

ADDENDUM to Planning, Design and Access Statement 10 Gun Street, Reading, Berkshire, RG1 2JR

Proposed partial change of use from offices (Class E) to Sui Generis to provide an expansion to existing entertainment venue at 9 Gun Street (Purple Turtle) with erection of rear extensions. Detached 3-storey ancillary building to rear boundary with yard over Holy Brook. Internal alterations.

Job No: 22/L/022

Client: PDR Ltd

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(Public Benefits)

1. Introduction

- 1.1 This Addendum Statement is intended to support the original Planning Statement submitted with Applications 230107 and 230108 submitted to Reading Council in March 2023. These relate to applications for planning permission and listed building consent respectively and remain pending.
- 1.2 Since submission, the applicants have sought to liaise with officers of the Local Planning Authority and other stakeholders to address outstanding matters. Unfortunately, a number of responses have taken many months to be returned to officers. However, following a recent meeting with officers, the applicant is confident that the provision of additional information in this document and elsewhere, can reassure officers and allow them to recommend that the applications be approved.
- 1.3 During the meeting with officers, matter of heritage impact and the culvert over Holy Brook were raised and discussed. It was agreed that the applicants would provide the following additional information:
- A Conservation Plan document from Richard Massey (Ridgeway Heritage Consultancy) which identifies features of 10 Gun Street, assesses their condition and proposed 'conservation measures' where appropriate;
 - Additional section drawing and illustration to better show the impact of the proposal upon the rear elevation of the original building; and
 - This Addendum statement which will focus on demonstrating why the proposal complies with Policy EN11 of the Local Plan in respect of the proposal's impact on the Holy Brook culvert and which addresses the Environment Agency's objection. It also seeks to reiterate the 'public benefits' of the proposal. These are important if the Local Planning Authority considers that there would still be some residual harm to the heritage asset.

1.4 The first two of the above list are provided separately to this statement.

2. Background to Policy EN11 matter

2.1 Whilst the applicant had set out in the original Planning Statement why it was considered the proposal complies with the above policy, this did not prevent the Environment Agency from objection to the proposal – as it had done to previously approved applications.

2.2 Policy EN11 is concerned with all water spaces within Reading. It reads as follows:

'EN11: WATERSPACES

Reading's waterspaces will be protected and enhanced, so that they can continue to contribute to local and regional biodiversity and ecology, flood mitigation, local character, heritage and visual amenity, the provision of accessible leisure and recreational opportunities and, where appropriate, navigation. There will be no adverse impact on the functions and setting of any watercourse and its associated corridor.

Where development in the vicinity of watercourses is acceptable, it will:-

- Provide appropriate, attractive uses and buildings that enhance the relationship of buildings, spaces and routes to the watercourse, including through creating or enhancing views of the watercourse, and create a high quality public realm;*
- Make positive contributions to the distinct character, appearance, historic significance, landscape and amenity of the watercourses;*
- Provide a strengthened role for watercourses as important landscape features, wildlife corridors, historic features and recreation opportunities;*
- Wherever practical and consistent with its biodiversity role, provide good, level access to and along the waterside for all those who want to use it;*

- *Be set at least ten metres back from the watercourse wherever practicable and appropriate to protect its biodiversity significance;*
- *Improve the quality of watercourse environment through protecting and enhancing habitats and ensuring that habitat creation is balanced with access and urban uses; and*
- *Pursue opportunities for deculverting of watercourses.'*

2.3 The supporting text (not the policy itself) goes on to state the following:

'Development should seek to increase the prominence of the Holy Brook, and open up the brook for public access, as well as consider any opportunities for de-culverting it, which will provide ecological and potentially flood risk benefits.'

2.4 This is not a new matter in relation to development proposals at 10 Gun Street – and there is an extensive planning history. Indeed, Applications 191243/FUL & 191244/LBC proposed the retention of the yard/hardstanding previously. The officers delegated report for these applications confirmed that the Local Planning Authority had sought confirmation from the applicant that they had *'pursue(d) opportunities for deculverting of watercourses'* and ultimately recommended approval for the applications.

