

DELEGATED APPLICATION REPORT

Ward: Abbey

App Ref: 240344/FUL

Address: 11-12 Market Place, Reading, RG1 2EG

Proposals: Installation of cycle store and refuse store areas at rear ground floor level

Case Officer: Jonathan Markwell

Applicant: International Mobility Ltd

Date received (valid from): 15 April 2024

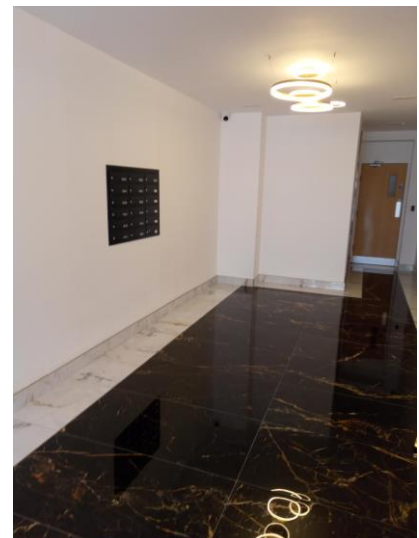
Target Decision date: 10 June 2024

1. INTRODUCTION

- 1.1 The application site comprises 11 – 12 Market Place, which is in use as an Estate Agents at ground floor level with 17 residential flats above. The primary access to the upper floor flats is gained via a front entrance onto Market Place, with secondary access also possible to the rear.



Site location plan indicating that the applicant also owns the neighbouring (listed former Nat West Bank) building to the north, together with photographs showing the front elevation/streetscene (above right), the existing rear waste storage area (below right) and the existing lobby entrance area off Market Place where cycle parking was approved to be located under application 220725, but has not been implemented.



- 1.2 The application site building is not listed, but is located within the Market Place / London Street Conservation Area. Within the Market Place / London Street Conservation Area Appraisal the application site building is NOT identified as a building of townscape merit.

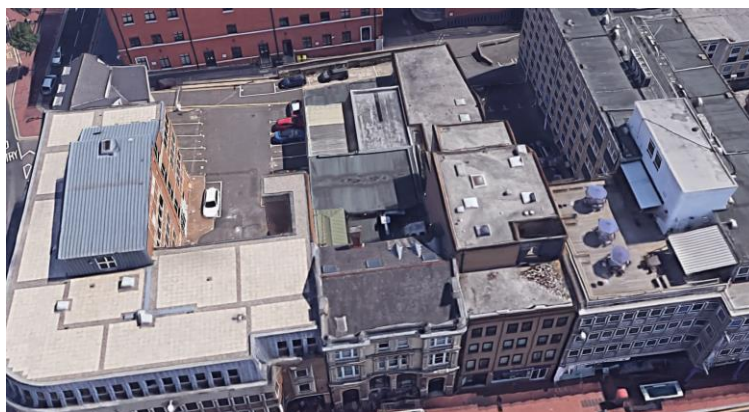
The neighbouring building to the north (former Nat West Bank at 13-16 Market Place) is Grade II listed, and the site location plan indicates this is under the ownership of the applicant too, although it does not form part of this proposal. Market Place is specified as a significant open space in the Appraisal and there are specified important views from the south looking north / north-west through Market Place. There are a variety of listed buildings / structures surrounding Market Place, including opposite the site to the west. Similar to the host building, the neighbouring (to the south) 9-10, 6-8 and 4-5 Market Place are neither listed buildings nor identified as being of townscape merit. Soane Point (6-8) is presently undergoing redevelopment works for upper floor residential units (behind the shroud on the photograph above).

1.3 The site is within the Central Reading Area, within the following areas:

- Designated primary frontage in Central Reading (Policy CR7)
- Abbey Quarter Area (Policy CR15)
- Within the primary shopping area (Policy CR1)
- Within the office core (Policy CR1)
- Within the central core (Policy CR1)
- Within an area of archaeological potential (Policy EN2)
- Within an air quality management area (Policy EN15)
- Within a smoke control zone

1.4 In addition, the following is also of relevance:

- Market Place is part of the classified highway network (Policy TR3)
- Market Place is part of a cycle route (Policy TR4)
- Land directly to the south of the site is allocated in the Local Plan under Policy CR14e (3-10 Market Place, Abbey Hall and Abbey Square), for retail and related uses at ground floor and residential/offices on the upper floors, designed to enhance the conservation area and possibly provide a pedestrian link between Market Place and Forbury Square / Abbey Square, rear servicing and preservation of historic building line.



