

## **DELEGATED APPLICATION REPORT**

Ward: Abbey Ward

App Ref: PL/25/0083 Full planning permission

Address: Land Adjacent the War Memorial, The Forbury RG1 3EJ

Proposal: Erection of a National Police Memorial to the late PC Andrew Harper

Applicant: The Police Memorial Trust Dennis Rowen

Received date: 20/01/2025

Target Decision date: 04/04/2025 (EOT)

**Case Officer: Marcelina Rejwerska**

### **1. SITE DESCRIPTION**

The application site comprises an area of public (adopted) footpath outside Forbury Park, which is a Grade II Registered Park and Garden. Across the road, the site is within the setting of the Grade II listed Shire Hall, which comprises the Reading Crown Court. The site is within the Abbey Quarter (Policy CR15), an area of archaeological potential and in proximity to the Abbey Ruins, which are a Scheduled Monument. The site is not within a conservation area.



*Site photo taken by case officer in January 2025.*

### **2. PROPOSAL AND SUPPORTING INFORMATION**

Planning permission is sought for the erection of a National Police Memorial to the late PC Andrew Harper.

#### **2.1. Information submitted:**

Location Plan, received 14 March 2025

Supporting Letter, received 20 January 2025

Planning Statement, received 28 January 2025

Side Elevations (not to scale), received 20 January 2025

Front Elevations (not to scale), received 20 January 2025

Lettering details (not to scale), received 20 January 2025

CC53764 D Elevations, received 27 January 2025

### **3. RELEVANT PLANNING HISTORY**

PL/24/0242 - Memorial installed on south side of Forbury Gardens. Advice given

PL/14/1998 - The erection of a memorial, in the form of a Roll of Honour and a sculpture, to The 416 Men of the Berkshire Yeomanry who lost their lives in the wars of the 20th Century and to Trooper Fred Potts VC and Trooper Arthur Andrews in commemoration of events at Gallipoli 21-23 August 1915. Application permitted.

### **4. CONSULTATIONS**

The following were consulted:

- RBC Conservation Officer – No objections.
- RBC Transport Development Control – No objections.
- Berkshire Archaeology – No objections subject to informative.

A site notice was erected on site. One letter of objection was received, citing concerns relating to insufficient information regarding the siting of the proposed memorial and therefore the unknown impact on the adjacent Trooper Potts VC memorial.

The applicant also independently consulted Historic England, who confirmed that Scheduled Monument consent would not be required for the proposed works.

### **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 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

EN1: PROTECTION AND ENHANCEMENT OF THE HISTORIC ENVIRONMENT

EN6: NEW DEVELOPMENT IN A HISTORIC CONTEXT

CR2: DESIGN IN CENTRAL READING

CR3: PUBLIC REALM IN CENTRAL READING

CR15: THE READING ABBEY QUARTER

#### 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 6<sup>th</sup> 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**

Policies CC7, CR2 and CR3 set out the design and layout considerations for new development in this location. Policy EN6 sets out specific heritage considerations which are also relevant.

The proposed memorial is a standard design from the Police Memorial Trust, made up of Portland stone at a height of 1.2m. The scale and materials are sympathetic to the location and surrounding area. The proposal is considered a positive contribution to the public realm, enhancing the historical and cultural value of the Abbey Quarter. The memorial by way of its small scale and use of sympathetic materials is not considered harmful to and would preserve the setting of the Forbury Park a Grade II Listed Registered Park and Garden the Grade II Listed Shire Hall.

The proposal does not unreasonably reduce the useable width of the public footpath. The proposal is therefore considered acceptable.

## **7. CONCLUSION**

The proposal has been assessed in line with national and locally adopted policies and is considered in accordance with those policies.

## **8. RECOMMENDATION**

### **GRANT PERMISSION**

Recommended conditions:

1. Time Limit (Standard)
2. Approved Plans
3. Materials as specified

Informatives:

1. Terms
2. Building Control
3. Complaints about construction
4. Archaeology
5. Positive and proactive - approval