

DELEGATED APPLICATION REPORT

SITE ADDRESS:	87 Southampton Street, Reading, RG1 2QU
APPLICATION NUMBER:	220204
PROPOSAL:	Additional storey to provide 1 x 2-bed residential unit above the second floor. Prior Notification under Class AA, Part 20 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (Amended Description).
DECISION DATE:	15/04/2022

Introduction

The application site comprises 87 Southampton Street, a detached building set back from the east side of the street, close to the junction with Crown Street (to the north). The ground and first floor levels are currently occupied offices and the second floor is currently an unoccupied office. The surrounding area is a mix of office and residential uses, together with a high-level car parking space immediately to the east.

The site is not a listed building and not located within a conservation area. A number of buildings on the west (opposite) side of Southampton Street at this point are listed.



Fig 1 - Front of 87 Southampton Street (in the background) taken by case officer on 25/03/2022



Fig 2 - Rear of 87 Southampton Street taken by case officer on 25/03/2022

Proposal

Prior approval is sought for an additional storey above the existing second floor to provide residential accommodation, in the form of 1 x 2-bedroom flat as per the

plans submitted. This application seeks Prior Notification under Class AA, Part 20 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (Amended Description).

Information Submitted

Plans considered (plans with double strikethrough denote superseded plans):

- Site Location Plan & Block Plan - A-1000 Rev A
- Existing and Proposed Ground and First Floor Plan - A-1010 Rev A
- Existing and Proposed Second and Third Floor Plan - A-1020 Rev A
- Existing and Proposed Roof Plan - A-1025 Rev A
- Existing and Proposed Front and Rear Elevations - A-1100 Rev A
- Existing and Proposed Side Elevations - A-1110 Rev A
- Design and Access Statement 87 Southampton Street

Received on 18/02/2022

- Existing and Proposed Sections - A-1200 Rev A

Received on 05/04/2022

- Existing and Proposed Second and Third Floor Plan - A-1020 Rev B

Received on 13/04/2022

- Bin Store Plan - A-1300

Received on 14/04/2022

Policy Context

Legal context

The application has been submitted to determine whether prior approval is required in accordance with Schedule 2, Part 20, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Class AA involves development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the topmost storey on a detached building in commercial or mixed use.

Before development can be carried out under Class AA, the developer must submit a Prior Notification to determine if 'Prior Approval' of the Local Planning Authority is required in respect of the following matters:

- (a) transport and highways impacts of the development;
- (b) air traffic and defence asset impacts of the development;
- (c) contamination risks in relation to the building;
- (d) flooding risks in relation to the building;
- (e) the external appearance of the building, including—
 - (i) the design and architectural features of—
 - (aa) the principal elevation; and
 - (bb) any side elevation that fronts a highway; and
 - (ii) the impact of any works under sub-paragraph (1)(c) or (d) of Class AA;

- (f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;
- (g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light;
- (h) impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses;
- (i) impacts of the introduction of, or an increase in, a residential use of premises in the area on the carrying on of any trade, business or other use of land in the area;
- (j) whether, because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012(a) issued by the Secretary of State, and the provisions of paragraph B (prior approval) of this Part apply in relation to that application.
- (k) where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building;; and
- (l) where the development meets the fire risk condition (see paragraph C(3) of this Part), the fire safety impacts on the intended occupants of the building

Class AA requires development to be completed within a period of 3 years starting with the prior approval date. Any development under Class AA is permitted subject to the condition that before beginning the development, the developer must provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on occupiers of the building and adjoining owners or occupiers will be mitigated.

The developer must notify the local planning authority of the completion of the development as soon as reasonably practicable after completion. The notification must be in writing and must include—

- (a) the name of the developer;
- (b) the address or location of the development; and
- (c) the date of completion.