Aerial view looking east (from Google maps – prior to recent applications)

2. PROPOSAL AND SUPPORTING INFORMATION

2.1 The proposed development seeks planning permission for the installation of cycle store and refuse store areas at rear ground floor level. Permission is sought on a standalone basis, separate from previous permissions at the site where separate arrangements were approved, but have not been implemented in accordance with the separately/previously approved details.

- 2.2 As means of context, the application site building has been subject to a series of separate applications in the recent past, including two separate prior notification applications for conversion to residential and two permissions for extensions/alterations to the upper most floor (see relevant history below). In practice, the prior notification application for 17 residential units has been implemented (Ref 211811), together with roof level works approved under application 220725 (see relevant history below). That permission included 17 cycle parking spaces in the lobby area accessed off Market Place, together with bin storage to the rear. That permission included the two following compliance conditions:

7. No residential unit hereby permitted shall not be occupied until the bicycle parking facility has been provided in accordance with the plans hereby approved. The facility shall be kept available for bicycle parking at all times thereafter.

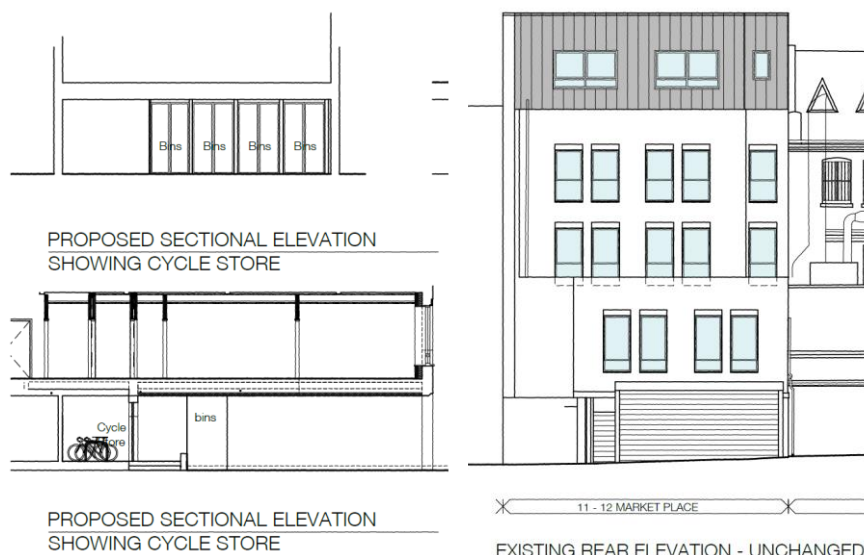
REASON: To encourage travel by sustainable alternatives to driving a motorcar in accordance with Policies TR1 and TR5 of the Reading Borough Local Plan 2019.

