

DELEGATED APPLICATION REPORT

Address: The Oracle Shopping Centre, Bridge St, Reading, RG1 2AG

Application No: 171530/FUL

Proposal: Construction of a new fire escape stair enclosure at car park levels 1 and 2

Applicant: The Oracle Shopping Centre

Date received (valid from): 02/10/17

Target Decision date: 27/11/17

Case officer: Jonathan Markwell

1. Site Description and Surrounding Area

- i. The application site is a small area on the Yield Hall Lane (east) elevation of the wider Oracle site, at car park levels 1 and 2 (levels 6 and 7 of the building).
- ii. The applicant is the Oracle Shopping Centre and car park, bounded by Broad St / Minster Street / Gun St to the north, Yield Hall Place to the east, the IDR to the south and Bridge Street to the west. The River Kennet runs through the site, either side of which is the public realm space associated with the Oracle, with a variety of largely restaurants, retail shops, a cinema and entrances (some to the Oracle, others to the associated multi-storey car parks) beyond this.
- iii. The wider site is subject to the following site constraints / designations, including:
 - The site is designated as an important area of open space (Policy RC14j)
 - Inside the primary shopping area (RC6)
 - Active frontages (RC10)
 - Inside the central core (RC6)
 - Within an area with archaeological potential (DM19)
 - Within an Air Quality Management Area (DM19)
 - Within a green network (DM17)
 - Within a British waterways consultation area (CS8)
 - Eastern tip of the application site is within the Market Place / London Street Conservation Area (CS33) the Yield Hall Place bridge is identified as having an important view to the south-west (towards the site) and the Duke Street High Bridge (just outside the red-line boundary) is identified as having important views in both eastern and western direction, as well as itself being Grade II listed.
 - Parts of the northern area of the application site are within St. Mary Butts / Castle St Conservation Area and adjacent to Grade II listed buildings fronting onto Gun Street, beyond which is the Grade I listed Church of St Mary / Grade II listed Queen Victoria Jubilee Fountain.
 - Flood Zone 2&3a/b (CS35)
 - Potential contaminated land (CS34)
 - South side of the River Kennet through the Oracle is part of the designated National Cycle Route 4
- iv. To the south-east of the site, the land is designated under policy RC4i as 'the Oracle Extension, Bridge St & Letcombe St' for 'development of the area between the River Kennet and Mill Lane for retail, with use of site at Letcombe Street for public car park'.

2. The Proposal

- i. Full planning permission is sought for the construction of a new fire escape stair enclosure at car park levels 1 and 2.
- ii. The applicant has confirmed the reasons behind the application, as follows:

“The construction of a new fire escape staircase serving Car Park levels 1 and 2 down to Upper Shopping Level 4 is necessary because the existing staircase will be demolished in order to create a new escalator link between the two levels of a new large shop unit. The existing Core 9 enclosure at roof level is being retained, including the lift serving Shopmobility, but the residual staircase will be cut off at the Car Park Level 1 slab level. The new stair enclosure is designed to match the external cladding of the existing Core enclosures featured at roof level in several locations around the shopping centre”.

- iii. A separate certificate of lawfulness application is presently under consideration for the separate amalgamation of units within the Oracle (see relevant history below). In essence, this application is for external works associated with that proposal.

3. Consultation

- i. **Public Consultation**

A site notice was displayed at the site from 04/10/17, expiring on 25/10/17. A press notice was published on 12/10/17, expiring on 02/11/17. No responses have been received.

4. Plans & Documents Considered

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

P002 - New Stair Core Level 6 to 7 (Site Location Plan / Block Plan), as received 04/09/17

