

DELEGATED APPLICATION REPORT

SITE ADDRESS: 70 South View Avenue, Reading

APPLICATION NUMBER: 211028/OPA

PROPOSAL: Change of use from Class B1(a) (offices) to C3 (dwelling houses) to comprise 10 flats. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

INTRODUCTION

The application site is a detached two storey L-shaped brick building, with a tiled roof. It comprises 4 office suites with approximately 15 parking spaces. It is set back from South View Avenue in a residential area of Caversham. To the rear of the building is South View Park business park.

The building has been in use previously as B2 General industrial use with an element of light electronics assembly in 1991 and since 1994 in use as offices, with a permitted change to a B1 which would include use as an administrative office.

It is in flood Zone 2, and on the edge of Zone 3, situated in an area of contaminated land polygons and an AQMA area.

PROPOSAL

The proposal seeks a change of use to convert the building into 10 flats under Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Prior approval application 201411 has recently been granted to provide comprise 1 x studio, 2 x 1-bed and 4 x 2-bed flats. Revised plans have divided the building into additional flats.

No external alterations are indicated on the proposed floor plans; however the proposed floorplans state that all external windows are to be replaced. No existing or proposed elevations have been submitted to enable a comparison between the appearance of the existing windows with any replacements being proposed.

DOCUMENTS/ INFORMATION SUBMITTED:

10258 Delta house application letter, dated 18 June 2021, by Bell Cornwell

778 001 PL00 Site location & Block plan

778 010 PL00 Existing ground floor plan

778 011 PL00 Existing first floor plan

778 015 PL00 Proposed site plan

778 021 PL00 Proposed first floor plan

QFRA 1754 Version 1.1 Flood Risk Assessment FRA Report Delta House 70 South View Avenue , dated 25/11/2020 by UK Flood Risk (, (Appendix A Collection of figures, Appendix B Existing site and proposed plans, Appendix C Environment Agency's Data and information)

20324 Topographical survey

Reynaers CF77 Aluminum product specifications

Reynaers CF77 Aluminum door specifications

Decision notice 201411 70 South View Avenue
YE8922 Issue 01 - Phase 1 Desktop Report V2, dated September 2020 by Your
environment
CIL form
As received 18 June 2021

778 020 PL01 Proposed ground floor plan
As received 24 August 2021

RELEVANT POLICIES AND SUPPLEMENTARY PLANNING GUIDANCE

Legal context

Class O allows development consisting of a change of use of a building and any land within its curtilage to Class C3 dwellinghouses (houses or flats) from a Class B1(a) office use.

As set out in Para 0.2 of Class O (as amended), development is permitted subject to the condition that before beginning the development, the development shall apply to the local planning authority for a determination as to whether the prior approval of the local authority will be required as to:

- (a) transport and highways impacts of the development,
- (b) contamination risks on the site,
- (c) flooding risks on the site, and
- (d) impacts of noise from commercial premises on the intended occupiers of the development
- (e) the provision of adequate natural light in all habitable rooms of the dwellinghouses

If the Local Planning Authority determine that Prior Approval is required, Part W of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) states that the Local Planning Authority should, when determining an application, have regard to the National Planning Policy Framework (NPPF), 'so far as relevant to the subject matter of the prior approval, as if the application were a planning application' (Class W, para 10b).

Permitted development

(9A) Schedule 2 does not grant permission for, or authorise any development of, any new dwellinghouse—

- (a) where the gross internal floor area is less than 37 square metres in size; or
- (b) that does not comply with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015.