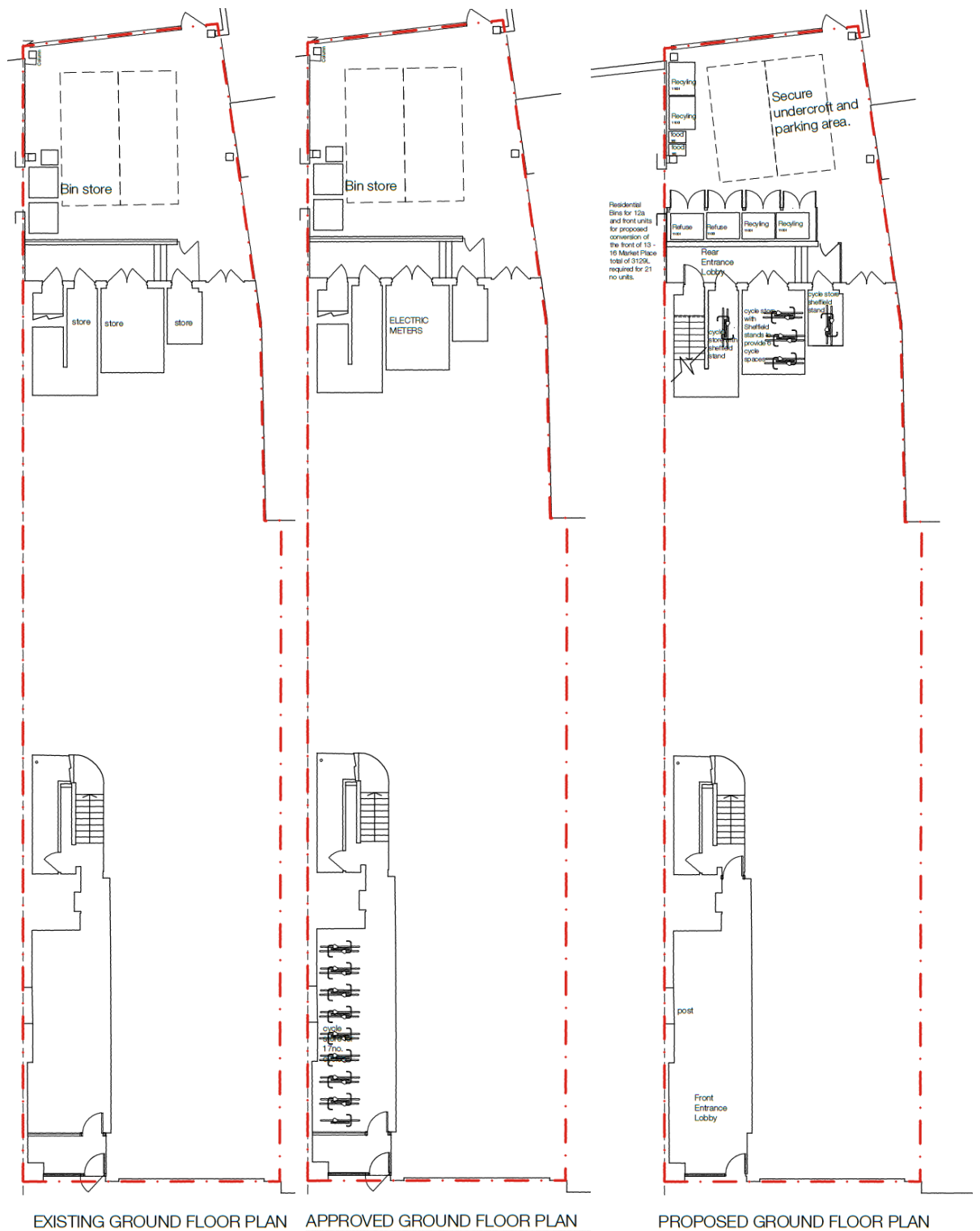
8. No residential unit hereby permitted shall not be occupied until the refuse and recycling storage facility has been provided fully in accordance with those details shown on the approved plans and thereafter retained for use by occupiers of the building at all times.

REASON: In the interests of the visual amenity of the area and to ensure that bins can be easily accessed when required in accordance with Policy CC7 of the Reading Local Plan 2019.

- 2.3 An officer site visit as part of separate application 230626/230627 at the neighbouring site (also owned by the applicant – see relevant history below) established that the fourth floor residential units approved by 220725 and the prior approval for residential uses of the other upper floors had been implemented, but no cycle parking had been provided and the bin storage facilities deviated from the approved plans, meaning these two compliance conditions had not been adhered to. Accordingly, this separate application is therefore made to seek to regularise this situation, without the need for this matter to be investigated by the Planning Enforcement team. Furthermore, as part of the current neighbouring application, it is proposed for the bin storage associated with the four residential units located off the Market Place frontage to include their bin storage facilities at the rear of No's 11-12, tied in with access being via the 11-12 Market Place lobby (created through a linkage off the current stair at No' 11-12). The application has been considered on this basis, without this implicating the consideration or determination of the application at the neighbouring site.