E311 Rev C - Existing Elevation K Yield Hall Lane, as received 04/09/17

E626 - Existing East Elevation To Stair Enclosure, as received 02/10/17

E627 - Existing South Elevation To Stair Enclosure, as received 02/10/17

E628 - Existing North Elevation To Stair Enclosure, as received 02/10/17

E629 - Existing West Elevation To Stair Enclosure, as received 02/10/17

E106 Rev H - Existing Level 6 Plan Car Park Level 1, as received 02/10/17

E107 Rev G - Existing Level 7 Plan Car Park Level 2, as received 02/10/17

A106 Rev K - Proposed Level 6 Plan Car Park Level 1, as received 02/10/17

A107 Rev J - Proposed Level 7 Plan Car Park Level 2, as received 02/10/17

P003 - Proposed Yield Hall Lane Elevation, as received 04/09/17

A626 Rev A - Proposed East Elevation To Stair Enclosure, as received 04/09/17

A627 Rev A - Proposed South Elevation To Stair Enclosure, as received 04/09/17

A628 Rev A - Proposed North Elevations To Stair Enclosure, as received 04/09/17

A629 Rev A - Proposed West Elevation To Stair Enclosure, as received 04/09/17

A630 Rev B - Proposed Stair Section A-A, as received 02/10/17

A631 Rev B - Proposed Stair Section B-B & C-C, as received 02/10/17

Letter from Simply Planning, dated and received 04/09/17

Email from Simply Planning, dated and received 02/10/17

Plans submitted for information purposes only

A101 Rev K - Proposed Level 1 Plan, as received 02/10/17
A102 Rev P - Proposed Level 2 Plan, as received 02/10/17
A104 Rev Q - Proposed Level 4 Plan, as received 02/10/17
E101 Rev H - Existing Level 1 Plan, as received 02/10/17
E102 Rev J - Existing Level 2 Plan, as received 02/10/17
E104 Rev K - Existing Level 4 Plan, as received 02/10/17
Existing CGI, as received 04/09/17
Proposed CGI, as received 04/09/17

5. Relevant Planning History

171726/CLP - Internal alterations associated with amalgamation of units L12 & LX, Yield Hall East Mall internal access space (all at Level 2) and units U16, U17 and U18 (all at Level 4 on Town Mall East) into a single retail unit (Class A1). 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) 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

- i. 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
CS33 Protection and Enhancement of the Historic Environment

Sites and Detailed Policies Document 2012 (Altered 2015)

DM4 Safeguarding amenity

Other relevant documents/guidance

Market Place / London Street Conservation Area Statement

9. Appraisal

i. The main issues are considered to be:

- Design
- Amenity

ii. Design and impact on the character of the surrounding area

The proposed stair enclosure is acknowledged to represent a utilitarian addition to this part of the wider Oracle site. However, the proposed materials would match those already existing at the site and therefore, within this context, the proposed design is considered to be adequate. Although the addition would be visible in various external medium / long views, when set against the existing array of structures at this high level, the proposal would not appear harmful. Accordingly, the proposal is not considered to cause harm to the character and appearance of the nearby conservation area, or result in harm to the setting of nearby heritage assets. With the above in mind the proposal is considered to comply with policies CS7, CS33 and RC5.

iii. Amenity

The proposed structure is not considered to result in the loss of amenity to existing/future occupiers of the adjoining shopmobility unit, nor would it cause harm to motorist navigating themselves around the Oracle car park at this point. Given the high level of the structure, within the context of the existing Oracle structures, no loss of outlook, noise/disturbance or day/sunlight is envisaged. Standard informatives are recommended in terms of building control and noise/disturbance during construction. A construction method statement for these works is not considered necessary in this specific instance.

Furthermore, the function of the space itself in providing a fire escape stair enclosure, would assist in maintaining the amenity of future occupiers of the separately proposed unit internally.

In overall terms the proposals are therefore considered to align with policy DM4.

10. Conclusion

- i. 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;

11. Conditions:

1. The development hereby permitted shall begin no later than three years from the date of this planning permission.

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:

A106 Rev K - Proposed Level 6 Plan Car Park Level 1, as received 02/10/17
A107 Rev J - Proposed Level 7 Plan Car Park Level 2, as received 02/10/17
P003 - Proposed Yield Hall Lane Elevation, as received 04/09/17
A626 Rev A - Proposed East Elevation To Stair Enclosure, as received 04/09/17
A627 Rev A - Proposed South Elevation To Stair Enclosure, as received 04/09/17
A628 Rev A - Proposed North Elevations To Stair Enclosure, as received 04/09/17
A629 Rev A - Proposed West Elevation To Stair Enclosure, as received 04/09/17
A630 Rev B - Proposed Stair Section A-A, as received 02/10/17
A631 Rev B - Proposed Stair Section B-B & C-C, as received 02/10/17

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.

Reason: in the interests of ensuring that the new development appears in keeping with the existing building in accordance with Policy CS7 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy RC5 of the Reading Borough Central Area Action Plan 2009.

Informatives:

1. These works may require separate approval under the Building Regulations. Please contact the Council's Building Control service for further advice on (0118) 937 2449.
2. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but 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.
3. The determination of this planning application required no issues to be resolved subsequent to the validation of the application, so officers have worked positively and proactively to provide a recommendation for approval within the statutory timescale.
4. 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.