2.5 This is an extract from that Delegated Report (Ref: 191243/FUL):

'Currently the section of the Holy Brook running through the site is entirely culverted and covered over with hardstanding and therefore not visible from within the site. Whether in its current permitted use as B1 Office or proposed A3 use, there is no restriction on the land above the water course being used in connection with main use of the building, as it can be at present. It should also be noted, the current culverted section of the watercourse running through the site also provide no biodiversity value in its current state.... The previous planning consent to de-culvert section of the Holy Brook through the site has now expired, and whilst useful in understanding the principle and desirability of de-culverting works (which would be wholeheartedly supported by all parties), it is a fact that it is nevertheless unable to be implemented

and no longer features as part of this current planning application. The existing condition of the site and the status of previous consents are an important material consideration in assessing any revised proposal.

The Council are unable to withhold planning permission on the basis that a current proposal no longer contains elements that a previous 'more desirable' proposal contained in the past, whether it be environmentally through de-culverting, or economically through the nightclub extension. Every planning application must be considered on their own merits, against the Local Plan and the existing use of the land at the time of the application.

In 'pursuing opportunities' for de-culverting this watercourse, the LPA engaged with the applicant over a significant period of time, sought amendments and additional information to allow de-culverting to occur in the future. In respecting the applicant's decision not to pursue de-culverting, additional options were explored to improve biodiversity on the site given the site's current level of hardstanding (covered in a later section). Therefore, whilst the LPA would of course have preferred de-culverting to be pursued, the tests required by Policy EN11 and EN12 of the Local Plan, namely to 'pursue' and 'consider' any opportunities' for de-culverting, have been adequately discharged.'

2.6 It is important to understand the context and planning history of the site in this regard. Therefore, in addition to understanding that both 2019 applications were approved with the retention of the culvert, earlier applications 151281 and 151282 were also approved and importantly, implemented. It is common ground between the applicant and the Local Planning Authority that these 2015 consents remain extant.

2.7 In response to the submission of the current, pending applications, the Environment Agency wrote to object to both on 27 June 2023. The relevant text is recited below:

'The condition of the Holy Brook which runs through the site has not been assessed, and it is just assumed it has no ecological value due to it being culverted. Rivers can

have value despite being culverted. There is also no reason provided why de-culverting is not being pursued. This goes against Reading Borough Councils' Local Plan policy EN11...

... We require a reason as to why de-culverting has not been investigated or suggested as this goes against local policy'

- 2.8 In response to this, the applicants provided a River Condition Assessment which concluded that whilst there was some potential for Atlantic Salmon or European Eel to pass along the Holy Brook, there was no evidence of the former in local records. It concluded that:

'Due to the heavily urbanised setting of this section of watercourse, its small extent (10m) and lack of realistic opportunities for de-culverting in nearby connection sections of the Holy Brook, it is considered that de-culverting....would have a negligible effect on biodiversity and a disproportionate impact on the proposed redevelopment of the site...'

- 2.9 On 15th March 2024, the EA wrote to the Local Planning Authority to maintain its objection to the applications. It again stated that opportunities to incorporate biodiversity in and around development should be 'encouraged'. It also pointed to the previously approved applications on the site, stating:

'This application involves further development than the previous application, resulting in the proposed rear extension extending closer to the edge of the Holy Brook, the addition of staircases to be located directly over the Holy Brook & the entirety of the land above the culvert to be developed into an open yard. In total this fails to restore the ecological value of the Holy Brook to its original value prior to its culverting and fails to provide the opportunity for de-culverting to take place in the future.

Furthermore, we note that a separate previous application for this site (Reading application reference 091741) of a similar size and scale to this application was approved with conditions, of which condition 11 related to the de-culverting of 5m of

the Holy Brook. We understand that application 091741 was approved in 2009 however due to the similarities in proposals and scale of development we require further justification as to why this cannot be achieved in this application.'