- 2.4 During the course of the application both the cycle parking and refuse store provisions have been amended following officer feedback. These changes were not considered to be of a nature which warranted formal re-consultation on the application.





2.5 Plans and information considered:

21/28/58 – Site Location Plan

21/28/57 – Block Plan

Relocated Cycle Store Design and Access Statement by Danks Badnell Architects Ltd,
dated March 2024

As received 18/03/2024

21/28/59A – Proposed cycle and bins

As received 08/05/2024

- 2.6 In terms of CIL, the completed CIL form confirms that no new residential units are created through these specific proposals, or floorspace added. Accordingly, the proposals will not be CIL liable.

3. RELEVANT PLANNING HISTORY

- 3.1 **Application site** – there were a number of applications in the 1980's and 1990's at the site, but none are particularly relevant to the current proposals, whereas the following more recent history is considered to be relevant:
- 3.2 211312 - Change of use from Class E (1)(offices) to C3 (dwelling houses) to comprise 14 Apartments. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Approved 05/10/2021. Not implemented.
- 3.3 211811 - Change of use of 1st to 4th floors from Class E (offices) to C3 (dwelling houses) to comprise 17 1-bed apartments. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Approved 15/02/2022. Implemented.
- 3.4 211808/FUL - Front and rear extensions (Class E office space) at fourth floor level, replacement and enlarged upper floor windows on north (side), east (rear) and west (front) elevations, new upper floor windows on south (side) elevation and replacement rooflights above the first floor (rear) level (amended description). Granted 01/04/2022.
- 3.5 220599/NMA - Non material amendments to planning permission 211808 (granted on 1/4/22 for 4th floor extensions and associated works) to alter the timing for submission of details in relation to condition 4 (BREEAM). Agreed 06/05/2022.
- 3.6 220600/APPCON - Discharge of condition 7 (Construction Method Statement) of planning permission 211808. Condition discharged 09/06/2022.
- 3.7 220725/FUL - Demolition of existing fourth floor (Class E) and erection of replacement fourth floor for 2 residential units (Class C3) and associated works. Granted following completion of s106 legal agreement on 20/10/2022.
- 3.8 221043/APPCON - Discharge of condition 4 (Interim BREEAM Certificate) of planning permission 211808 (wording amended by 220599/NMA). Withdrawn 19/12/2022.
- 3.9 221574/APPCON - Application for approval of details reserved by conditions 6 (Method Statement) and 11 (Habitat Enhancement) of Application 220725. Discharged 12/12/2022.
- 3.10 221864 - Discharge of conditions 4 (dwelling emission rates) and 9 (postal addresses) of planning permission 220725, as granted 20/10/2022 (sought retrospectively). Discharged 10/01/2023.

Nearby sites

13-16 Market Place (neighbouring site to the north)

- 3.11 211664/FUL - Demolition of existing ground and first floor additions and erection of a replacement rear extension at basement and ground floor level and associated works, all associated with Class E use (amended description). Granted 27/06/2022.

- 3.12 211665/LBC - Various internal and external works associated with the demolition of existing ground and first floor additions and erection of a replacement rear extension at basement and ground floor level and associated works (amended description). Granted 27/06/2022.
- 3.13 230626/FUL - Change of use of upper floors of No's 13-16 Market Place to 4 residential units and erection of 2-storey extension creating access from No's 11-12 Market Place. Demolition of existing rear additions and erection of a 4/5-storey building to create 11 residential units accessed from the rear, with Class E use at basement and ground floor and various associated works. Current application under consideration.
- 3.14 230627/LBC - Various internal and external works associated with the change of use of upper floors of No's 13-16 Market Place to 4 residential units and erection of 2-storey extension creating access from No's 11-12 Market Place. Demolition of existing rear additions and erection of a 4/5- storey building to create 11 residential units accessed from the rear, with Class E use at basement and ground floor. Current application under consideration.

