

**SUPPORTING PLANNING
STATEMENT (RevA)**

**ST MARY'S HOUSE, 66-68 ST
MARY'S BUTTS, READING, RG1
2LG**

On behalf of V Goldstein

Prepared by:

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1. INTRODUCTION

- 1.1. This Statement has been prepared by Woolf Bond Planning Ltd in support of a planning application at St. Mary's House, 66-68 St Mary's Butts, Reading. The application proposes the conversion of the first to third floors from office to 31 serviced residential suites together with an additional floor providing a further 6 serviced residential suites. This means that the scheme will entail the provision of 37 serviced residential suites (Use Class C1).
- 1.2. The proposal falls into three parts:
1. Retention of existing Class E uses on the ground and lower ground floors (currently occupied by Café Nero and the Cancer Research Campaign Charity Shop).
 2. Conversion of the first to third floors of St Mary's House from offices (Use Class E) to 31 serviced apartments (Use Class C1), and.
 3. Insertion of an additional floor to provide a further 6 serviced apartments (Use Class C1).

2. THE PROPOSAL

- 2.1. The proposals for the redevelopment of the site reflect the policies and Council aspirations for the wider “town centre” to support its important economic role whilst balancing the value of heritage in the area, including the views along St Mary's Butts towards both Greyfriars Church (north of the site) and St Giles Church (south of the site) (protected by LP Policy EN5).
- 2.2. As outlined, the proposal entails the retention of the current Class E uses (retail and coffee shop) on the ground floor. The offices (Class E) on the first to third floors would be converted to 31 serviced apartments (Class C1). The layout for these floors is shown below.

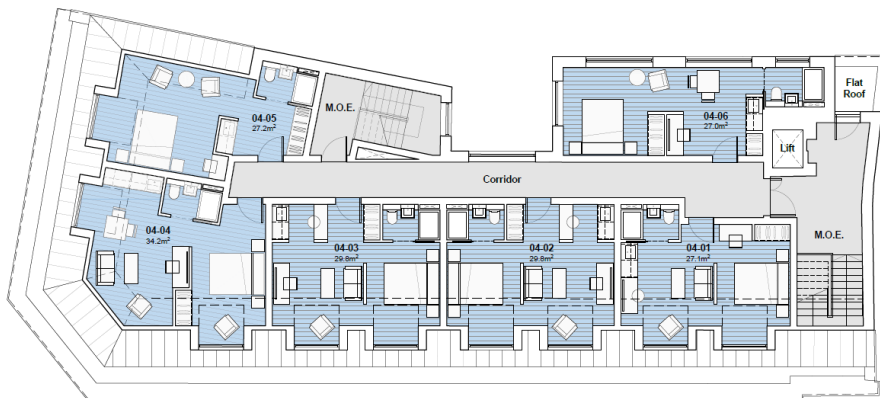


Proposed first floor (9 serviced apartments and reception/amenity area)



Proposed second and third floors (each with 11 serviced apartments).

- 2.3. The scheme also envisages the insertion of an additional floor to provide a further 6 serviced apartments (Class C1). This is shown below and indicates that the proposed apartments would be inset from the current exterior wall. This in setting of the proposed fourth floor is further illustrated on the proposed elevations.



Proposed additional floor (fourth) with 6 serviced apartments.



Proposed elevations

Facing St Mary's Butts (western elevation)

Facing Broad St.



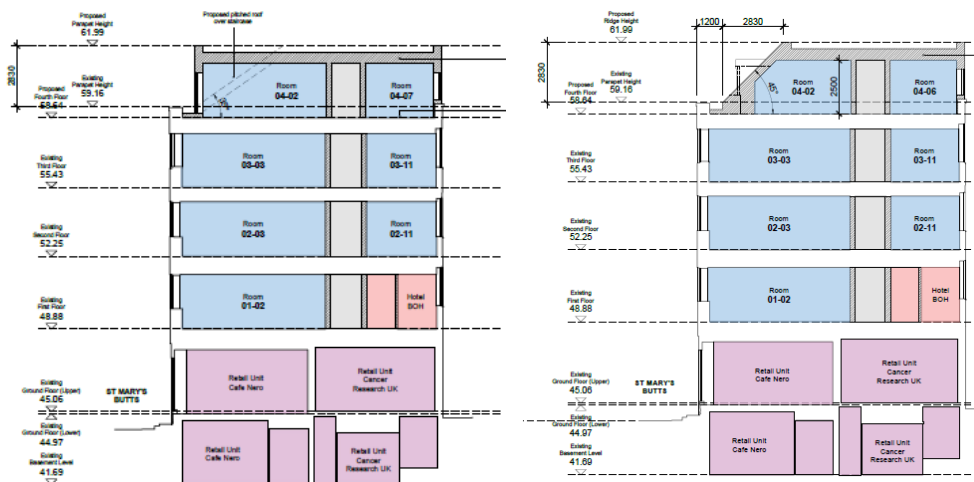
Existing western elevation (St Mary's Butts).

