

DELEGATED APPLICATION REPORT

Ward: Abbey Ward

App Ref: PL/24/1462 Full & PL/24/1465 LBC

Address: READING CROWN COURT, THE FORBURY, READING, RG1 3EH

Proposal: To reconfigure the ground floor internal layout to introduce a new Crown Court and ancillary rooms, relocation of a reception desk and modifications to the partition walls within the security area located at the entrance in the significant listed part, to add obscuring film to windows.

Applicant: The Secretary of State for Justice c/o Neil Spiker

Received date: 01/11/2024

Target Decision date: 27/12/2024

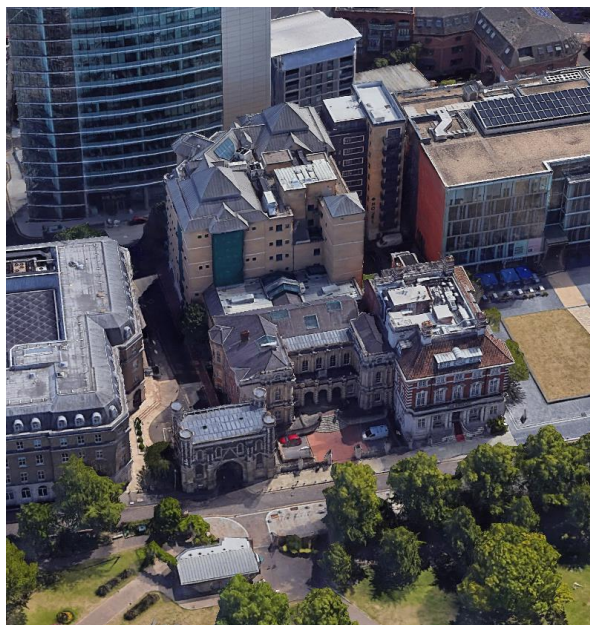
Case Officer: Marcelina Rejwerska

1. SITE DESCRIPTION

The application site comprises the Grade II listed Assize Court, south of the historic Forbury Park. The national listing (1113476) reads as follows:

“THE FORBURY 1. 5128 Assize Courts SU 7173 NE 1/306 II GV 2. 1861. Said to be by J B Clacy. Baroque revival style in channelled Bath stone ashlar. 2 storeys with 2 1/2 storey corner pavilions which break forward. Cornices on ground and 1st floors, panels with palmettes over caps. 5 bay centre with flanking 1x1 bay wings. Ground floor Doric with engaged rusticated columns, paired to pavilions. Ionic 1st floor. C19 glazed sash windows, round headed on 1st floor, segmental headed on ground floor, with architrave surrounds and keys. Ground floor of centre projects between flanking pavilions and has 3 bay arcaded portico with balustrade over. Attics have elaborate recessed scroll terminals above entablature forming aedicules. Extensive buildings to rear. Interior: large central top lit and galleried hall. Street wall with 2 pairs of high cruciform piers with rusticated rebates to corners and ball-finials. Heavy lozenge pattern panels of rails.”

The listed building has a large 1980s rear extension which makes up majority of the Crown Court and extends back to Abbey Square. The site and the surrounding area are within an area of archaeological potential, and are comprised of mostly commercial premises.



Aerial view of the site, taken from Google Maps on 16 December 2024.

2. PROPOSAL AND SUPPORTING INFORMATION

Planning permission and listed building consent are sought for mostly internal alterations, comprising the following:

- Internal alterations to the ground floor layout to introduce a new Crown Court and ancillary rooms.
- Within the entrance, the reception is proposed to be relocated and a new café stand erected.
- Within the security area at the entrance, a partition wall is to be removed.
- A replacement door is proposed at the front of the building to enhance the appearance of the site.
- Obscure glazing film and external louvres are proposed at the rear and side elevations.

2.1. Information submitted:

Reading Crown Court Design and Access Statement Rev00

Reading Crown Court Heritage Statement Rev00

Location Plan

256379-9673-FMW-RCC-00-DR-A-1001-S2-P02-Existing Site Pla

256379-9673-FMW-RCC-00-DR-A-1002-S2-P02-Proposed Site Plan

256379-9573-FMW-RCC-XX-DR-A-1720-S2-P02 Main entrance staff door

256379-9573-FMW-RCC-00-DR-A-1111-S2-P02-Ground Floor Plan As Existing

256379-9573-FMW-RCC-XX-DR-A-1730-S2-P02-Proposed louvres to West Elevation

256379-9573-FMW-RCC-XX-DR-A-1740-S2-P02-Proposed privacy film to elevations

Received by the LPA on 1 November 2024

Reading Crown Court, Old Shire Hall - RIBA Stage 2 Acoustic Report

Received by the LPA on 28 November 2024

256379-9573-FMW-RCC-XX-DR-A-1212-S2-Existing and Proposed Entrance Foyer

Received by the LPA on 5 December 2024

256379-9573-FMW-RCC-00-DR-A-1211-S2-P03-Ground Floor Plan As Proposed

Received 16 December 2024

3. RELEVANT PLANNING HISTORY

PL/22/0907/LBC - To install wall mounted electric car charge points and associated cabling. The charge points will be surface mounted to the concrete supporting columns to the rear staff car park (enclosed). – Application Permitted on 24/10/2022

