

Date. 12-04-26
Our Ref. 9495-26

SECTION 73 PLANNING STATEMENT

Variation of Condition 6 (BREEAM Requirement)
20 Cross Street, Reading RG1 1SN
Planning Permission Ref: PL/22/1423

1. Introduction

This Planning Statement has been prepared in support of an application made under Section 73 of the Town and Country Planning Act 1990 to vary Condition 6 attached to planning permission ref. PL/22/1423.

The application seeks to replace the requirement for a BREEAM “Very Good” rating with a proportionate and deliverable sustainability approach, reflecting the nature of the development as a partial conversion within an existing mixed-use building.

2. Site and Surroundings

The application site comprises a mid-terrace building located on Cross Street within Reading Town Centre.

The building is arranged as follows:

- Basement and ground floor: commercial (retained)
- Upper floors: previously office use (Class E), now approved for residential conversion

The surrounding area is characterised by a mix of commercial and residential uses typical of a central urban environment.

3. Relevant Planning History

Planning permission ref. PL/22/1423 was granted for:

Change of use of the first, second and third floors from Class E (offices) to Class C3 residential (3 x 1-bedroom flats)

The permission was granted subject to conditions, including:

- Condition 6 – requiring an Interim BREEAM Certificate (Very Good) prior to commencement
- Condition 7 – requiring a Final BREEAM Certificate post-construction

4. The Application

This application seeks to vary Condition 6 only.

Existing Condition 6

Requires submission of:

- Interim BREEAM Certificate
- Minimum “Very Good” rating

Proposed Replacement Condition

“Prior to the commencement of development, a Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall demonstrate how the development incorporates sustainable design and construction measures in accordance with Policy CC2 of the Reading Borough Local Plan. The development shall be carried out in accordance with the approved details.”

No other changes are proposed to the approved scheme.

5. Planning Policy Context

The key policy consideration is:

Policy CC2 – Sustainable Design and Construction

This policy seeks to ensure that development:

- Minimises carbon emissions
- Incorporates sustainable construction practices
- Improves energy efficiency

- Reduces environmental impact

While BREEAM is identified as a common assessment method, the policy does not require its application in all circumstances, particularly where it is not practicable.

6. Assessment

6.1 Nature of the Development

The approved development is:

- A conversion of existing upper floors only
- Within a mixed-use building
- With the ground floor retained in separate commercial use

The development does not involve:

- New build construction
- Extension of the building
- Full control of the building envelope or systems

6.2 Limitations of BREEAM in this Context

BREEAM assessment methodologies are designed to apply to:

- Entire buildings; or
- Self-contained developments under single ownership/control

In this case:

- The applicant does not control the entire building
- The development relates to only part of the structure
- Building-wide systems (e.g. structure, services, envelope) cannot be fully assessed

As such:

- A BREEAM assessment cannot be meaningfully undertaken
- Certification would not accurately reflect actual building performance
- The condition is not reasonably capable of being complied with

This makes the condition:

- Unreasonable in practical terms
- Not enforceable as intended

6.3 Sustainability Performance of the Development

Notwithstanding the above, the development delivers clear sustainability benefits.

These are set out in the accompanying Sustainability Statement and include:

a) Re-use of Existing Building

- Significant reduction in embodied carbon
- Avoidance of demolition waste
- Efficient use of existing resources

b) Energy Efficiency Improvements

- Upgraded glazing including secondary glazing
- Improved air tightness
- Reduced heat loss

c) Light-Touch Energy Performance

- Lower operational energy demand compared to former office use
- Improved internal environmental conditions

d) Sustainable Location

- Town centre site
- Excellent access to public transport
- Reduced reliance on private vehicles

e) Low Impact Construction

- Minimal structural intervention
- Reduced material use
- Waste minimisation

6.4 Compliance with Policy CC2

The development meets the objectives of Policy CC2 through:

- Proportionate sustainability measures
- Efficient re-use of existing built form
- Improved operational performance

The proposed approach:

- Achieves the intent of the policy
- Reflects the constraints of the site
- Provides a realistic and deliverable solution

6.5 Planning Balance

The key considerations are:

- The development is already approved and acceptable in principle
- The condition relates to how sustainability is demonstrated, not whether it is achieved
- The proposed variation does not reduce sustainability performance
- The alternative approach provides a clear and proportionate compliance route

7. Conclusion

The requirement for a BREEAM assessment in this instance is:

- Not appropriate for a partial conversion
- Not capable of being meaningfully implemented
- Not necessary to demonstrate compliance with Policy CC2

The proposed variation:

- Replaces the condition with a proportionate Sustainability Statement
- Ensures policy compliance is maintained
- Reflects the nature and constraints of the development

Accordingly, the variation of Condition 6 is fully justified, and the application should be approved.

Yours faithfully,



Chris Keen MRICS MCABE
For and on behalf of The Keen Partnership