Following the development, every dwellinghouse in the building must remain in use as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

Planning History

At 87 Southampton Street:

091751/FUL - Erection of a pair of gates in entrance. - Application Permitted on 02/10/2009

At 85 Southampton Street:

151145/OPA - Change of use of building from Class B1 (offices) to C3 (dwellinghouses) to comprise of 6 x 1 bed flats. Prior Notification under Class O, Part 3 of Schedule 2

of the Town and Country Planning (General Permitted Development) Order 2015. - Application Permitted on 24/08/2015

Consultations

Reading Borough Council, Transport - Response received on 03/03/2022

- *Transport do not have any objections to prior approval being given as the additional flat would not have a material impact on the character of the traffic in the vicinity of the site given the extensive parking restrictions in the area. However, I request that any permission granted is subject to the following informative [concerning parking permits].*

Reading Borough Council, Environmental Protection - Response received on 23/03/2022

- Concerns raised regarding noise transmission between dwellings, contaminated land, construction and demolition phase and bin storage.
- Informative recommended to any approval regarding insulation requirements set out in Building Regulations Approved Document E.
- The developer is advised that the development lies adjacent to the site of a historic factory, which has the potential to have caused contaminated land. A condition has been suggested to halt development and report contamination if contamination is found.
- An informative is recommended regarding demolition phases to take into account the living conditions of neighbours during construction.
- A condition has been recommended regarding bin storage.

Officer Note: The location of bin storage has been demonstrated on the bin store plan as received on 14/04/2022 and is considered acceptable. As the proposed development is to the roof of 87 Southampton Street it is anticipated that there would be no impact on contaminated land, therefore the condition suggested by Environmental Protection is not considered necessary in this instance.

Publicity

A site notice was displayed at the application site on 24/02/2022 for a period of 21 days, expiring on 17/03/2022. No responses have been received to the public consultation.

Appraisal

The proposal comprises of an additional storey to provide 1 x 2-bed residential unit accommodation above the second floor. The proposal is to be considered against the criteria and conditions contained within Schedule 2, Part 20, of Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Criteria AA.1.-(1)

Development is not permitted by Class AA if—

(a) above ground level, the building is less than three storeys in height;

Complies - The building is three storeys in height.

(b) the building was constructed before 1st July 1948 or after 5th March 2018;

Complies - The building was constructed within the mid 1980s.

(c) on 5th March 2018 the building was in a use other than—

(i) a use or mixed use within paragraph AA(2)(a) or (b); or

(ii) a use falling within Class C3 of the Schedule to the Use Classes Order;

Complies - The use of the existing building is as offices.

(d) the additional storeys are constructed other than on the principal part of the building;

Complies - The additional storey is to be constructed on the principal part of the building.

(e) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of—

(i) 3 metres; or

(ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing building;

Complies.

(f) the new dwellinghouses are not flats;

Complies - The new dwellinghouse is 2 bedroom apartment flat with a gross internal area of 96m²

(g) the height of the highest part of the roof of the extended building would exceed the height of the highest part of the roof of the existing building by more than 7 metres (not including plant, in each case);

Complies - The increase in height is 1.5m, owing to the significant existing roof parapet at the building.

(h) the height of the highest part of the roof of the extended building (not including plant) would be greater than 30 metres;

Complies - The height of the building would be 12.3m.

(i) development under Class AA(1)(a) would include the provision of visible support structures on or attached to the exterior of the building upon completion of the development;

Complies - The provision does not include visible support structures.

(j) development under Class AA(1)(a) would consist of engineering operations other than works within the existing curtilage of the building to—

- (i) strengthen existing walls;**
- (ii) strengthen existing foundations; or**
- (iii) install or replace water, drainage, electricity, gas or other services;**

Complies - No engineering operations outside of the existing curtilage are proposed, as confirmed on the application form.

(k) in the case of Class AA(1)(b) development there is no existing plant on the building;

Complies - There is no existing plant on the building

(l) in the case of Class AA(1)(b) development the height of any replaced or additional plant as measured from the lowest surface of the new roof on the principal part of the extended building would exceed the height of any existing plant as measured from the lowest surface of the existing roof on the principal part of the existing building;

Complies - Not applicable.