PL/22/1486/LBC The proposal seeks to improve the current alarm system. This would be achieved via installation of new concealed cabling and an alarm control keypad, mounted on one wall of exit lobby (ground floor). Application Permitted 24/11/2022

4. CONSULTATIONS

The following were consulted:

- RBC Conservation Officer – No objections, subject to conditions.
- RBC Environmental Health – No objections, subject to conditions.

Three site notices were erected at the front, side, and rear of the site. No letters of representation were received.

5. LEGAL AND PLANNING POLICY CONTEXT

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

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.

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'. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).

National Policy and Guidance

National Planning Policy Framework

National Planning Practice Guidance

Conservation Principles Policies and Guidance 2008

Reading Borough Local Plan (2019)

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE 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

Local Plan Update

The current version of the Local Plan (adopted in November 2019) turned five years old on Tuesday 5th November 2024. The Local Plan was reviewed in March 2023 and around half of the policies in the plan are considered still up to date. However, the rest need to be considered for updating to reflect changing circumstances and national policy. A consultation version of the draft updated version of the Local Plan was published on 6th November 2024.

Although there is a five-year period for carrying out a review of a plan after it is adopted, nothing in the NPPF or elsewhere says that policies automatically become “out of date” when they are five years old. It is a matter of planning judgement rather than legal fact whether a plan or policies within it are out-of-date. This will depend on whether they have been overtaken by things that have happened since the plan was adopted, either on the ground or through changes in national policy, for example.

Officer advice in respect of the Local Plan policies pertinent to this application listed above is that they remain in accordance with national policy and that the objectives of those policies remains very similar in the draft updated Local Plan. Therefore, they can continue to be afforded weight in the appraisal below and are not considered to be ‘out of date’.

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.

6. APPRAISAL

6.1. Character and design

Policy EN1 states “Applications which affect Listed Buildings will not have an adverse impact on those elements which contribute to their special architectural or historic interest including, where appropriate, their settings.”

The internal layout changes to the overall layout of the Crown Court are mostly contained within the extended rear section of the building, which is not considered to be of any particular historical or architectural significance. The works are therefore considered acceptable. Where partition changes affect the historic fabric of the old Assize Court, a condition is recommended to secure a schedule of works to ensure that the original stonework is made good and not damaged during the works.

The replacement door at the front elevation is considered an improvement to the appearance of the listed building. The indicative image of the proposed door appears to be acceptable, however, a condition is recommended to secure definitive details of the design of this door prior to its replacement.

The proposed obscure film to be applied to rear elevation windows is a non-permanent, reversible solution and is, therefore, not considered harmful to the character of the listed building.

The proposed reconfiguration of the reception desk and erection of a new café are unlikely to cause any harm to the historic fabric, as these will be freestanding furniture that is not attached to any of the historic fabric.

Overall, the proposal is considered acceptable in terms of the impact on the heritage asset, and its overall design.

6.2. Residential amenity

Policy CC8 requires development to not cause a detrimental impact on the living environment of existing residential properties. Policy EN17 states “Where noise generating equipment is proposed, the noise source specific level (plant noise level) should be at least 10dBA below the existing background level as measured at the nearest noise sensitive receptor.”

The proposed installation of 2x MVHR units within the building, with associated louvres at the side elevation (facing the car park at the rear of the Roseate) are similarly considered acceptable. A noise report has been submitted to demonstrate that with the proposed attenuation, the units will meet the requirements of policy EN17. A condition is recommended to secure the installation of the units as per the recommendations set out in the submitted noise report, including the mitigations for noise.

7. CONCLUSION

The proposal has been assessed against national and local adopted policies and is considered to accord with those policies.

8. RECOMMENDATION

GRANT PLANNING PERMISSION AND GRANT LISTED BUILDING CONSENT

Recommended Conditions FULL:

1. Time Limit (Standard)
2. Approved Plans
3. Materials (replacement door) and schedule of works (relating to works affecting the historic fabric) to be submitted prior to those works being carried out.
4. Noise level of mechanical equipment restricted as per submitted noise report.

Recommended Conditions LBC:

1. Time Limit (Standard)
2. Approved Plans
3. Materials (replacement door) and schedule of works (relating to works affecting the historic fabric) to be submitted prior to those works being carried out.