding being a modern interpretation of the former stone façade materials - combining concrete, steel and glass in its architecture. The applicant considers that the building returning to its original form should be considered to be an improvement in visual terms.

Officers concur that on the basis of the current appearance, together with historic photographs (showing the original material) and the small sample areas of removal undertaken to date (as shown in documentation submitted with the application) that the proposals would protect and enhance the character and appearance of the building and the wider conservation area. Furthermore, it is considered that there would be no adverse impact on nearby historic assets (as detailed at section 1 above), or their settings.

It is presently assumed that the original material remains beneath the entirety of the building. This material is shown on the proposed plans, and therefore shows the intention of the applicant for this to be the material around the building, as shown / to be implemented as part of this permission. It is also recognised that there may be a possibility that, during the course of implementing the works, that there are in-fact different materials elsewhere on the building beneath the existing cladding. To avoid the possibility of a patchwork of contrasting (and possibly harmful) materials on the building occurring (which could be harmful to the character and appearance of the building, area and setting of nearby heritage assets) by simply removing the existing cladding, it is considered necessary and reasonable for a condition to be secured to prevent this scenario. More specifically, this shall state that should the removal of the existing cladding uncover contrasting materials to those shown on the proposed elevation plans, then within a period of three months of the area being uncovered, it will be required for the material as shown on the proposed/approved plans to be implemented. Although this may require further works by the applicant, it is considered that it will maintain/enhance the character and appearance of the building / area / nearby heritage assets. This being worded as a separate standalone condition, aside from the standard 'development to be carried out in accordance with the approved plans' condition - which could serve the same purpose, is considered reasonable in this instance owing to the context of the site and surrounding area being sensitive and highly prominent.

iii. Amenity

The proposed works are not considered to result in any significantly harmful impacts on neighbouring amenity, in respect of any policy DM4 considerations. One condition, relating to hours of works, is considered to be necessary, as advised by Environmental Protection officers (as detailed above). Subject to this being secured in terms of the existing/future occupiers of the 104 residential units at Hanover House, it is considered that the works would improve the standard of accommodation by reducing fire risk at the site.

iv. Transport

As detailed in the Design & Access Statement, a consequence of the existing overcladding failing the fire test was an interim measure to close the car park beneath the building. As such, once the works are provided the on-site car parking capacity will increase (back to the previous level). The level/nature of works, in the context of the site/highway are such that they are not considered to require a construction method statement being secured via condition on this occasion. In overall terms the proposals are considered appropriate from a transport perspective.

v. Trees and landscape

It is recognised that a tree preservation order protects 4 individual trees on the Kings Road frontage and a group of 6 Birch trees on the east boundary. In addition, there is a TPO tree overhanging from 1a Eldon Road (Mulberry House) to the south. During the course of the application more details were requested as to how these trees (and the soft landscaping area as

a whole) would be protected during the construction works. As per the Natural Environment officer comments noted above, following the submission of additional information during the application a compliance-based condition is considered suitable, together with two informatives. Subject to this condition being secured the proposals are considered appropriate from this perspective.

vi. Other matters

Although fire safety is not a material planning consideration, the reasons behind the removal of the existing cladding are fully understood and acknowledged by officers.

Following on from this, it is considered reasonable and necessary for instead of the standard three year time period for implementation, that a shorter time period for implementation is required. Accordingly, a 1 year time period for implementation is considered suitable in this instance, to assist the delivery of development and non-commencement may have negative impacts.

CIL - The proposal is not a CIL liable development.

10. Conclusion

- i. In this instance the rationale behind the removal of the existing material has been clearly explained and the proposed material is considered acceptable in relation to the building, area and nearby heritage assets. In addition, it has been shown that the proposals are acceptable in all other regards, such as amenity, transport and trees/landscaping, subject to conditions. Accordingly, having regard to the material considerations and all matters raised, the Local Planning Authority considers that the balance of considerations therefore weigh in favour of granting planning permission subject to conditions.

Recommendation

Grant Planning Permission subject to conditions -

1. The development to which this permission relates must be begun not later than the expiration of one year 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 approved shall not be carried out other than in accordance with the following drawings:

A-10-300 Rev P10 - Proposed South Elevation
A-10-301 Rev P10 - Proposed North Elevation
A-10-302 Rev P10 - Proposed East - West Elevation
As received 22/10/18

Reason: To clarify which drawings have been approved and in the interests of proper planning.

3. The materials to be used in the external surfaces of the areas of the facades where works are approved shall be:

Pre-cast concrete cladding

as shown on the approved plans (A-10-300 Rev P10 - Proposed South Elevation; A-10-301 Rev P10 - Proposed North Elevation; A-10-302 Rev P10 - Proposed East - West Elevation, all received 22/10/18) and documents (Photographs at sections 3.0 and 4.0. Design and Access Statement - including Heritage Statement - by Hamilton Architects dated 15/08/2018, as received 22/10/18).

Should the removal of the existing cladding uncover contrasting materials to those detailed above, then within a period of three months of the area being uncovered, works to the area shall take place and be completed to match as far as reasonably possible the finish and appearance as shown on the approved plans and documents above.

Reason: in the interests of the visual appearance of the host building, the character and appearance of the Eldon Square Conservation Area and to safeguard the special architectural and historic interest of nearby listed buildings / heritage assets, in accordance with Policies CS7 and CS33 of the Reading Borough Council Local Development Framework Core Strategy 2008 (Altered 2015) and Policy RC5 of the Reading Borough Council Local Development Framework Reading Centre Area Action Plan (2009).

4. The development hereby approved shall not be carried out other than in accordance A-SK-10-100 P02 - Site Plan Trees and Protection, as received 14/11/18 and Protected Trees Statement by Dartmouth Capital Advisors, dated 13/11/18, as received 14/11/18, and scaffolding/ground protection on the east boundary shall be in accordance with BS5837:2012.

Reason: to ensure that appropriate protection is given to trees of amenity value within and adjacent to the site in accordance with Policy CS38 Reading Borough Council Local Development Framework Core Strategy 2008 (Altered 2015).

5. No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0900hrs to 1300hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior written approval from the Local Planning Authority.

Reason: to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance with Policy CS34 of the Reading Borough Council Local Development Framework Core Strategy 2008 (Altered 2015) and Policy DM4 of the Reading Borough Council Local Development Framework Sites and Detailed Policies Document 2012 (Altered 2015).

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 timescale for the decision to be issued.

2. i) The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.

ii) Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.

3. You are advised that no tree works are approved by virtue of this consent. Any works to trees subject to a Tree Preservation Order or to Conservation Area status will require submission of a tree works application or Section 211 Notice respectively.

4. You are advised to avoid the use of the grass area for development related activity, e.g. storage of materials, due to the resulting potential harm to protected trees.

5. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.

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

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

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