(m) development under Class AA(1)(c) would extend beyond the curtilage of the existing building;

Complies - The development would not extend beyond the curtilage of the existing building

(n) development under Class AA(1)(d) would—

- (i) extend beyond the curtilage of the existing building;**
- (ii) be situated on land forward of a wall forming the principal elevation of the existing building; or**
- (iii) be situated on land forward of a wall fronting a highway and forming a side elevation of the existing building; or**

Complies

(o) the land or site on which the building is located, is or forms part of—

- (i) article 2(3) land;**
- (ii) a site of special scientific interest;**
- (iii) a listed building or land within its curtilage;**

- (iv) a scheduled monument or land within its curtilage;
- (v) a safety hazard area;
- (vi) a military explosives storage area; or
- (vii) land within 3 kilometres of the perimeter of an aerodrome.

Complies

Conditions

MA.2.—(1) Where any development under Class AA is proposed, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for prior approval of the authority as to—

(a) transport and highways impacts of the development;

There are no transport or highways concerns, subject an informative regarding vehicle parking permits (as per the transport observations above). The Environmental Protection have advised that the details of bin storage are required for the proposed third floor flat. The location of bin storage has been demonstrated on a bin store plan. The bin store is located to the south of 87 Southampton Street and will not disrupt pedestrian movement along Southampton Street or compromise highway safety. The proposed bin storage is therefore considered acceptable.

(b) air traffic and defence asset impacts of the development;

This proposed development would not have a detrimental impact on air traffic and defence assets.

(c) contamination risks in relation to the building;

There are no contamination risks in relation to the building itself; Environmental Protection colleagues advise that the development lies adjacent to the site of a historic factory, but this constraint does not relate to the site itself.

(d) flooding risks in relation to the building;

The proposal site is within Flood Zone 1. There are no flood risk concerns in relation to the building or the proposed development.

(e) the external appearance of the building, including—

- (i) the design and architectural features of—**
 - (aa) the principal elevation; and**
 - (bb) any side elevation that fronts a highway; and**
- (ii) the impact of any works under sub-paragraph (1)(c) or (d) of Class AA;**

The upward extension is considered to respect the design and architectural features of the existing building. It is considered that the proposed development would suitably integrate with the two adjacent buildings that front the highway.

(f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;

All habitable rooms are served by windows, providing adequate levels of natural light to the proposed flat.

(g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light;

The proposed development would not result in a harmful loss of light to neighbouring premises. Serviced flats are located to all floors of 85 Southampton Street, to address potential overlooking and loss of privacy to these residents the windows to the front west elevation have been specified on the plans as obscure glazed. There are no other concerns with regards to loss of privacy or overlooking to any other neighbouring premises. In terms of loss of light, whilst the proposal would have some impact, this is considered limited owing to the increase in height of the building being limited to 1.5m (owing to the existing high parapet). Therefore, whilst acknowledging that this will alter for nearby occupiers, the level of harm is not considered to be so significant to resist the proposals on this basis.

(h) impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses;

The design and access statement provided states that the ground and first floors are currently occupied as offices, with the second floor currently vacant. It is considered that the use of the lower floors as offices would not have a harmful impact on the intended occupiers of the new flat. The immediate surrounding area largely consists of flats and serviced apartments. Other office uses are close by, such as 89 Southampton Street, but the surrounding area is considered predominantly residential. Any impact from nearby commercial uses is not considered harmful to the living conditions of intended occupiers of the proposed third floor flat.

(i) impacts of the introduction of, or an increase in, a residential use of premises in the area on the carrying on of any trade, business or other use of land in the area;

No alterations are proposed to the highway or vehicle access. It is considered unlikely that the proposed development would harm trade, business or other use of the land in the area. The nearby serviced apartments and flats benefit from a car park to the rear. It is considered unlikely that the existing offices within the application building would be harmed by the addition of a residential unit.

