

DELEGATED APPLICATION REPORT

Ward: Abbey

App Ref: 211783/FUL

Address: 11 Duke Street, Reading, RG1 4SA

Proposals: Change of use from sandwich shop to a nail and beauty salon (sui Generis) (Amended Description).

Case Officer: Beatrice Malama

Date received (valid from): 7 January 2022

Agreed Decision date: 10 August 2022

1. Site description and Surrounding Area

The application site is a three story is a four storey building on a parade of shops located East of Duke Street. The application however relates to the ground floor only. Located further south of the site is River Kennet. The site was previously occupied by Panino Café. The building is not listed however it falls within Market Place/London Street Conservation area.

2. The Proposal

Full planning permission is sought for the change of use of the unit from **Class E** (Commercial, business and service) to Sui Generis (nail and beauty salon).

No external changes are proposed as part of this application although there was an indication of new signage associated with the proposed salon. However the agent was advised to submit a separate application for advertisement consent. In addition, the agent was advised to submit revised plans illustrating any proposed (or already taken place) shopfront alterations however this information was not forthcoming as such a decision was made to limit the assessment to the proposed change of use only.

3. Consultation

Internal Consultees

Environmental Health - Initial comments were received from the Senior Environmental Health Officer on 3 February 2022 as follows:

“Further information is required regarding how solvent odour from the nail salon will be controlled. Is there an extraction system in place? Or will the odour be dispersed to ambient air? Are there any residential properties adjoining or in close proximity that may be affected by the odour”?

Additional information regarding air purification was requested by the Senior Environmental Officer via email received on 28th April 2022.

In response to the above concerns, the agent supplied the local planning authority with various documents which addressed all the Environmental related concerns and no further queries were received and thus there were no further objections to this application on environmental grounds.

Public consultations:

The following addresses were consulted by letter.

15-17 Duke Street, Reading
15 Duke Street, Reading, RG1 4SA
9 Duke Street, Reading, RG1 4SA

In addition confirmation that the site notice was displayed on 11th February 2022 was received.

No responses were received from members of the public.

CAAC - an objection was received on 11th April 2022 and the summary is as follows:

- Various alterations to the shopfront have taken place however the application appears to be silent on this.
- The application is silent on the removal (or otherwise) of kitchen equipment, fixtures and fittings and any exterior flues that may have been required for the cafe.
- It is not clear whether or not the existing panino awning would be removed or replaced
- The proposed signage is not suitable for this location in a conservation area.
- Painted gold lettering on a timber background would be preferable to the proposed raised gold lettering on aluminium backing.
- There appear to be a rather large number of manicure and pedicure stations to be managed by a staff of 2.5 FTEs for 77 hours of opening over 7 days.

Case officer comment: The assessment of this application is limited to the proposed change of use as such any external alterations that may have or will take place as a result of the change of use will require separate planning permissions. However for any works that have already been done without planning permission, this will be a matter for enforcement to investigate.

4. Plans and Documents Considered

MNB/P1 - Existing Floor Plan & Proposed Floor Plan
TQRQM21304235752302 - Location Plan
Received 1st November 2021

MNB/P1 - Existing and Proposed Elevations
Received 7th January 2022

MNB/P1 - Existing Floor Plan & Proposed Floor Plan illustrating extraction unit
City M - Air Purifier specifications
TD Silent - Extraction fan details
Support Statement - Ref: PP-10353446
10th February 2022

City M - Air Purifier operation details
10th May 2022

5. Relevant Planning History

None.

6. 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.

7. Discussion with applicant/ agent

The local planning authority engaged the agent on multiple occasions in trying to resolve various matters related to the proposal and the application site. Issues that were identified and discussed were related to environmental health and shopfront alterations that appear to have been carried out without planning permission. Changes in the shopfront which appear to have taken place include the installation of a new fascia signage, removal of the stall riser and installation of the roller shutter. Whilst the environmental health concerns were addressed during the process, issues to do with the shopfront could not be resolved as such the matter will need to be investigated further by RBC Enforcement section. The case officer advised the agent of this through an email dated 26th July 2022.

8. Relevant Planning Guidance

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 policies and guidance are relevant to this application:

National Policy

National Planning Policy Framework (2021)

National Planning Practice Guidance

Reading Borough Local Plan 2019

CC7: Design and the Public Realm

EN1: Protection and Enhancement of the Historic Environment

EN3: Enhancement of Conservation Areas

EN16: Pollution and Water Resources

CR1: Definition of Central Reading

CR7: Primary Frontages in Central Reading

TR3: Access, Traffic and Highway-Related Matters

9. Appraisal

The main issues are considered to be:

- 1) Principle of change of use
- 2) Impact on the surrounding area
- 3) Environmental Health Considerations
- 4) Impact on parking/highways

9.1 Principle of the change of use

In principle the proposed change of use of the unit from **Class E** (Commercial, business and service) to Sui Generis (nail and beauty salon) is acceptable.

The application site is within the Central Reading area as defined within Policy CR1 of the Reading Borough Local Plan 2019. The policy encourages mixing uses within the centre.

Policy CR7 provides further detail regarding the balance of uses within the town centre: The policy states that:

Proposals that would result in the loss of A1 or A2 (now Class E) use such that the proportion of the length of frontage within the street in A1 or A2 use falls below 50% will not be permitted, unless the proposal introduces a use that makes a positive contribution to the overall diversity of the centre. 50% of new primary frontages as shown on the Proposals Map should be in A1/A2 use.

Having assessed the composition and uses of existing ground floor units on Duke Street, the proposed change of use of the application site to Sui Generis use would not result in a reduction of Class A1 or A2 (Class E) to below 50% as most of the units are Class E uses. In addition, the introduction of a beauty salon on Duke Street would create a good mix of uses which would be able to complement each other. In addition, the loss of a café in this area would not be to the detriment of the general public as the street and the wider area has a number of existing restaurants. The

proposal therefore is in compliance with the requirements of policies CR1 and CR7 and as such it is considered acceptable.

9.2 Impact on the surrounding area

Duke Street comprises of rows of multi storey buildings on both sides. Ground floors of these buildings are mostly used as commercial units (Class E) which include retail shops, restaurants, offices and barber shop. The application site which was formerly Panino's Café is located in between Oxfam retail shop and Duke Street Barbers. Although the proposed nail and beauty salon is in a class of its own, it would not conflict with the other existing uses and it is not considered likely to harm the character of the street.

In terms of appearance, as this application relates to the proposed change of use, it is not considered to impact the street scene (as no external alterations are being considered as part of this application) and therefore the proposal complies with policy CC7 of the Reading Borough Local Plan 2019.

9.3 Environmental Health Considerations

The environmental health concerns that were raised were addressed and thus no further objections were received from Environmental Health. The proposed change of use therefore is considered acceptable on Environmental Health Grounds and complies with policy EN16 of the Reading Borough Local Plan 2019.

9.4 Impact on parking/highways

Duke Street is a classified road and does not allow on street parking. In addition, there are existing nearby car parks including the Oracle car park as such the proposal would not have a material impact on the functioning of the transport network. The proposal therefore is considered acceptable from a highways perspective and therefore is not in conflict with policy TR3.

10. CONCLUSION

The proposed change of use has been assessed and the proposed works are considered to be in accordance with the above relevant policies and planning permission can be granted subject to conditions as attached. The permission however excludes any external works including any shopfront alterations that have or will take place as a result of the change of use.

11. RECOMMENDATION

Application Permitted

CONDITIONS

Time Limit (Standard)

Approved Plans