6-8 Market Place (neighbouring site to the south)

- 3.15 210478 - Change of use of part of the ground floor, part basement, and upper floors from office use Class B1(a) to C3, 144 studio apartments. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Refused 13/05/2021. Allowed on Appeal (Ref APP/E0345/W/21/3284108) on 25/05/2022.
- 3.16 211261/OPA - Change of use of Soane Point from Class B1(a) (offices) to C3 (dwelling houses) to comprise 93 Dwellings. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Prior Approval given 22/09/2021.
- 3.17 221446/FUL – External works to existing building, including partial replacement of the existing facades fronting Market Place and Abbey Square alongside other external works to the building, set back single-storey extension above part of block fronting Market Place, part two part three storey extensions above other blocks, and conversion and alterations to ground floor reception and car parking area, together the works will deliver 38 new homes and (internal and external) residential amenity areas with associated car parking. Granted following completion of legal agreement 03/08/2023.

4. CONSULTATIONS

- 4.1 **Public consultation** – Two site notices (one on Market Place and one to the rear of the site) were erected on 19/04/2024, expiring on 10/05/2024. A press notice was published on 25/04/2024, expiring on 16/05/2024. No responses were received.
- 4.2 **Local Groups** – Reading CAAC was formally consulted. No response was received.
- 4.3 **Internal consultation** - RBC Transport: The original proposal for vertical cycle stands to be provided as part of the provision was not supported as they offer limited security and can result in damage to wheel rims. The amended proposal to provide solely Sheffield stands is supported. The spacing requirements are correct and appropriate. The approved ground floor plan for application 220725 provided 17 cycle parking spaces (8.5 stands) in relation to No's 11-12 but this was an over provision in policy terms (where the minimum requirement of 0.5 spaces per unit, based on the adopted Parking SPD). Ideally, the same provision to be provided as approved under 220725, but as a minimum RBC Transport need to ensure that 10 quality cycle storage spaces are provided and available for use. The revised plans submitted during the application demonstrate this and a reduced provision can be accepted as they will provide better security for cyclists and the level of provision is compliant with the SPD.

4.4 RBC Waste Services: Initial concerns were raised in respect of the originally proposed bin layout not being big enough to accommodate a suitable number of bins (for 21 residential units – 17 at the application site and 4 at the 13-16, should permission be granted for those separate proposals) required, which is as follows:

- 2-3 x 1100L general waste bins
- 4-5 x 1100L recycling bins
- 2 x 180L food waste bins

4.5 However, it was noted that the current provision of bins at the site (based on an unaccompanied officer site visit on 19/04/2024 – see photograph at paragraph 1.1 above), indicated a greater provision of bins than shown on the submitted plans. Furthermore, concerns were raised in respect of collection arrangements, with this not being possible by RBC Waste Services (from the rear of 11-12 Market Place) as the bins would fall outside of the 10m pulling distance, as the lorry can't reverse down the slope to where they are stored – particularly if there are cars parked in the existing spaces there. The bins would need to be pulled up the top in line with 19 Market Place and officers would ask to see a written refuse strategy confirming how this will happen. Officers would need to confirm who will be presenting the bins for collection, and returning them to the bin store. Also, where exactly will they be presented and left? The crew would return the bins to where they are presented as the designated collection point. Where the large communal bins need to be presented, officers usually expect that there is a maintenance or property manager in place to ensure that this happens each week. There may also be issues if there are cars parked in the two spaces shown on the plan submitted – residents may find it difficult to get to the bins to dispose of their waste or remove them from the bin stores so they can be emptied.

4.6 Following the submission of revised plans, RBC Waste Services confirmed a suitable number of bins are now proposed and that a waste collection management plan should be secured to be submitted, to establish presentation as the location will fall outside of the 10m pulling distance.

5. Equality Act 2010:

5.1 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.

6. LEGAL AND PLANNING POLICY CONTEXT

6.1 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'.

6.2 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.

