

DELEGATED APPLICATION REPORT

Ward: Katesgrove

App Ref: 230222/FUL

Address: 81 Whitley Street, Reading, RG2 0EG

Proposals: Change of use from Sui Generis (Pay Day Loan Shop) to Class E (Beauty)

Case Officer: Mr David Brett

Applicant: Miss S Zurawska

Date received: 21/02/2023

Valid from: 26/05/2023

Target Decision date: 04/08/2023, extension of time on decision agreed with agent from 21/07/2023

1. INTRODUCTION

The application site comprises an end-terraced property on Whitley Street, Katesgrove, and within the Whitley Street Major Local Centre. The surrounding area consists of a mixture of commercial and residential uses.



Fig 1. 81 Whitley Street. Site photo taken by Case Officer on 10/07/2023

The proposal site is not within a Conservation Area or listed. The property is, however, located close to Christchurch Conservation Area. The property is also within an Article 4 area which restricts the conversion of commercial units to residential under permitted development.

2. PROPOSAL AND SUPPORTING INFORMATION

The proposed development seeks the following:

- The change of use to Class E (Business providing semi-permanent makeup and aesthetics treatments).

The proposed change of use facilitates the creation of a business providing semi-permanent makeup and aesthetics treatments. The change of use would also result in a smaller kitchen to the residential use.

Clients would be treated for semi-permanent makeup and aesthetics treatments. This consists of treatments in the form of semi-permanent tattooing of eyebrows or lips. Aesthetics treatments consist of dermal filler treatments. Clients would visit the business by appointment.

When assessing the offer proposed by the new business to 81 Whitley Street against the Use Class Order (as updated from 1 September 2020), the business is considered to fit appropriately within Class E(c)(iii).

Class E. Commercial, Business and Service

Use, or part use, for all or any of the following purposes—

(a)for the display or retail sale of goods, other than hot food, principally to visiting members of the public,

(b)for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,

(c)for the provision of the following kinds of services principally to visiting members of the public—

(i)financial services,

(ii)professional services (other than health or medical services), or

(iii)any other services which it is appropriate to provide in a commercial, business or service locality,

(d)for indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public,

(e)for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner,

(f)for a creche, day nursery or day centre, not including a residential use, principally to visiting members of the public,

(g)for—

(i)an office to carry out any operational or administrative functions,

(ii)the research and development of products or processes, or

(iii)any industrial process,

being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

The proposed development is considered to suitably fit within Class E(c)(iii) as the use is considered appropriate for Whitley Street Major Local Centre and broadens the range of commercial offers and services within the local centre. On this basis, the application will be considered as the proposed use for a Class E unit. Appeal decision APP/R5510/X/22/3290784¹ is considered relevant to the view that the proposed development is Class E, as similarly, the tanning salon use subject to that appeal was also considered to be Class E provides as ‘services to visiting members of the public’ and a ‘service which is appropriate to provide in a commercial, business or service locality’. The locality being Whitley Street Major Local Centre.

The business proposed is considered akin to a hairdresser or other services listed under Use Class A1, where services are provided by appointment, with minimal impact on residential amenity in terms of, for example, noise, disturbance, odours and fumes.

The applicant has confirmed that permission 200456/FUL (see section 3 of this report) has not been implemented. Therefore, the existing use of the site defers back to the use prior to its vacancy. The last use prior to the vacancy of 81 Whitley Street was as a Pay Day Loan Shop (Sui Generis Use Class).

¹ [Appeal Ref: APP/R5510/X/22/3290784](#)

No external alterations are proposed within this application.

