

DELEGATED APPLICATION REPORT

SITE ADDRESS: Alexander House 205-207 Kings Road Reading RG1 4LS

APPLICATION NUMBER: PL/24/0791

PROPOSAL: Variation of condition 1 (Use not to commence until roof and elevation works associated with Ref: 210885 have been completed) of prior approval Ref: 210906 (as allowed on appeal on 22/11/2022 for Change of use from office use Class B1a to residential use Class C3 to create 13 new residential dwellings) to amend the wording to reflect that updated plans have since been approved to Ref: 210885 by Ref: 231792.

DETERMINATION DATE: An extension of time for the determination of the application has been agreed with the planning agent until 30/08/2024

1. Site Description and Surrounding Area

1.1 The application site comprises a previously basement and 2-storey, but with permission for basement and 4-storey former office building located on the junction of Kings Road and Rupert Street to the east of Reading town centre. The building is under renovation/extension at the time of this application, based on the unaccompanied officer site visit on 02/05/2024 (see figures 1 & 2). Based on figure 2 it appeared that works at pre-existing roof level had commenced (see figure 2), suggesting that permission 210885 has commenced. This application will be considered and assessed on that basis. The pre-existing building was constructed in the early 1990s as part of a wider development which also included the residential units of Saxon Court to the north on the junction of Rupert Street and Norwood Road. The building is 'L' shaped, fronting onto both Kings Road and Rupert Street, with vehicular access from the latter to a basement car park.



Fig 1: Alexander House from the junction of Kings Rd & Rupert St (left: 9/5/22; right: 2/5/24)



Fig 2: The rear of the site, from Norwood Road, looking south (left: 9/5/2022; right 2/5/24).

1.2 This application site is within Park ward, although the boundary with Thames ward is Rupert Street and the boundary with Redlands ward is Kings Road. The site is also within an air quality management area. Kings Road is a major transport corridor into and out of Reading and is also designated as a 'treed corridor' in the adopted 2021 adopted Borough Tree Strategy.

1.3 The site is not within a conservation area, although it is relatively close to three. The nearest conservation areas are Alexandra Road (170m to the south), Eldon Square (220m to the west) and South Park (260m to the south-east). The application site is located outside of the designated Reading Central Area (the boundary being the grounds of Reading College 80m to the west) and outside the designated Cemetery Junction District Centre (the boundary being the former Arthur Hill Pool, 75m to the east). The application site does not include any designated heritage assets, although the following are within the vicinity of the site:

- 149 London Road – Gladstone Club, Grade II listed building 30m to south-east of the application site;
- Wycliffe Baptist Church (233 Kings Road) Grade II listed building 110m to the east of the application site
- Entrance Lodges and Gates to Reading Cemetery (London Road) Grade II listed 240m to the east of the application site
- Reading Cemetery Grade II listed park and garden, 250m to the east of the application site

1.4 The surrounding area comprises a mix of uses, predominantly residential, with office and retail/related uses in the wider immediate area. Both neighbouring buildings on the Kings Road frontage are in residential use, comprising The Pinnacle (approved in 2001) and Crossway Point (approved in 2003). Both are up to seven storeys in height. On Rupert Street, the neighbouring Saxon Court residential block is three storeys in height, typical of the more domestic scale in the area to the north of the site.

2. Background

2.1 Part 1: The ground and first floor of the building (minus a small area on each floor without windows marked as storage) benefits from a permitted change under Class O of use to 22 residential units under 210536/OPA in June 2021. A separate prior approval under Class MA for 22 flats under 230400/EPA was issued in May 2023. Owing to the shroud wrapped around the building, it was unclear at the time of the officer's unaccompanied site visit on 21/03/2024, whether these works had been implemented, but the 2023 prior approval means the owner has until 17/05/2026 to complete the works (condition 1 of 230400).

2.2 Part 2: Separate full planning permission was obtained under 210885/FUL for physical external works to the building. Namely, building up the existing first floor walls to provide vertical walls for a new second floor (roof level) thereby creating 203 sqm of additional usable floorspace within the building. The application also included the introduction of additional windows on the existing first and second floor (roof level) façade and additional balconies to serve internal 'storage' space not provided for by external windows. A section 73 permission was granted on 04/06/2024 to 210885/FUL to alter windows and doors on all floors and elevations, provide brick banding detailing at the newly created floor level, increase the width of the addition on the northern elevation, make amendments to the height of the building and other associated works (Ref 231792/VARIAT). Accordingly, condition 2 (approved plans) was reworded on the 231792/VARIAT decision notice to reflect the updated plans.

