

DELEGATED REPORT

App Nos.: 201508/FUL

Address: Unit 60 Robert Court Industrial Estate, Britten Road, Reading

Proposals: Change of use of existing industrial unit (Class B8) to Sports Injury and Human Performance clinic Class E(e) (former Use Class D1)

Target Date: 20/04/2021

1. INTRODUCTION

GoPerform Ltd is a Sports Injury and Human Performance clinic that opened at Unit 22 Britten Road in November 2017. Temporary permission was granted (5-year) for D1 use with reversion to B2 use (ref. 171286). GoPerform Ltd has since developed into a successful centre and is now a strategic part of the public health infrastructure in Reading.

GoPerform Ltd have now reached the point of outgrowing their existing premises and the landlord (Robert Cort Properties Ltd) have offered the larger unit adjacent to their current, Unit 60 (see below).



Fig 1 - Unit 60 Robert Court Ind Estate (Highlighted) Google Street View 2020

2. PROPOSAL

This planning application seeks consent for the change of use of use of the Unit 60 (currently Use Class B8 use) to Sports Injury and Human Performance clinic Class E(e) (former Use Class D1) to accommodate GoPerform Ltd. No changes to the external elevations of the building are proposed.

The change of use will ensure that GoPerform Ltd can remain in the borough, and continue to provide range of sport specific rehabilitation for athletes from different sports.

3. PLANS SUBMITTED AND SUPPORTING INFORMATION

The applicant submitted the following plans and information, received on 12th February 2021:

Location Plan
Block Plan
Planning Statement

4. PLANNING HISTORY

None.

5. CONSULTATIONS

RBC Transport - No objection subject to conditions

RBC Environmental Protection - No comments received

RBC Waste - No comments received

Public consultation:

Properties at 26 and 62 Britten Road were consulted and no comments have been received.

As site notice was displayed for the requisite time period. Therefor the Council has discharged their statutory publicity obligations.

6. RELEVANT PLANNING POLICY AND 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 policy and guidance is relevant to this application:

National Planning Policy Framework (NPPF) (Feb 2019)

Section 2 - Achieving sustainable development
Section 6 - Building a strong, competitive economy

Reading Borough Local Plan 2019

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
CC2: SUSTAINABLE DESIGN AND CONSTRUCTION
CC3: ADAPTATION TO CLIMATE CHANGE
CC4: DECENTRALISED ENERGY
CC5: WASTE MINIMISATION AND STORAGE
CC6: ACCESSIBILITY AND THE INTENSITY OF DEVELOPMENT
CC7: DESIGN AND THE PUBLIC REALM
CC8: SAFEGUARDING AMENITY
CC9: SECURING INFRASTRUCTURE

EN1: PROTECTION AND ENHANCEMENT OF THE HISTORIC ENVIRONMENT
EN2: AREAS OF ARCHAEOLOGICAL SIGNIFICANCE
EN3: ENHANCEMENT OF CONSERVATION AREAS
EN4: LOCALLY IMPORTANT HERITAGE ASSETS
EN5: PROTECTION OF SIGNIFICANT VIEWS WITH HERITAGE INTEREST
EN6: NEW DEVELOPMENT IN A HISTORIC CONTEXT

EM1: PROVISION OF EMPLOYMENT
EM2: LOCATION OF NEW EMPLOYMENT DEVELOPMENT
EM3: LOSS OF EMPLOYMENT LAND

TR1: ACHIEVING THE TRANSPORT STRATEGY
TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING

Other material guidance and legislation

National Planning Practice Guidance (2021)
National Design guide (2020)
The Community Infrastructure Levy (CIL) Regulations (Amended 2015)

7. APPRAISAL

Principle of development

The application site is located within Core Employment Area Policy EM2f: Elgar Road. Policy EM2 of the Local Plan 2019 defines the district's Core Employment Areas and specifies that major employment uses will be located within these Core Employment Areas. The Policy goes on to state that Non-employment uses that would support the area's economic function may be located in Core Employment Areas where they do not result in a loss of employment land, and subject to other policy considerations.

Paragraph 80 of the NPPF states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. The NPPF states that *"Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development."*

The proposal seeks the change of use of Unit 60 from an existing traditional employment use (Class B8) to sports injury and human performance clinic Class E(e) (former Use Class D1). Whilst now falling within Class E (Flexible commercial use) a sports injury and human performance clinic is not considered to be classed as traditional employment use (industrial, storage and distribution or similar uses) as defined by the policy. However, there are a number of factors which must be considered in determining whether such a use would support the area's economic function and whether it results in a loss of employment land.

To begin with, the applicant, GoPerform Ltd, is currently located at 22 Britten Road, which is already located within the Elgar Road Core Employment Area and is 40m from Unit 60 (see Fig 2 below). This application is to allow the relocation of GoPerform Ltd from 22 Britten Road to a larger premise at Unit 60. Therefore, no new 'non-employment' use would be introduced within this Core Employment Area, simply a relocation from one commercial unit to another (See fig 2 below).