2.10 On 2nd May 2024, the case officer confirmed by email to the applicants' team, that it was considered that the applications did not comply with Policy EN11. The applicant rebutted this assertion by letter on 20th May 2024. The matter was again discussed during a meeting with officers on 25th September 2024. At that meeting it was agreed that JWPC Ltd would set out in an Addendum to the Planning Statement a summary of why it is considered that the proposals comply with Policy E11.

3. Applying the test of Policy EN11

- 3.1 Firstly, it is important to establish that the main test of Policy EN11 is to ensure that *'There will be no adverse impact on the functions and setting of any watercourse and its associated corridor'*. Thus, in simple terms, if a proposal does not have an adverse impact upon the function or setting of a watercourse it will be policy compliant.
- 3.2 This existing part of Holy Brook has been culverted for many years. The Heritage Assessment (Paragraph 4.5) prepared by Richard Massey confirms that the brook was culverted by the time of the 1875 Ordnance Survey Map and built over with a malthouse and saddlery. Following the granting of Applications 151281 and 151282 (and discharge of conditions precedent) the previous rear building on the site was demolished, thus implementing those consents. The rear yard, part of which sits over Holy Brook, has been used on an ad hoc basis since then for storage associated with the Purple Turtle.
- 3.3 The existing watercourse which lies within the application site boundary has been confirmed by the applicants' ecologists to have negligible biodiversity value. The only function of this section of the watercourse is therefore to allow for the movement of water and potentially, Atlantic Salmon and European Eel along its path (although there is no evidence of either species). It currently has no visual amenity value and has not done for at least 150 years.
- 3.4 The applications currently submitted propose the retention of the existing yard area over Holy Brook for uses associated with the Purple Turtle Playhouse. It follows that there will be no adverse impact at all as a result of this development and therefore the proposal complies entirely with Policy EN11.
- 3.5 Whilst the applicants' commend and support the intentions of the Environment Agency, its objection is misplaced. It references both EN11 and NPPF policies. It rightly states that Paragraphs 174 and 180 (of the previous iteration of NPPF) sought to protect and enhance sites of biodiversity (174) and in the case of planning applications specifically, stated that LPA's should seek mitigation or refuse consent... *'if significant harm to biodiversity resulting from a development cannot be avoided'* (180).

3.6 Evidence submitted with this application demonstrates that the biodiversity within the application would not be harmed at all. Indeed, it is submitted that de-culverting would have a negligible effect at best. The proposal complies entirely with Paragraph 174 and 180 of the previous NPPF (now Paragraphs 180 and 186 remain the same in terms of the text) as well as Policy EN11 as discussed above.

3.7 Notwithstanding this very clear illustration of compliance with Policy EN11, it is useful to consider the second part of that policy which states that development within the vicinity of watercourses should (inter alia):

‘Provide appropriate, attractive uses and buildings that enhance the relationship of buildings, spaces and routes to the watercourse, including through creating or enhancing views of the watercourse, and create a high quality public realm;