- 2.4. As indicated in the elevational drawings, the proposed additional floor would be clad with metal panels reflecting that currently on the third floor. Consequently, the proposal would use the existing palette of materials thereby maintaining a consistent approach and ensures that the scheme would be appropriate to the location.

Evolution of proposals

- 2.5. As indicated in the accompanying Design & Access Statement, the applicant engaged in pre-application discussions with the Council prior to the submission of this application.

- 2.6. The earlier submissions at pre-application stage like the current proposal had envisaged the conversion of the first to third floors to serviced apartment use (Class C1) alongside the additional of a new floor to provide serviced apartments. The earlier submission had envisaged the provision of 7 serviced apartments which following the feedback received through the process has been reduced to 6 serviced apartments.
- 2.7. The changes in the current scheme from that envisaged in the pre-app submission include an increased set back of the apartments on the additional floor alongside the use of a sloped façade instead of vertical walls (with dormers inserted for windows).
- 2.8. The differences are illustrated by the comparison of the cross sections below. This shows the extent that in the application, the scheme includes a set back of the roof which as detailed in the Design and Access Statement reduces the visual form of the development.



Cross section in pre app.

Cross section in application

- 2.9. The Council in commenting on the pre-application submission highlighted concerns that the scheme then envisaged would be dominant in the street scene due to the form of the additional floor and materials proposed. As indicated in the Design and Access Statement, the proposal has evolved to further set back the additional floor, especially with the pitched roof which as the images of the building massing do not appear dominant compared to the existing building. The differences are shown below, alongside that which could have arisen through the pre-application scheme.

Comparisons of massing illustrations from St Marys Butts



Current building



Pre app



Application

- 2.10. As indicated, following the submission of the pre-application scheme, the proposals have evolved with the increased set back of the addition floor thereby reducing the visual impact of the scheme. This therefore resolves a key concern of the Council with the initial scheme.
- 2.11. The Design and Access Statement also details how the materials palette further contributes towards minimises any impact upon the views of both Greyfriars and St Giles Churches along St Mary's Butts, especially given the importance placed on this in Local Plan Policies EN3 and CR10b.

3. OVERVIEW AND APPLICATION OF RELEVANT DEVELOPMENT PLAN POLICY

3.1. It is well established planning law that the development plan is to be read as a whole. Furthermore, when considering a plan in its entirety, there will be instances where there are either conflicting statements / policies or policies pulling in different directions. The Courts have expressed this issue in the following passages.

3.2. In *R. v Rochdale Metropolitan Borough Council, ex parte Milne* [2000] EWHC 650 (Admin) paragraph 48 stated:

“48. It is not at all unusual for development plan policies to pull in different directions.

A proposed development may be in accord with development plan policies which, for example, encourage development for employment purposes, and yet be contrary to policies which seek to protect open countryside. In such cases there may be no clear cut answer to the question: “is this proposal in accordance with the plan?” The local planning authority has to make a judgment bearing in mind such factors as the importance of the policies which are complied with or infringed, and the extent of compliance or breach. ...”.

3.3. The observations to this effect were made by Lord Clyde in *City of Edinburgh Council v Secretary of State for Scotland* [1997] 1 W.L.R. 1447 (at p.1459D-F):

“... [The decision-maker] will ... have to consider whether the development proposed in the application before him does or does not accord with the development plan. There may be some points in the plan which support the proposal but there may be some considerations pointing in the opposite direction. He will require to assess all of these and then decide whether in the light of the whole plan the proposal does or does not accord with it. ...”.