2.3 Part 3: Planning permission was granted following the completion of a s106 legal agreement on 10/11/2022 for a roof addition to add a further storey of accommodation, comprising 8 residential units (ref 210902). Owing to the shroud wrapped around the building, it was unclear at the time of the officer's unaccompanied site visit on 21/03/2024, whether this had been implemented, but it could be until 10/11/2025. As part of a separate s73 application (ref 231801 – see relevant history below) the agent for that application confirmed on 02/04/2024 that permission 210902 had not been implemented at that time. A section 73 permission was granted on 23/05/2024 to alter windows and doors on all floors and elevations, provide brick banding detailing below the new floor, remove the permitted roof terrace, provide 9 air source heat pumps and 2 opening vents at roof level, revise the escape staircase, amend the height of the building and various other associated works (Ref 231801/VARIAT).

2.4 Part 4: On 22/11/2022 prior approval was allowed on appeal under Class O (Reference 210906/OPA) for a change the use of the roof level and those parts marked as 'storage' within the ground and first floor from office to residential comprising 13 residential units (11 within the roofspace of the building – as per the part 2 works - and a further 2 units on Ground and 1st Floor. Owing to the shroud wrapped around the building, it was unclear at the time of the officer's unaccompanied site visit on 21/03/2024, whether these works had been implemented, but the 2022 allowed on appeal prior approval means the owner has until 22/11/2025 to complete the works (as per paragraph 23 of the appeal decision). This application seeks to vary condition 1 of this allowed on appeal prior approval.

2.5 Accordingly, permissions are in place for 24 units at ground and first floor level (22 under 210536 or 230400, with 2 included as part of 210906), 11 units at second floor level (through 210885 [varied by 231792] and 210906 and 8 units within the roofspace (through 210902 [varied by 231801]). Accordingly, with all approvals in place a total of 43 dwellings are possible at the site.

3. Proposal

3.1 This section 73 application seeks to vary condition 1 (Use not to commence until roof and elevation works associated with Ref: 210885 have been completed) of prior approval Ref: 210906 (as allowed on appeal on 22/11/2022 for Change of use from office use Class B1a to residential use Class C3 to create 13 new residential dwellings).

3.2 In its simplest terms, the proposal merely seeks to amend the wording to reflect that updated plans have since been approved to Ref: 210885 by Ref: 231792, with the applicant explaining:

3.3. The implementation of this prior approval is subject to the completion of operation development contained within external works application no. 210885 to create the window openings through which adequate natural light will be accessed for the new residential dwellings.

3.4. The external works application no. 210885 has recently been amended following the approval of application no. 231792, S73 Minor Material Amendment (MMA) to update the proposed drawings. It now follows that those external works drawings referenced in the prior approval must, in turn, be updated.

3.3 Plans and documents considered

List of plans and documents submitted as part of the application:

Existing Location Plan AHR_PA1 001 Rev 0
Planning Statement by HCH LLP
Application form
As received 19/06/2024

Although the agent originally submitted a series of plans with the application, the agent was advised that these were not intended to be considered by officers, with the application instead being a procedural consideration – linking back to 231792, rather than considering dated plans submitted with this application. The agent therefore withdraw the plans.

4. Relevant Planning History

4.1 87/TP/1249 - Erection of office block with associated car parking and 7 dwellings with associated car parking. Refused outline permission on 15/01/1988. Allowed on appeal 10/11/1989.

4.2 89-01366-REM (891332) - Construction of office building together with associated car park and 7 no. dwellings with associated car parking. Reserved Matters Approved 28/03/1990.

4.3 90-00531-FUL (901103) - Erection of two storey office block with semi-basement car park for 50 cars and two storey block of 7 flats with associated parking. Granted 23/08/1990.

4.4 162057/FUL - Erection of basement and 4 - 7 storey building comprising 56 (30x1, 18x2 & 8x3-bed) residential units (Class C3) with associated parking and landscaping, following demolition of existing basement and 2 storey office building (Class B1a). Granted 17/05/2017. Not implemented.

4.5 190160/FUL - Demolition of existing office building and construction of new 182 bed student accommodation development, over 7 storeys of accommodation plus lower ground floor, together with ancillary landscaping, parking. Refused 19/07/2019. Dismissed at Appeal [Ref APP/E0345/W/19/3242252] on 19/11/2020.