(j) whether, because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012(a) issued by the Secretary of State;

The proposed development would not impact any protected views. The Protected Vistas are located in London boroughs.

(k) where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building,; and

Complies - the existing building is less than 18m in height.

(l) where the development meets the fire risk condition (see paragraph C(3) of this Part), the fire safety impacts on the intended occupants of the building and the provisions of paragraph B (prior approval) of this Part apply in relation to that application.

A Fire Statement would be required if the development involves the development of an existing 'relevant building'. This criterion applies to a building which satisfies the height condition in paragraph (3) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and contains— (a) two or more dwellings; or (b) educational accommodation. Paragraph (3) states the height condition is that— (a) the building is 18 metres or more in height; or (b) the building contains 7 or more storeys. The development does not meet the fire risk condition.

Conclusion

The development subject of this prior notification is considered to meet the relevant criteria of Class AA of the GPDO. In considering the relevant conditions pursuant to the Prior Approval of this application, the proposal will not give rise to any transport impacts, contamination risks, flooding risk, nor would it experience adverse noise impacts from adjacent business premises. It is considered that adequate natural light would be provided in the habitable rooms. The development will not introduce a residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, and finally does not result in the loss of a designated service or fails the fire risk condition. Accordingly it is considered that prior approval of the Local Authority is required and given thereby permitting the development by virtue of Class AA Part 20 of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended).

Recommendation:

Prior Approval is required and GIVEN.

Conditions:

1. This development under Class AA is permitted subject to it being completed within a period of 3 years starting with the prior approval date on this decision notice.

REASON: To comply with the requirement of paragraph AA.2.-(3) of the The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

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

- Site Location Plan & Block Plan - A-1000 Rev A
- Existing and Proposed Ground and First Floor Plan - A-1010 Rev A
- Existing and Proposed Second and Third Floor Plan - A-1020 Rev A
- Existing and Proposed Roof Plan - A-1025 Rev A

- Existing and Proposed Front and Rear Elevations - A-1100 Rev A
- Existing and Proposed Side Elevations - A-1110 Rev A
- Design and Access Statement 87 Southampton Street

Received on 18/02/2022

- Existing and Proposed Sections - A-1200 Rev A

Received on 05/04/2022

- Existing and Proposed Second and Third Floor Plan - A-1020 Rev B

Received on 13/04/2022

- Bin Store Plan - A-1300

Received on 14/04/2022

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. Any development under Class AA is permitted subject to the condition that before beginning the development, the developer must provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on occupiers of the building and adjoining owners or occupiers will be mitigated.

REASON: To comply with the requirement of paragraph AA.2.—(4) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

4. The local planning authority must be informed of the completion of the development as soon as reasonably practicable after completion. The notification must be in writing and must include—

- (a) The name of the developer;
- (b) The address or location of the development; and
- (c) The date of completion.

REASON: To comply with the requirement of paragraph AA.2.—(5) and (6) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

5. Following the development, the dwellinghouse in the building must remain in use as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

REASON: To comply with the requirement of paragraph AA.2.—(7) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Informatives:

1. The proposal meets the relevant criteria set out in Class AA.

2. You are advised that the development lies adjacent to a potentially contaminated site. Due to the nature of the historic land use there is the potential of contaminated land being present. The developers must be aware that any ground or enabling works may bring receptors into contact with the aforementioned contaminants. You may wish to satisfy yourself that the details of the construction proposals take the necessary account of the possibility of contaminants from that source.
3. Noisy construction, demolition and associated activities should be restricted to between the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, with no noisy works taking place at any time on Sundays and Bank or Statutory Holidays.
4. There should be no burning of waste on the site.
5. The occupiers of the residential unit will not be automatically entitled to an on-street car parking permit. New occupiers should be informed of this and be advised to find out more about parking permits on the Council's website. There is already a high level of on street car parking in the area and the site is located close to local facilities, with frequent public transport services on nearby roads.