3.4. Sullivan J. in *R. v Rochdale Metropolitan Borough Council* went on to say (in paragraphs 49 to 51):

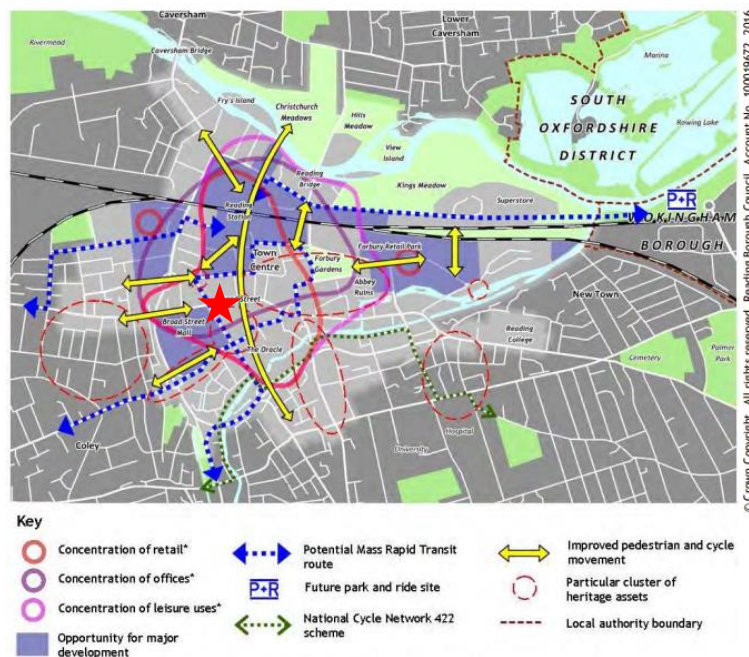
“49. In the light of that decision I regard as untenable the proposition that if there is a breach of any one policy in a development plan a proposed development cannot be said to be “in accordance with the plan”. Given the numerous conflicting interests that development plans seek to reconcile: the needs for more housing, more employment, more leisure and recreational facilities, for improved transport facilities, the protection of listed buildings and attractive landscapes etc., it would be difficult to find any project of any significance that was wholly in accord with every relevant policy in the development plan. Numerous applications would

have to be referred to the Secretary of State as departures from the development plan because one or a few minor policies were infringed, even though the proposal was in accordance with the overall thrust of development plan policies.

50. For the purposes of section 54A it is enough that the proposal accords with the development plan considered as a whole. It does not have to accord with each and every policy therein.

51. ... I accept that the terms of the policy – how firmly it favours or sets its face against ... the proposed development [–] is a relevant factor, so too are the relative importance of the policy to the overall objectives of the development plan and the extent of the breach. These are essentially matters for the judgement of the local planning authority. A legalistic approach to the interpretation of development plan policies is to be avoided”

- 3.5. The policies of the local plan and their application need to be considered in this way. This is relevant when applying the policies of the local plan where in one sense, policy EM3 (Loss of Employment) is suggesting that offices, such as those the subject of this planning application should not be lost whilst other policies, in particular those that relate to the town centre, where the application site is located, accept that serviced apartments that support the evening economy of the town centre can be supported even though this may be at the expense of existing office accommodation. It is therefore important not to look at the individual policies in isolation to one another.
- 3.6. The Council's overarching strategic approach of the Plan emphasises the role of the town centre to accommodate the majority of the borough's growth, including the optimisation of densities as acknowledged in paragraphs 4.4.10 and 4.6.2. The suitability of the town centre to accommodate main town centre uses including hotels and other C1 Use Class activities is highlighted in policy RL2.
- 3.7. Chapter 5 of the Local Plan outlines the overall approach to development in the town centre and broadly identifies the clusters of different commercial activities around it (figure 5.1). A copy of this figure is shown below which indicates that St Mary's House is located within the retail, leisure and office clusters.



Annotated copy of figure 5.1 illustrating site location (red star)

- 3.8. The Plan emphasises the importance of town centre leisure related development including those that support the evening economy, where at paragraph 5.2.7 it confirms:

In the rare event of a conflict developing between uses, certain uses will have priority, as the centre is the only suitable location. Major retail and town centre leisure development, including evening economy uses, will take first precedence, followed by, to a more limited extent, offices. In contrast, housing uses, including supporting social and community facilities, can be located in many places across the Borough. (My underlining)

- 3.9. The scheme entails the conversion of office accommodation into serviced apartments within the C1 Use Class. As such they are akin to hotels which supports the Borough's evening economy through increasing the availability of accommodation. It also provides support for the wider range of commercial activities in the centre through enabling people needing short term accommodation the necessary space, whilst providing scope for easy pedestrian and other sustainable transport modes to the extensive services available. The proposal is therefore entirely consistent Local Plan paragraph 5.2.7. This part of the local plan confirms that the town centre uses "will take first precedence", over the need for the continued use of the site as offices thereby addressing policy EM3 (v). It is in this context and when reading the local plan as a whole that Policy EM3: Loss of Employment land should be applied.