4.6 210536/OPA - Change of use from office use Class B1(a) to use Class C3 to comprise 22 residential units. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Granted 25/06/2021. Referenced at section 2 above as 'part 1'.

4.7 210885/FUL - Roof alterations and external elevation works. Granted 24/08/2021. Referenced at section 2 above as 'part 2'.

4.8 210906/OPA - Change of use from office use Class B1a to residential use Class C3 to create 13 new residential dwellings. These are created 11 within the roofspace of the building and a further 2 units on Ground and 1st Floor. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Refused 28/07/2021. Appeal APP/E0345/W/22/3291549 allowed on 22/11/2022. Referenced at section 2 above as 'part 4'.

4.9 210902/FUL - Construction of new residential floor above existing roof level to create new residential use Class C3 to comprise 8 residential units. Granted following completion of s106 legal agreement on 10/11/2022. Referenced at section 2 above as 'part 3'.

4.10 230400/EPA - Change of use from Class E (offices) to C3 (dwelling houses) to comprise 22 Flats. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Granted 17/05/2023. Referenced at section 2 above as 'part 1'.

4.11 231801/VARIAT - Variation of condition 2 (approved plans) of planning permission 210902 (granted on 10/11/2022 for construction of new residential floor above existing roof level to create new residential use Class C3 to comprise 8 residential units) to alter windows and doors on all floors and elevations, provide brick banding detailing below the new floor, removal of the permitted roof terrace, provision of 9 air source heat pumps and 2 opening vents at roof level, revised escape staircase, amendments to the height of the building and various other associated works. Granted 23/05/2024.

4.12 231792/VARIAT- Variation of condition 2 (approved plans) of planning permission 210885 (granted on 24/08/2021 for roof alterations and external elevation works) to alter windows and doors on all floors and elevations, provide brick banding detailing at the newly created floor level, increase in width of the addition on the northern elevation, amendments to the height of the building and associated works. Granted 04/06/2024.

5. CONSULTATION AND PUBLICITY

5.1 No internal or external consultations were considered to be required in this instance.

5.5 Public Consultation – 3 site notices were erected on 23/07/2024, expiring on 13/08/2024. A press notice was published on 01/08/2024, expiring on 22/08/2024. No letters of representation have been received.

6. Equality Act 2010:

6.1 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.

7. Relevant Planning Policy and Guidance

7.1 The application is seeking to vary a condition associated with an allowed on appeal prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 application. It is therefore considered within the context of the GPDO and the NPPF more widely, rather than explicit policies of the Reading Borough Local Plan.

8. APPRAISAL

8.1 In short, this application is a by-product of earlier permissions at the site (see relevant history and background sections above). A number of the separate permissions have subsequently been altered, with the implications of those overlapping with the terms of this approval and therefore requiring the wording of the condition in this instance to be varied too. Accordingly, this is solely a procedural matter, rather than one where the merits of the proposals require assessment, as this has already taken place and judged to be acceptable. In essence, this application helps ties everything together to enable all separate parts of the various permitted works at the site to come together.

8.2 More specifically, in allowing the appeal the Inspector stated:

24. It is necessary to attach a condition requiring that the use granted under this prior approval shall not commence until the operational development approved under planning permission 210885 is complete and thereafter retained. This is to ensure that all habitable rooms are provided with adequate natural light to accord with the requirements of Part O. I am satisfied that such a condition is relevant to the development to be permitted, suitably precise, and would meet all six tests of conditions that are outlined at Paragraph 56 of the Framework.

8.3 Consequently, condition 1 specified:

- 1) The use as residential apartments (Class C3) shall not commence until the roof alterations and external elevation works have been completed in accordance with the terms and conditions of planning permission 210885 (Dated 24 August 2021) including the relevant approved plans:

AHR_PA1 001 (received by the Council on 28 May 2021)

AHR_PA1 101 (received by the Council on 28 May 2021)

AHR_PA1 102 (received by the Council on 28 May 2021)

AHR_PA1 104 Rev A (received by the Council on 19 August 2021)

AHR_PA1 105 (received by the Council on 28 May 2021)

AHR_PA1 106 (received by the Council on 28 May 2021)

AHR_PA1 107 (received by the Council on 28 May 2021)

AHR_PA1 108 (received by the Council on 28 May 2021)

The separately approved works shall be retained and maintained as such thereafter.