and

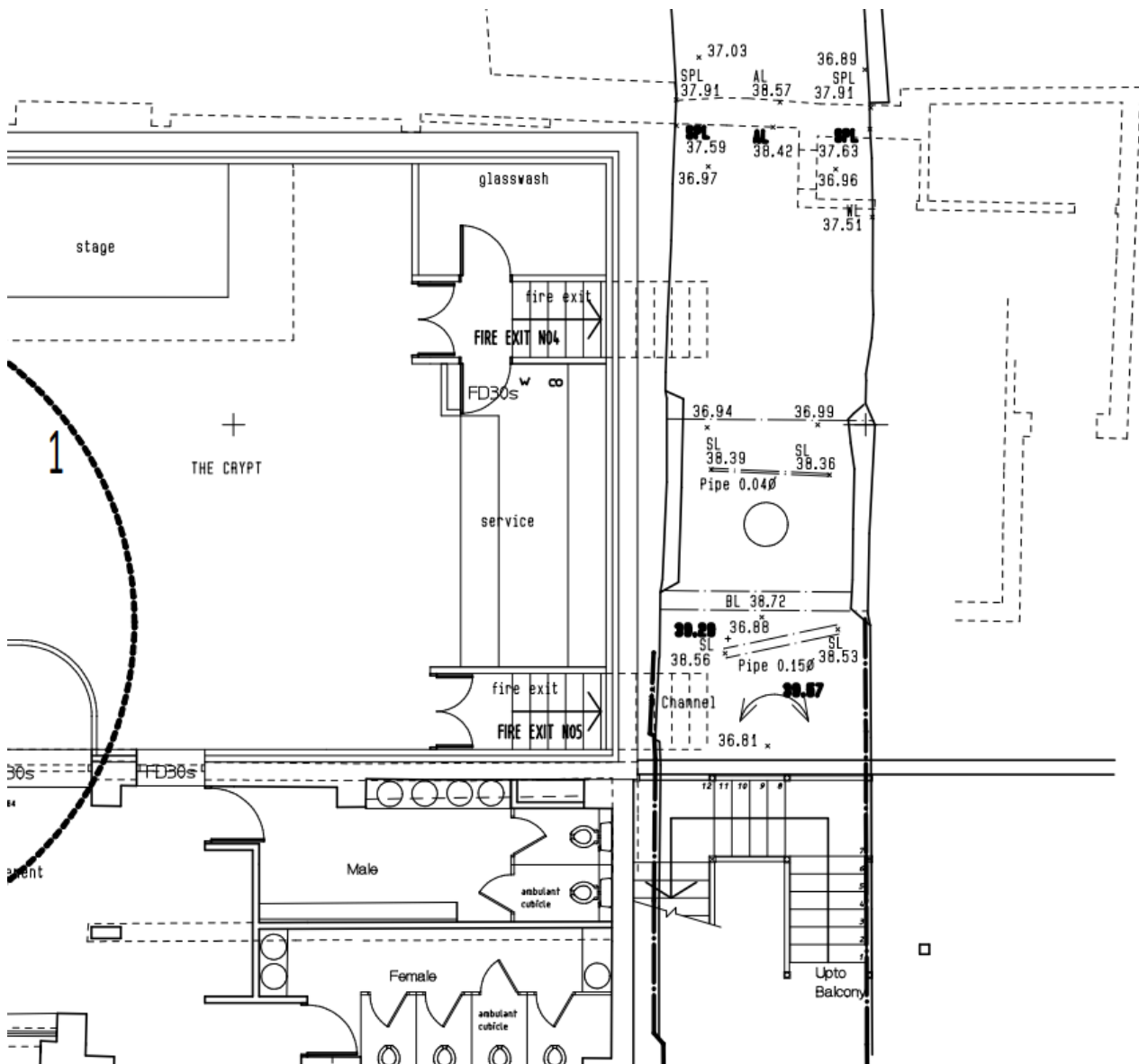
Pursue opportunities for deculverting of watercourses.’

3.8 In response to the first of the two criteria above, the applicants submit that it is simply not viable to create or enhance any additional views of the watercourse where it is culverted and where the yard over it is necessary for the function of the proposed development.