Plans considered:

- Location Plan - TQRQM23052151401786
- Existing Floor Plan - 81 Whitley Street

Received on 21/02/2023

- Planning Statement

Received on 26/05/2023

3. RELEVANT PLANNING HISTORY

992222/FUL - Installation of air conditioning unit - Application Permitted on 20/05/1999

990091/FUL - Installation of ATM - Application Permitted on 20/04/2000

090500/FUL - Change of use of ground floor from Class A2 to Class A5 - Application Withdrawn on 21/04/2009

101362/CLP - Change of use from Class A2 to Class A1 - Application Permitted on 31/08/2010

200456/FUL - Change of use of ground floor from retail (Class A1) to restaurant/takeaway (Class Sui Generis) and installation of external rear flue - Application Permitted on 21/09/2020

4. CONSULTATIONS

4.1 The following addresses were consulted by letter.

1 Highgrove Mews, Reading, RG1 5BP - No response received.
79 Whitley Street, Reading, RG2 0ED - No response received.
8 Christchurch Road, Reading, RG2 7AD - No response received.
4 Christchurch Road, Reading, RG2 7AD - No response received.
1 Christchurch Road, Reading, RG2 7AB - No response received.
81 Whitley Street, Reading, RG2 0EG - No response received.
Flat D, 2 Christchurch Road, Reading, RG2 7AD - No response received.
Flat E, 2 Christchurch Road, Reading, RG2 7AD - No response received.
Flat F, 2 Christchurch Road, Reading, RG2 7AD - No response received.
Flat G, 2 Christchurch Road, Reading, RG2 7AD - No response received.
Flat A, 2 Christchurch Road, Reading, RG2 7AD - No response received.
Flat B, 2 Christchurch Road, Reading, RG2 7AD - No response received.
Flat C, 2 Christchurch Road, Reading, RG2 7AD - No response received.
Flat H, 2 Christchurch Road, Reading, RG2 7AD - No response received.
6 Christchurch Road, Reading, RG2 7AD - No response received.
Flat 1, Surety House, 112 Highgrove Street, Reading, RG1 5BQ - No response received.
Flat 2, Surety House, 112 Highgrove Street, Reading, RG1 5BQ - No response received.
Flat 3, Surety House, 112 Highgrove Street, Reading, RG1 5BQ - No response received.
Flat 4, Surety House, 112 Highgrove Street, Reading, RG1 5BQ - No response received.
Flat 5, Surety House, 112 Highgrove Street, Reading, RG1 5BQ - No response received.
Flat 6, Surety House, 112 Highgrove Street, Reading, RG1 5BQ - No response received.
Flat 7, Surety House, 112 Highgrove Street, Reading, RG1 5BQ - No response received.
Flat 8, Surety House, 112 Highgrove Street, Reading, RG1 5BQ - No response received.
Flat 9, Surety House, 112 Highgrove Street, Reading, RG1 5BQ - No response received.
Flat 10, Surety House, 112 Highgrove Street, Reading, RG1 5BQ - No response received.

Flat 11, Surety House, 112 Highgrove Street, Reading, RG1 5BQ - No response received.
Flat 12, Surety House, 112 Highgrove Street, Reading, RG1 5BQ - No response received.
Flat 14, Surety House, 112 Highgrove Street, Reading, RG1 5BQ - No response received.
Flat 6, 8 Christchurch Road, Reading, RG2 7AD - No response received.
Flat 1, 8 Christchurch Road, Reading, RG2 7AD - No response received.
Flat 2, 8 Christchurch Road, Reading, RG2 7AD - No response received.
Flat 3, 8 Christchurch Road, Reading, RG2 7AD - No response received.
Flat 4, 8 Christchurch Road, Reading, RG2 7AD - No response received.
Flat 5, 8 Christchurch Road, Reading, RG2 7AD - No response received.
Flat 7, 8 Christchurch Road, Reading, RG2 7AD - No response received.
Flat 1, 10 Christchurch Road, Reading, RG2 7AD - No response received.
Flat 2, 10 Christchurch Road, Reading, RG2 7AD - No response received.
Flat 3, 10 Christchurch Road, Reading, RG2 7AD - No response received.