Fig 2 - Unit 22 (highlighted red) Unit 60 (highlighted green)

The original planning permission permitting GoPerform Ltd to operate from 22 Britten Road was time limited to 5 years (from 11 October 2017). This permission was conditioned ensuring that when either the premises ceases to be occupied by GoPerform Ltd, or at the end of 5 years from the date of that permission, whichever shall first occur, the permitted use shall cease (and all materials and equipment brought on to the premises in connection with the use shall be removed). The former unit at 22 Britten Road, once vacated would therefore revert to its former B2 use (General Industrial).

Secondly, in considering the change of use of Unit 60 Robert Cort Industrial Estate from B8 to Class E, specifically a sports injury and human performance clinic, the level of employment must be considered. As part of the previous application in 2017, it was understood that Go Perform Ltd would employ approximately 5 full-time members of staff and several part-time employees as the business develops. It was anticipated that the clinic would typically be working with up to 10 individuals in the building at any time. At the time of this current application the clinic continues to employ 5 full-time members of staff along with 7 part-time employees, and offers an annual graduate Internship. This is consistent with the employment aims of Policy EM2 of the local Plan, and constitutes a level of employment generation consistent with an alternative industrial use for a unit of this size. The relocation of Go Perform Ltd to this larger at Unit 60 building will provide employment opportunities for a further 3 full-time members of staff.

Finally, Unit 60 has not been let on a permanent basis since 2012 despite being marketed by two leading commercial property agents. In recent years it has been used as storage (on a rolling monthly basis) as required by residents of the estate. The Council understands that the principal reason for difficulties in permanent letting is that the unit does not benefit have a yard. Whilst there is no requirement within the Local Plan to require that a vacant commercial premises is marketed prior to a change of use to Class E, this weighs in favour of the proposal.

The relocation of Go Perform Ltd to Unit 60 is therefore considered a positive optimisation of existing employment space by allowing a valued local business to expand and former industrial space made available for continued employment uses.

Given the proposed use of Unit 60 is specific to Go Perform as a sports injury and human performance clinic, and not any other flexible commercial use under Class E, it is considered reasonable and necessary to impose a condition restricting the main use of Unit 60 to that sought. No temporary time limited conditions are now considered required.

Taking the above into consideration, the principle of development is therefore considered acceptable in accordance with Policy E2 of the Local Plan and the NPPF. It should be noted that there is no longer any requirement for a time limited condition given the established principle of development and long-standing nature of the business.

Amenity

The unit is located within a defined industrial area and the use of the unit as a sports injury and rehabilitation clinic is not considered to cause any harm or disturbance to neighbouring units. Likewise, adjoining commercial uses are not considered to give to any harmful disturbance which would prejudice the use of the unit at a sports injury and rehabilitation clinic. The proposal is therefore considered to accord with policy CC8 of the Local Plan.

Transport

The site is located in Zone 2, Primary Core Area, of the Revised Parking Standards and Design SPD. This zone directly surrounds the Central Core Area and extends to walking distances of 2 kilometres from the centre of Reading. There are no adopted parking standards for the proposed use as a sports injury clinic. Therefore, an application of this type has to be considered on its own merits considering local circumstances including access to public transport provisions and the availability of parking and on-street regulations.

The site is located within in an established commercial/industrial area. A high proportion of the traffic using the road is commercial traffic ranging from light vans to articulated lorries. No waiting restrictions (DYL) are present within the industrial estate.

The relocation to Unit 60 would allow the business to employ 8 full-time members of staff and 7 part-time employees. The unit is accessed directly from Britten Road and has 7 designated car parking spaces. It is stated that there is an additional 92 available car parking spaces within the site.

As with the previous planning application, if any overflow does occur, permission would rest with the Robert Cort Industrial Estate to permit use the overflow car parking spaces.

Considering the development will be located within a commercial area and the wider area is controlled with extensive parking restrictions, it is concluded that any parking associated with the proposed development would not overspill onto the public highway or unacceptably prejudice the safety of other highway users and in view of this there are no transport objections to the proposal subject to standard conditions.

Other Matters

Equality Act 2010 - In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected

characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. There is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application.

In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

CIL

The proposed development does not attract a CIL charge as it is a change of use of in use floorspace with no additional floorspace proposed.

8. RECOMMENDATION

GRANT

Conditions to include:

1. Time limit

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.

2. Approved Plans

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

Site Plan at 1:2500 (Showing location of Unit 60) dated 28th July 2017 received on 12th Feb 2021

Block Plan at 1:1250 dated 05.01.09 and received on 12th Feb 2021

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.

3. Restrict within Class E (Specific use only)

Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the site (Unit 60 Robert Court Industrial Estate) shall be used only for a sports injury and human performance clinic (Class E(e)) and for no other purpose of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.

REASON: Another alternative use of the premises which may otherwise be permitted by virtue of the above Orders could be harmful to the vitality of the Core Employment Area in accordance with Policy EM2 of the Local Plan 2019.

4. Vehicle Parking (To Be Approved)

The 7 vehicle parking spaces designated to the premises shall be provided prior to first occupation and thereafter kept free of obstruction and retained in accordance with the approved details and shall remain available for the parking of vehicles at all times.

REASON: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and to reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

Informatives to include:

1. Terms and conditions
2. Building Regulations
3. Positive and proactive
4. Reminder of the need to vacate Britten Road site