6.3 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

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

6.5 **National Policy**

National Planning Policy Framework 2023

National Planning Practice Guidance

6.6 **Reading Borough Local Plan (2019)**

CC1 Presumption in Favour of Sustainable Development

CC2 Sustainable Design and Construction

CC3 Adaption to Climate Change

CC6 Accessibility and the Intensity of Development

CC7 Design and the Public Realm

CC8 Safeguarding Amenity

EN1 Protection and enhancement of the historic environment

EN3 Enhancement of conservation areas

EN6 New Development in a historic context

EN12 Biodiversity and the Green Network

EN16 Pollution and Water Resources

TR3 Access, Traffic and Highway-related matters

TR5 Car and Cycle Parking and Electric Vehicle Charging

CR1 Definition of Central Reading

CR2 Design in Central Reading

CR6 Living in Central Reading

CR14 Other sites for development in Central Reading

CR15 Abbey Quarter Area

6.7 **SPG/SPD & other guidance**

Revised Parking Standards and Design SPD (2011)

Market Place / London Street Conservation Area Appraisal

7. APPRAISAL

7.1 The main considerations relevant to the determination of this application are considered to be:

- Design, including impact on heritage assets
- Quality of accommodation
- Amenity for nearby occupiers
- Transport
- Ecology/biodiversity

7.2 Accordingly, each main consideration is appraised in turn.

Design, including impact on heritage assets

7.3 The proposed works are to an undercroft area to the rear of the site which is not readily visible in the public realm. However, the roller shutters at this point are typically (based on officer site visits) kept up, meaning views into the area are possible. The bin/bike storage arrangements, as proposed, are fairly utilitarian in nature, but are not judged to be harmful to the overall character of the building or the neighbouring listed building / conservation area. Accordingly, the proposals are considered to comply with Policies EN1, EN3 and EN6. Similarly, it is not considered that these proposals, in themselves would compromise the ability of the allocated site to the south (as per Policy CR14) coming forward in the manner anticipated, or impact on the character or function of the Abbey Quarter Area (Policy CR15).

Quality of accommodation

- 7.4 The provision of cycle parking at the site and co-ordinated waste storage/collection will improve the quality of accommodation for current/future occupiers, in comparison with the current (inadequate) arrangements. The current non-provision of cycle parking and unclear refuse arrangements compromise the quality of the existing residential units, so within that context the proposals represent a betterment. It could also be considered that this proposal is merely regularising a presently unacceptable situation. Whilst the reduction from 17 (as previously approved, but not implemented) to 10 cycle spaces is unfortunate, the provision of 10 spaces is still compliant with the Parking SPD, meaning there is no sustainable basis for resisting the proposal on this basis. A condition will ensure these cycle parking spaces are provided within 3 months of this permission (relevant and necessary in this instance owing to the current shortcomings). A similar timescale is provided for the waste storage provisions to be implemented at the site. RBC Waste Services have confirmed agreement to the provisions now shown on the proposed plan, following officer comments at application stage. These arrangements are again for the betterment of residents, both existing and in the future. The exact details of the collection and management of bins has not been specified at this stage. In the circumstances, as per the RBC Waste Services comments above, a waste collection management plan will be secured via condition. These details will be required to be submitted within 3 months of this permission, with the subsequently approved arrangements thereafter being complied with. Subject to these conditions, the proposals are considered appropriate. An informative is recommended to be added to the decision notice reminding the applicant to satisfy these conditions within 3 months, or otherwise RBC Enforcement would be advised to investigate matters in the context of conditions associated with a previous permission not being adhered to.

Amenity impacts on nearby occupiers

- 7.5 Considering privacy and overlooking, outlook, visual dominance, overbearing / sense of enclosure, artificial lighting and day/sunlight considerations first, the proposed works relate to an undercroft area at the rear of the building, so none of the above matters are considered to arise from the proposals. In terms of noise and disturbance, vibrations, smells, crime and safety and dust and fumes, the waste collection management plan, as secured via condition, will ensure that the proposals do not cause a detrimental impact on the living environment of existing/future nearby occupiers in these regards. With this condition secured the proposals are considered to comply with Policy CC8.

Transport

- 7.6 RBC Transport, as per section 4 above, are content with the proposed cycle parking arrangements, following revisions during the course of the application and subject to a condition for the cycle parking to be implemented within 3 months, unlike the situation which disappointingly occurred following permission 220725 at the site.