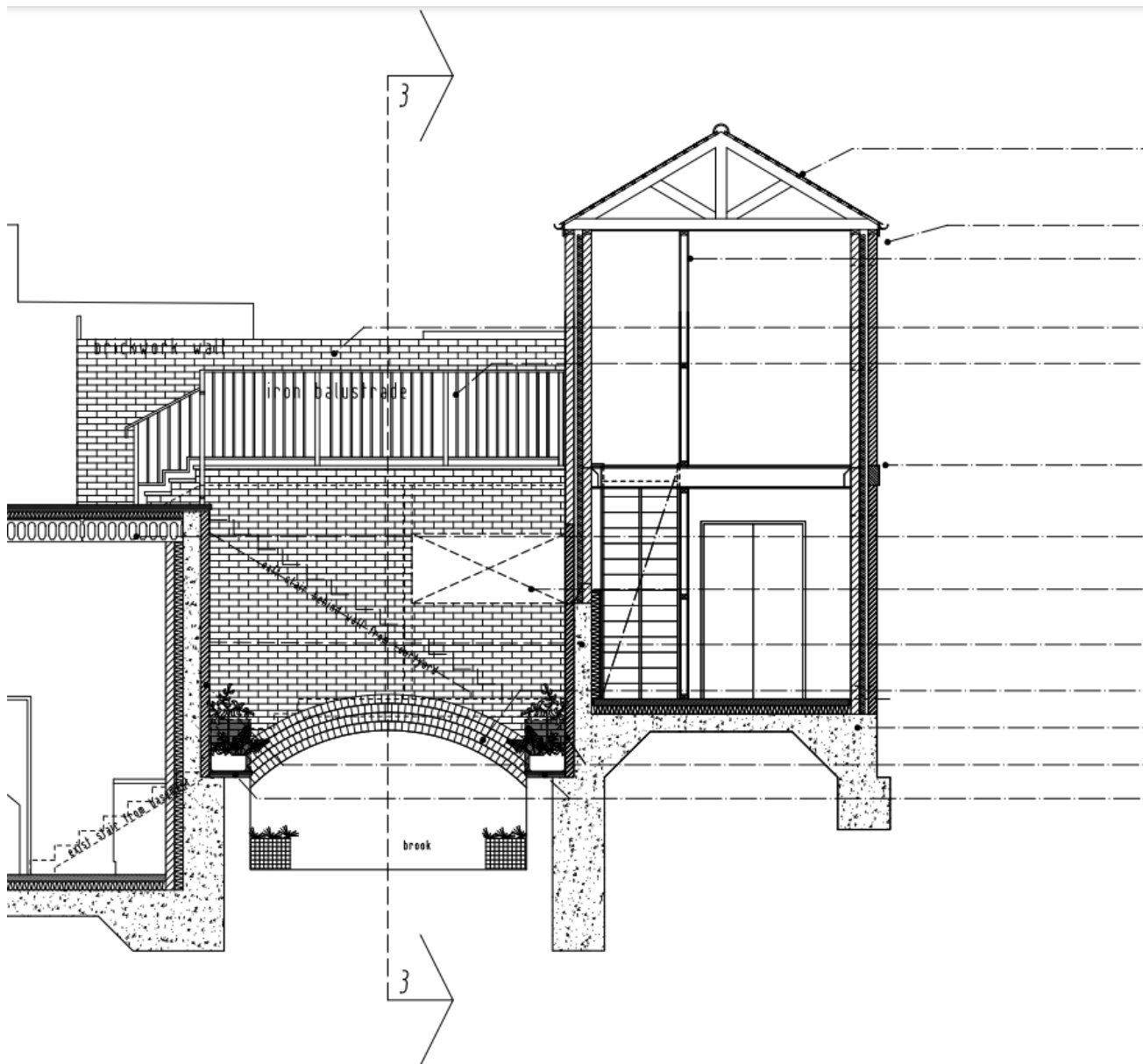
3.9 Even so, to de-culvert a small (<10m) section of the Holy Brook when the brook immediately to the west would remain culverted (with the immediate section in the control of the applicants at 9 Gun Street) and given that in this section of Reading Town Centre, approximately 636m of the 950m stretch (67%) is currently culverted, would do very little to enhance any views. This is particularly the case, given how limited the views of the Holy Brook are in what is the dense urban grain of the area and its proximity to, amongst other things, the Oracle shopping centre building.

3.10 The fall-back position of the 2015 consents has been mentioned above and is an important material planning consideration in the determination of these applications. That application did show the de-culverting of Holy Brook with staircases over (as is the case with the current

applications). However, as shown in the drawings below, this resulted in a very narrow stand-off between the top of the watercourse and the proposed buildings. Furthermore, the proposed 'outdoor garden' for that scheme was at a level of around 5m above the arch of the culverted part of the Holy Brook. Coupled with the micro-brewery building on the opposite site, the extant consent would create a high-sided channel with a 'well' like character to the Holy Brook in any case. As a result, there would no real amenity benefits from this scheme.