8.4 Application 231792 varied the approved plans associated with 210885, as follows (see condition 2 below):

Application At: Alexander House 205-207 Kings Road Reading RG1 4LS

Application No: 231792

Application type: Variation of Condition

CONDITIONS & REASONS

1. Condition 1 of the original planning permission (3 years for implementation) is no longer relevant, as based on an unaccompanied officer site visit on 02/05/2024 it appeared that works to implement the permission had already commenced.

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

AHR_PA1 001 Existing Location Plan received on 28 May 2021

AHR_PA1 101 Proposed Location Plan received on 28 May 2021

AHR_PA1 102 Proposed Site Plan received on 28 May 2021

2022 258 208 Proposed Section AA BB

As received 11/12/2023

2022-258-311 PD Ground & First Floor Plan

2022-211 Rev A External Window & Door Types Elevations 2 of 4

2022-211 Rev A External Window & Door Type Elevations 4 of 4

2022-212 Rev A External Window & Door Type Elevation 3 of 4

As received 23/02/2024

2022-258-312 Prior App & Loft Floor Plan

2022 258 205 Proposed Roof Plan

2022-258-206 Proposed Elevation A & B

As received 19/04/2024

2022-258-207 Proposed Elevation C & D

As received 25/04/2024

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.

- 8.5 With the above in mind, the applicant is now seeking to for condition 1 of 210906 (as allowed on appeal on 22/11/2022) to be worded as follows:

3.6. The proposed revised wording is as follows:

"1. The use as residential apartments (Class C3) shall not commence until the roof alterations and external elevation works have been completed in accordance with the terms and conditions of planning permission **231792 (Dated 4 June 2024)** including the relevant approved plans:

AHR_PA1 001 (received by the Council on 28 May 2021)
AHR_PA1 101 (received by the Council on 28 May 2021)
AHR_PA1 102 (received by the Council on 28 May 2021)
2022 258 208 Proposed Section AA BB
As received 11/12/2023
2022-258-311 PD Ground & First Floor Plan
2022-211 Rev A External Window & Door Types Elevations 2 of 4
2022-211 Rev A External Window & Door Type Elevations 4 of 4
2022-212 Rev A External Window & Door Type Elevation 3 of 4
As received 23/02/2024
2022-258-312 Prior App & Loft Floor Plan
2022 258 205 Proposed Roof Plan
2022-258-206 Proposed Elevation A & B
As received 19/04/2024
2022-258-207 Proposed Elevation C & D
As received 25/04/2024"

8.6 In addition, on 23/07/2024 the agent confirmed via email a request for the condition to also state beneath the listed plans the following wording:

The separately approved works shall be retained and maintained as such thereafter

8.7 This is as per the wording at the time of 210906, as stated by the Inspector.

8.8 The proposed wording therefore updates the plans currently referenced on 210906, to reflect that those originally referenced on 210885 have subsequently been updated by 231792.

8.9 Officers raise no concerns with the approach taken and therefore consider that the condition can be updated accordingly. This changes can be considered as a s73 proposal and, moreover, in itself and in the context of the original approval is considered to be acceptable, subject to this replacement condition:

Condition:

VARIED CONDITION 1:

The use as residential apartments (Class C3) shall not commence until the roof alterations and external elevation works have been completed in accordance with the terms and conditions of planning permission 231792 (Dated 4 June 2024, which varied permission 210885 Dated 24 August 2021) including the relevant approved plans:

AHR_PA1 001 Existing Location Plan received on 28 May 2021

AHR_PA1 101 Proposed Location Plan received on 28 May 2021
AHR_PA1 102 Proposed Site Plan received on 28 May 2021

2022 258 208 Proposed Section AA BB
As received 11/12/2023

2022-258-311 PD Ground & First Floor Plan
2022-211 Rev A External Window & Door Types Elevations 2 of 4
2022-211 Rev A External Window & Door Type Elevations 4 of 4
2022-212 Rev A External Window & Door Type Elevation 3 of 4
As received 23/02/2024

2022-258-312 Prior App & Loft Floor Plan
2022 258 205 Proposed Roof Plan
2022-258-206 Proposed Elevation A & B
As received 19/04/2024

2022-258-207 Proposed Elevation C & D
As received 25/04/2024

The separately approved works shall be retained and maintained as such thereafter.

Informatives

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