- 3.10. Considering policy EM3 further, it is clear that the policy allows for the loss of employment land in exceptional circumstances. In this regard, the policy indicates that exceptional circumstances can be demonstrated where a site has no long term prospects of employment use, (a situation that occurs as a result of the sea change in the use and demand for non-primary A grade office space since the COVID pandemic) then a use which complements the employment use of the area, (in this case the town centre), may be considered that would not result in a significant reduction in jobs. This is one illustration of the flexibility built into the policy that applies to the proposal. The serviced apartments will complement the employment use of the town centre and the loss of the relatively small office building should not result in a significant reduction in jobs.
- 3.11. In addition, the policy highlights a number of considerations to be taken into account when assessing proposals which result in a loss of employment land. Items ii, iii, and v apply.
- 3.12. In respect of item ii, the continued availability of the site for office use is no longer considered viable owing to the now well accepted and acknowledged change in working patterns following the COVID pandemic and the resulting surplus stock of office space within Reading. The use of the entire building is now no longer considered viable or deliverable such that planning policy and the planning system is there to make more effective and efficient use of the building and site as a whole. In this regard, item iii also applies given that there is a surplus of similar size and type of office accommodation in Reading that is now no longer required. In respect of item v, the need and benefits that arise from a serviced apartment scheme in supporting the town centre are stronger than the need for the retention of the offices. The explanatory text at paragraph 4.3.15 notes that the need for alternative uses could include housing. This point is acknowledged and accepted elsewhere in the local plan, in particular at paragraph 5.2.7 which explicitly notes that there is a preference for evening economy uses that will take precedence over office accommodation within the town centre. Accordingly, the proposal is consistent with the balanced application of the policy EM3.
- 3.13. In light of the above, the inherent built in flexibility within policy EM3 allows for the proposal which is also consistent with other aspirations of the local plan in respect of the town centre, hence the need to read the plan as a whole. This is also consistent with supporting paragraph 4.3.12 to the policy which notes: *"There is a need for a*

certain degree of flexibility with existing employment land to allow an appropriate balance of uses to develop in the right locations. For this reason, it is not appropriate to simply apply a blanket protection to all existing employment areas”.

- 3.14. The retention of retail and the coffee shop (Use Class E) on the ground floor maintains the valuable contribution of the site to the vibrancy of the centre, being at the important junction between the heavy pedestrian routes from Broad Street Mall along Broad Street or past the Minster to the Oracle¹.
- 3.15. Policy CR6 of the Local Plan (at criteria iv) is clear that proposals for serviced apartments that fall outside of the C3 Use class (as envisaged in this scheme) will be located in the Central Core. As indicated in the annotated copy of figure 5.1, the application site is located in the preferred area for small serviced apartments. This clause of the policy provides further guidance and states:

Such proposals will not be permitted unless the duration of occupation of residents is restricted, to ensure the units are used on a short stay basis and not as residential flats, and information monitoring the implementation of this restriction is regularly supplied.

- 3.16. The approach of the policy is clarified in paragraph 5.3.27 which confirms:

In recent years, Reading has seen a marked increase in proposals for serviced apartments, particularly in the centre. These uses fall halfway between hotels and housing, providing basic facilities for self-sufficient living but also the amenities of a hotel. They are attractive to people who will stay in the area for weeks or months at a time. However, these uses should not be seen as a way of introducing flats by the back door and therefore avoiding the need to contribute towards the provision of affordable housing. There will need to be restrictions applied through Section 106 agreements or conditions to ensure that development does not change its character to a residential development without planning permission, and a requirement to provide regular monitoring information on length of occupancy.

- 3.17. Following the submission of the application, the applicant will work with the Council on appropriate measures to ensure that the proposed serviced apartments are not occupied on long term lets i.e. in excess of 3 months. In this regard, the applicant will accept a s106 obligation controlling the nature of the proposed service apartments. A s106 clause on the serviced apartments can say:

¹ As acknowledged in Local Plan paragraph 5.2.9

Securing the Class C1 serviced apartments use:

- Serviced apartment Use (Class C1) only and for no other purpose (including any other purpose in the same Use Class of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification – (for example as a hotel (Class C1), self-contained residential units (Class C3), small/large houses in multiple occupation (Class C4 or Sui Generis) or co-living (Sui Generis))*
- not to let or licence for occupation or permit or suffer occupation of any of the serviced apartment units for a continuous period of more than 3 months to the same occupier or occupiers*
- other than those customers staying in accordance with the above, not to let or licence for occupation or permit or suffer occupation of any serviced apartment unit for a continuous period for more than 3 months to the same customer or customers*
- not to require customers of any serviced apartment unit to agree to any minimum period of occupation (of whatever duration)*
- to provide to the Council within 14 days of written request evidence regarding the use or occupation of the serviced apartment units or any of them.*