Extract from Approval Drawing 1100-16-300 of Application 151281



Extract from Approval Drawing 01 Rev C of Application 151281

- 3.11 In comparison, the current applications show a greater stand-off from the route of the Holy Brook and whilst there are no plans to de-culvert, this arrangement could facilitate such works at a later date.
- 3.12 Whilst the proposed 'playhouse' building is clearly taller (and further away from Holy Brook) than the extant building, it is submitted that this structure is the smallest possible to achieve the requirements of the applicants. In order to deliver a viable venue that offers adaptable

space for a range of performances and activities, the height is essential so that the stage with adequate headroom can be provided.

- 3.13 The amount of floorspace shown is the minimum necessary to create a viable venue for the applicants (with a capacity of circa 400 people). This size venue is something that doesn't exist in Reading at present and will allow for the applicants to attract performers and artists whom it would not be viable to attract with a smaller venue.
- 3.14 It is also necessary to point out that for a venue of this size, it is essential that some external space is provided for those who smoke or use vapes. This yard over the culvert is the only feasible location for such a facility.
- 3.15 It follows that the last criterion of Policy EN11 has been engaged. The applicants have pursued all reasonable opportunities for the de-culverting of this part of Holy Brook. The above has sought to illustrate the viability issues facing the applicants.
- 3.16 To further demonstrate the applicants' exploration of the matter, it is relevant to review the planning history of the site which illustrates my clients' attempts to deliver the conservation of 10 Gun Street with appropriate rear extensions. Applications 090612, 120577, 151281 were all approved with a degree of deculverting (between around 50%-75% of the route through the site) but none have been fully implemented as they were not viable or market trends at that time meant that they were no longer attractive to potential tenants.
- 3.17 Therefore, it is argued that for more than 15 years, the applicants have been exploring the possibilities for the de-culverting of the Holy Brook. However, they have concluded that in light of the extant permission, the negligible benefit it would offer, and the fact it is unviable, that it is simply is not possible.

Paragraph 208 of NPPF Assessment (Public Benefits)

4.1 Paragraph 208 of NPPF is engaged by any development where the Local Planning Authority may consider that a development would lead to less than substantial harm to the significance of a designated heritage asset. In this case it states that:

‘...this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use’.

4.2 Whilst the applicants’ submissions have demonstrated that the proposed development would not give rise to any harm to the significance of 10 Gun Street as a listed building or the town centre conservation area, it is prudent nonetheless, to set out the public benefits of the proposal before the Local Planning Authority. This should be read in conjunction with the ‘Planning Review for Heritage’ document, dated 16 July 2024 submitted on behalf of the applicants by Ridgway Heritage Consultancy.

4.3 Firstly, the applicants believe that the use of 10 Gun Street as part of the Purple Turtle Playhouse and as partly a self- contained café, does represent the optimum viable use of the asset. The site has lain vacant for many years despite best endeavours of the applicants to secure a retail occupier as a tenant. These attempts have proved fruitless – primarily because of the small size and configuration of the ground floor.

4.4 The use of the front of the premises as a café will reintroduce an active frontage to the premises without the need for any conservation interventions that would harm its significance and add vitality and interest to the street.

4.5 The Ridgeway Heritage Consultancy Conservation Plan which accompanies this Statement sets out a number of ‘conservation measures’ for each floor of the building that together, represent significant material benefits. The future conservation of this asset and restoration of many of its historic features is a significant public benefit.

4.6 In addition to those associated with the conservation of the heritage asset, the applicants can summarise the other public benefits of the scheme as follows:

- The creation of a cultural hub (encouraged by the Reading 2050 Vision) in Reading and a multi-purpose performance space of a capacity of circa 400 people;
- Securing the future of existing jobs at the Purple Turtle;
- A requirement for at least 10 more (FTE) staff;
- The venue will also require additional servicing and stock provided by local third parties, thus contributing further to the local economy; and
- The construction of a development worth in excess of £2m. This will create public benefit through construction jobs, procurement of materials, services and associated spending locally.

4.7 The applicants remain firmly of the view that no harms will arise to the significance of this heritage asset, as a result of this development, and Paragraph 208 of NPPF need not be engaged. However, when officers are required to consider all factors in reaching their recommendation for this proposal, these public benefits are a significant material planning considerations in favour of the development.



Thank you.

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