Ecology / biodiversity

- 7.7 No biodiversity net gain (BNG) based information is required with this application, given it was received prior to the 2nd April 2024 introduction of the mandatory BNG requirements. Notwithstanding this, the site has a nil biodiversity rating at present (no provisions), meaning even had BNG been applied, it would not be applicable in this instance.

7 CONCLUSION

- 7.1 The proposed development has been assessed and the proposed works are considered to be in accordance with the above relevant policies and planning permission can be granted, subject to conditions.

8 RECOMMENDATION

- 8.1 Grant planning permission subject to conditions:

Conditions

1.

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

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) in order to prevent an accumulation of unimplemented planning permissions.

2.

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

21/28/59A – Proposed cycle and bins
As received 08/05/2024

Reason: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

3.

Within 3 months of the date of this permission hereby approved, the bicycle parking facility for the building (5 Sheffield stands) shall be provided in accordance with approved plan 21/28/59A – Proposed cycle and bins, as received 08/05/2024. The facility shall be kept available for bicycle parking at all times thereafter.

Reason: To encourage travel by sustainable alternatives to driving a motorcar in accordance with Policies TR1 and TR5 of the Reading Local Plan 2019.

4.

Within 3 months of the date of this permission hereby approved, the waste storage facility for the building (2 x 1100L general waste bins, 4 x 1100L recycling bins and 2 x 180L food waste bins) shall be provided in accordance with approved plan 21/28/59A – Proposed cycle and bins, as received 08/05/2024. The facility shall be kept available for waste storage at all times thereafter.

Reason: In the interests of general amenity, to ensure convenience of arrangements for refuse and recycling storage, in accordance with Policies CC7 and CR6 of the Reading Borough Local Plan 2019.

5.

Within 3 months of the date of this permission hereby approved, details of how refuse and recycling collections (for a) the residential units; b) any commercial unit will be managed from the site (including vehicles, servicing and deliveries), shall be submitted to the Local Planning Authority for consideration and approval. Thereafter the approved in writing by the Local Planning Authority refuse collection, servicing and deliveries will be carried out fully in accordance with the approved details.

Reason: In the interests of general amenity, to ensure convenience of arrangements for refuse and recycling storage and collection and to ensure that no obstruction is caused on the adjoining

highway, in the interest of highway safety and in accordance with Policies CC7, TR3 and CR6 of the Reading Borough Local Plan 2019.

Informatives

IF1 Positive and Proactive Working - approval

The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the agreed extended timescale for the decision to be issued.

IF3 Highways

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.

IF5 Terms

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.

IF7 Complaints about construction

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.

IF8 Encroachment

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

I11 Community Infrastructure Levy (CIL)

The Council introduced the Community Infrastructure Levy (CIL) on 1st April 2015. CIL is a way of securing financial contributions towards infrastructure from new development, and partially replaces the Section 106 planning obligation regime. It is a set charge per sq m of floorspace for different uses, and, unlike Section 106, it is non-negotiable. It applies to developments which result in at least one dwelling; where the space has not been in lawful use for 6 months within the last 3 years or 100 sq m of new floorspace. For this approved development the CIL status is NOT APPLICABLE. If chargeable you will be sent a CIL Liability Notice with the calculated amount soon. CIL becomes payable on commencement of the development or by instalments.

For more information go to:

http://www.reading.gov.uk/media/2791/Community-Infrastructure-Levy-Advice-to-Applicants/pdf/CIL_Advice_to_Applicants.pdf

Warning of enforcement if cycle and waste storage not carried out within 3 months of this permission

The applicant is advised, as per compliance-worded conditions 3 and 4 above, to implement and install the cycle and waste storage facilities, as per the approved plan, within 3 months of this permission. Furthermore, a waste collection management plan shall also be submitted within 3 months (as per condition 5), with view to this subsequently being approved and carried out in accordance with the details approved. If this approach is not followed and undertaken, these matters shall be passed onto RBC Planning Enforcement to investigate, in the context of at least condition 7 of planning permission 220725 having not been complied with.