- 3.18. Although the scheme is for serviced apartments in Use Class C1, it will nevertheless include measures that will safeguard the amenity of occupants consistent with policy CC8. These include maintaining privacy, avoiding overlooking together with ensuring residents are not impacted upon adjacent activities, whether arising from adjoining buildings (including hot food takeaways nearby) or activities in the street (St Mary's Butts or Broad Street). In this regard, this site is not constrained by unneighbourly relationships to the west (Broad Street Mall Shopping Centre); to the north, due to the comfortable distances across the cardinal junction point; the non-habitable (stairwell) to the south; and location of windows on the southern half of the eastern elevation, facing a rear car parking court with existing buildings beyond.
- 3.19. The application is supported by technical reports including on air quality and noise further demonstrating that the scheme is appropriate, having regard to the achievement and safeguarding of the amenity of the proposed occupants whilst enabling the continued operation of the adjoining uses (including the commercial establishments on the ground floor of St Mary's House).



CGIs of the proposal

3.20. The Heritage & Townscape Assessment accompanying the application reviews the scheme having regard to its location and relationship with relative assets. This includes the Listed Buildings and important views along St Mary's Butts towards Greyfriars Church and St Giles Church as protected by local plan policy EN5. The analysis supported by the above CGIs confirms:

- The application proposals have been designed to respond positively to the surrounding townscape in terms of height, form and materials.
- The overall heritage significance of the St Mary's Butts/Castle Street Conservation Area, as well as that of the identified statutorily and locally listed buildings, will be preserved by the Proposed Development, which will have no adverse impacts.
- The proposed change of use of the upper floors will contribute to and sustain the vitality and vibrancy of the town centre context. The proposed extension has been sensitively designed to be recessive and in-keeping with the existing scale and character of the surrounding townscape context, on which it will have a neutral impact.
- The visual assessment demonstrates that the proposed increase in height of the Proposed Development, relative to existing, will be in-keeping with the existing, varied townscape context of the centre of Reading. And again, have no adverse visual impacts by our assessment.

3.21. Accordingly, not only is the nature of the proposed use supported by development plan policy, but the upward extension of the building is sensitive to its surroundings, including those highlighted and protected by planning policy. This is reinforced by the CGIs prepared in support of the application.

3.22. The applicant is aware that the Council have prepared a Draft Submission Partial Update of its Local Plan which was agreed by the authority in October 2024. Although a consultation on the Draft Submission Plan will occur in due course, the applicant has nevertheless also reviewed this document as part of its appraisal of the scheme's acceptability. The approach of the Partial Update whilst refining the Council's policies do not impinge upon the consistency of the proposal with the Development Plan. This is especially as the Partial Update seeks the continued focus of growth in the borough on the town centre, whilst protecting important vistas and heritage assets. The proposal accords with the approach of the plan, especially as it provides a form and

type of residential accommodation which through the envisaged controls prevents permanent occupation.

- 3.23. The provision of additional short-term accommodation through the serviced apartments envisaged supports wider economic potential of the town since it provides high quality units for those individuals whose jobs need them to be located close to Reading, albeit only for a limited period of time. As indicated, the provision of apart hotels as envisaged in this scheme is consistent with the Development Plan. Although the Partial Update includes a suggested policy (H15) on purpose built shared living accommodation, this is not relevant to this application. This is due to a flexible range of facilities tailored to the short-term needs of the client (including the greater extent of self-containment on the units with cooking and eating facilities alongside the shorter timeframe for tenancies. This is how they are serviced apartments within the C1 Use Class.

S106

- 3.24. The Council require certain pieces of information regarding s106 agreements consistent with the Council's planning obligations SPD. Heads of Terms need to be set out. These will include:
- Serviced Apartment C1 use.
 - An Employment and Skills Plan (ESP) (construction and end user phases of development).
- 3.25. Additional information associated with the 106 in terms of land ownership, existence of any mortgage, a commitment to pay the Council's legal costs and the standard S106 monitoring fee are set out in a separate e-mail associated with registration of the application.

4. CONCLUSIONS

- 4.1. The proposal will maintain a mix of uses which supports the functioning of the town centre through inclusion of commercial and serviced apartments. Such uses are acceptable and appropriate for the town centre, especially as they help support economic activity in the centre as envisaged by the Development Plan.

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- 4.2. The scheme will reinforce the existing feature building at the junction of St Mary's Butts and Broad Street but without detracting from the maintenance of the important vistas linking Greyfriars and St Giles Churches. Through the envisaged legal agreement, tenancies will be short term consistent with the requirements associated with a C1 serviced apartment use.