

SECTION 73 PLANNING STATEMENT

Variation of Conditions 24 and 25 (BREEAM Requirement)

75–77 London Street, Reading RG1 4QA

Planning Permission Ref: 220244

This statement accompanies an application made under Section 73 of the Town and Country Planning Act 1990 seeking to vary Conditions 24 and 25 attached to planning permission ref. 220244. The original permission was granted for the demolition of buildings to the rear (Olympia Hall), the erection of 12 residential flats with associated parking, landscaping and courtyard garden, together with the conversion of the ground floor of Nos. 75–77 London Street to provide 3 residential flats.

1. Introduction

This Planning Statement has been prepared in support of an application under Section 73 of the Town and Country Planning Act 1990 to vary Conditions 24 and 25 of planning permission ref. 220244.

The purpose of the application is to replace the requirement to obtain Interim and Final BREEAM "Very Good" Certificates with a more appropriate and proportionate sustainability condition requiring the submission of a Sustainability Statement demonstrating compliance with Policy CC2 of the Reading Borough Local Plan.

The proposed variation does not alter the approved development, the number of dwellings, the layout, scale, appearance or any other aspect of the approved scheme. The application relates solely to the method by which compliance with the Council's sustainability objectives is demonstrated.

2. Site and Surroundings

The application site comprises 75–77 London Street, Reading, together with the rear land formerly occupied by Olympia Hall.

Planning permission has been granted for:

- Demolition of the rear buildings.
- Construction of a new residential development comprising 12 flats.
- Conversion of the existing ground floor of Nos. 75–77 London Street to provide a further 3 residential flats.
- Associated parking, landscaping and courtyard garden.

The site lies within a sustainable town centre location where residential, commercial and community uses are well established and where future residents will benefit from excellent accessibility to public transport, employment opportunities and local services.

3. Relevant Planning History

Planning permission ref. 220244 was granted by Reading Borough Council on 2 May 2023 for:

"Proposed demolition of buildings to rear (Olympia Hall) and erection of 12 flats with associated parking, landscaping and courtyard garden and conversion of ground floor of Nos. 75–77 to 3 flats."

Amongst the conditions attached to the permission were:

- Condition 24 requiring submission of an Interim BREEAM Certificate demonstrating a minimum BREEAM "Very Good" rating prior to commencement.
- Condition 25 requiring submission of a Final BREEAM Certificate following completion of the development.

4. The Application

This application seeks to vary Conditions 24 and 25 only.

Existing Condition 24 requires submission of an Interim BREEAM Certificate demonstrating that the development will achieve a minimum BREEAM "Very Good" rating before development commences.

Existing Condition 25 requires submission of a Final BREEAM Certificate prior to first occupation demonstrating that the completed development has achieved the standard required by Condition 24.

It is proposed that these conditions be replaced with a single sustainability condition as follows:

"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 thereafter be carried out in accordance with the approved details."

No other amendments to the approved planning permission are proposed.

5. Planning Policy Context

Policy CC2 of the Reading Borough Local Plan seeks to ensure that development incorporates sustainable construction measures, reduces carbon emissions, improves energy efficiency and minimises environmental impacts.

The policy identifies recognised sustainability assessment methodologies as one means of demonstrating compliance. However, the overarching objective is to secure genuinely sustainable development rather than requiring a particular certification process where it is not appropriate or proportionate.

6. Assessment

6.1 Purpose of the Variation

The purpose of this application is not to reduce sustainability standards.

Instead, it seeks to replace a prescriptive certification requirement with an alternative mechanism that demonstrates compliance with Policy CC2 through a detailed Sustainability Statement.

This approach enables the Local Planning Authority to assess the sustainability credentials of the development directly while avoiding unnecessary certification requirements.

6.2 Practicality of BREEAM

Whilst BREEAM provides an established sustainability assessment framework, certification can present practical difficulties where developments involve existing buildings, conversions and mixed forms of construction.

The approved scheme comprises both:

- conversion and refurbishment of existing buildings; and
- construction of new residential accommodation.

Many sustainability measures can be demonstrated through energy assessments, construction specifications, material selection and sustainable design measures without the need for formal BREEAM certification.

A comprehensive Sustainability Statement is therefore capable of demonstrating compliance with Policy CC2 in a proportionate manner whilst avoiding unnecessary costs that do not deliver additional environmental benefits.

6.3 Sustainability Performance

The development delivers significant sustainability benefits including:

- redevelopment of previously developed land;
- efficient use of an underutilised town centre site;
- provision of new housing within a highly sustainable location;
- reduced dependence upon private vehicles through excellent access to public transport;
- energy efficient building fabric;
- modern insulation standards;
- improved glazing;
- efficient heating and ventilation systems;
- water efficiency measures;
- sustainable construction methods;
- careful material selection;
- landscaping and biodiversity enhancements.

These measures are fully capable of being demonstrated through the accompanying Sustainability Statement.

6.4 Compliance with Policy CC2

The proposed variation continues to achieve the objectives of Policy CC2.

The Sustainability Statement provides a proportionate means of demonstrating:

- sustainable design;
- energy efficiency;
- carbon reduction;
- resource efficiency;
- environmental performance.

The variation therefore maintains compliance with adopted planning policy whilst providing a realistic and deliverable method of satisfying the Council's sustainability objectives.

6.5 Planning Balance

The principle of the development has already been established through the grant of planning permission.

The proposed variation:

- does not alter the approved development;
- does not change the design or appearance of the scheme;
- does not alter residential numbers;
- does not increase environmental impacts;
- does not reduce sustainability performance.

Instead, it simply replaces the method by which sustainability is evidenced.

The proposal therefore represents a proportionate amendment which maintains full compliance with local planning policy.

7. Conclusion

Conditions 24 and 25 currently require Interim and Final BREEAM Certificates demonstrating a minimum "Very Good" rating. Whilst this was considered appropriate when permission was granted, the applicant considers that the same sustainability objectives can be more appropriately demonstrated through a comprehensive Sustainability Statement prepared specifically for the development.

The proposed variation:

- retains the sustainability objectives of the original permission;
- continues to satisfy the requirements of Policy CC2 of the Reading Borough Local Plan;
- provides a practical, proportionate and deliverable approach to demonstrating sustainable development;

- does not alter the approved scheme in any other respect.

Accordingly, the proposed variation of Conditions 24 and 25 is considered to be fully justified, and it is respectfully requested that planning permission be granted under Section 73 of the Town and Country Planning Act 1990.