Reading Borough Council, Environmental Protection - Response received 13/06/2023

- *I have no comments on this application.*

Reading Borough Council, Transport Development Control - Response received on 22/06/2023

- *It is considered that the proposed change of use will have a negligible impact in terms of Transport, therefore in principle, there are no Transport objections.*

5. 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. LEGAL AND PLANNING POLICY CONTEXT

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'. The following local and national planning policy and guidance is relevant to this application:

National Policy

National Planning Policy Framework

National Planning Practice Guidance

Reading Borough Local Plan (Adopted November 2019)

CC1 Presumption in favour of sustainable development

CC2 Sustainable design and construction

CC3 Adaption to Climate Change

CC5 Waste Minimisation and Storage

CC6 Accessibility and the Intensity of Development

CC7 Design and the Public Realm

CC8 Safeguarding Amenity

TR3 Access, Traffic and Highway-Related Matters

TR5 Car and Cycle Parking and Electric Vehicle Charging

RL1 Network and Hierarchy of Centres

RL3 Vitality and Viability of Smaller Centres

SPDs and other documents

Revised Parking Standards and Design SPD (2011)

Design Guide to Shopfronts SPD (2022)

Reading Borough Council Annual Monitoring Report 2021-2022 (December 2022)

7. APPRAISAL

7.1 Land Use Principles and Change of Use

No external alterations are required or proposed to facilitate the change of use to a beauty business. The development would therefore not change the appearance of the surrounding area.

The use has been described within section 2 of this report above. Whilst the proposed use is considered to be Class E(c)(iii) under the Use Class Order (as updated on 1 September 2020), by definition the proposed use is not within A1 or A2. Therefore, there would be no change to the number of A1/A2 frontages within Whitley Street Major Local Centre. The number of A1/A2 frontages within Whitley Street Major Local Centre will remain above the target of 40%, at 48.2% (Reading Borough Council Annual Monitoring Report 2021-2022 (December 2022)). The development is therefore considered in accordance with Policy RL3 of the Reading Borough Local Plan (2019).

Overall, the proposed development is considered in accordance with Policy CC7 of the Reading Borough Local Plan. The development would introduce a use that complements the existing range of commercial uses within Whitley Street Major Local Centre. The development would also revitalise a vacant unit that has not been active since the closing of the Pay Day Loan Shop in 2017/18. Therefore, the development is considered in accordance with Policy RL3 of the Reading Borough Local Plan through the enhancement of a 'centre use' asset.

7.2 Safeguarding Amenity

No nearby occupiers are considered to be significantly impinged by the proposed development in relation to any amenity consideration. The development is not considered to result in harmful levels of noise and disturbance to the surrounding area. It is acknowledged that the proposal site is located on the very edge of the local centre, with residential dwellings to the north west along Highgrove Street and along Christchurch Road. It is considered unlikely, however, that the development would generate harmful levels of noise and disturbance to residential amenity.

As discussed, the development would have a negligible impact upon the existing movement of vehicles and the parking arrangement to Whitley Street Major Local Centre.

Overall, the proposed development is not considered to harm the living conditions to neighbouring properties or the surrounding area. Therefore, the proposed development is considered in accordance with policies CC7 and CC8 of the Reading Borough Local Plan.

8. CONCLUSION

The proposed development has been assessed and the proposed works are considered to be in accordance with the above relevant policies and planning permission can be granted.

9. RECOMMENDATION

GRANT

10. CONDITIONS

TL1: Time Limit (Standard)

The development hereby permitted shall begin no later than three years from the date of this planning permission.

REASON: In pursuance of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) in order to prevent an accumulation of unimplemented planning permissions.

AP1: Approved Plans

The development hereby permitted shall ONLY be carried out in accordance with the following approved plans:

Plans considered:

- Location Plan - TQRQM23052151401786
- Existing Floor Plan - 81 Whitley Street

Received on 21/02/2023

REASON: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

Opening Times

The nail/beauty salon shall not be used by members of the public outside the hours of 10:30 to 19:30 on Mondays to Saturdays and not at any time on Sundays or Bank Holidays.

REASON: In order to protect local residents from unreasonable disturbance arising from the use in accordance with Policy CC7 and CC8 of the Reading Borough Local Plan 2019.

Delivery Times

Hours for deliveries and/or waste collection are restricted to 08:00 to 20:00 on Mondays to Saturdays and not at any time on Sundays or Bank Holidays.

REASON: In order to protect local residents from unreasonable disturbance arising from the use in accordance with Policy CC7 and CC8 of the Reading Borough Local Plan 2019.

11. INFORMATIVES

Standard Informatives