In assessing these issues, officers must have regard to the NPPF as if the application were a planning application, and also have regard to the Local Development Framework (the NPPF states that due weight should be given to the adopted policies of the Local Development Framework according to their degree of consistency with

the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

PLANNING HISTORY

87/TP/592 Two-storey extension at front for additional office accommodation at the Old Laundry, 70 Southview Avenue, Caversham, Reading. Granted 21 August 1987

91/0690/DE Change of use of the old laundry to administrative offices together with an element of light electronics assembly. Planning permission is not required 9 August 1991

200551/CLE Certificate of Lawfulness for existing use as offices. Granted 28 July 2020

201411 Change of use of building from Class B1(a) (offices) to C3 (dwelling houses) to comprise 1 x studio, 2 x 1-bed and 4 x 2-bed flats. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Granted 18 February 2021

RESPONSE TO PUBLICITY (REPRESENTATIONS RECEIVED)

A site notice was sent to the agent to be displayed at the site. A planning officer put a site notice up on 14/07/2021 as no confirmation was received from the agent that the site notice has been displayed at the site. One letter of representation was received in support of the application, requesting that the bike sheds are moved to the other side of the car park away from their boundary fence. ***Case officer comments: The proposed bike store is set away from the adjacent rear elevation at 72 South View Avenue. This prior approval relates only to the change of use of existing floor space and land. If there are any external alterations or extensions to the building and additional structure in this case the bike and bin store shown on plan 778015PL00 Proposed site plan, planning permission is required for these.***

CONSULTATION RESPONSES

Environment agency

No material changes have occurred since the previous application and information submitted to the Environment agency.

The site lies within Flood Zone 3 in accordance with their flood map for planning. Flood Zone 3 is defined as having a high probability of river flooding in accordance with Table 1 'Flood risk' of the Planning Practice Guidance.

Environment Agency position.

There are no objections to the proposed development subject to the following condition being imposed on any planning permission granted.

Without this condition, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to this application.

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

Condition: The development shall be carried out in accordance with the submitted flood risk assessment (ref 25/11/2020, QFRA 1754 version 1.1, UK Flood Risk) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 38.34 metres above Ordnance Datum (AOD).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants. This condition is supported by local plan policy NE18 of the Reading Borough Local Plan. Adopted November 2019.

Transport:

The site is located within the Zone 2, the primary core area but on the periphery of the central core area which lies at the heart of Reading Borough, consisting primarily of retail and commercial office developments with good transport hubs. The road mainly consists of residential terraced properties.

In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide a parking provision of 1 space per 1-2 bedroom units, parking spaces should be a minimum of 2.4m x 4.8m and must be independently accessible. A total parking provision of 10 spaces would be required. Submitted site plan illustrates 15 parking spaces, dimensions of the spaces comply with current standards and the number provided exceeds the councils standards, this is therefore deemed acceptable.

It would appear that the existing dropped crossing serving the B1a site is to be retained with no changes and utilised for the new development, the access exceeds 4.1m and is deemed acceptable.

It should be noted that the Councils Residential Permit Parking Scheme has been expanded and now incorporates Southview Avenue (Zone 02R) and the surrounding roads, therefore under the Borough's current parking standards, this proposal would generate additional pressure for parking in the area, if this application is approved there should be an assumption that any future occupants of the proposed dwellings will not be issued with a resident or visitor parking permit which should be covered by condition and informative, this will ensure that the development does not harm the existing amenities of the neighbouring residential properties by adding to the already high level of on street car parking in the area.

In accordance with the Borough's Parking Standards and Design SPD, a minimum provision 0.5 cycle storage spaces should be provided per 1-2 bedroom flat. These should be conveniently located in a covered and lockable store. Submitted site plan

illustrates a covered bike storage area with 5 Sheffield type stands, this provision would meet the current standards and is therefore deemed acceptable.

Bin storage has been illustrated on plans, bin storage should be located no further than 15m from the access point of the site to avoid the stationing of service vehicles on the carriageway for excessive periods; the location of the bin storage area is in excess of this, however under GPD we would not comment on this, however the applicant may wish to consider relocating it closer to the access for ease of collection as it is unlikely that the refuse vehicle would enter the site.

It is considered that the proposed change of use would not have a material impact on the character of the traffic in the vicinity of the site as unauthorised parking can be controlled via the administration of the Residential Parking Permit Scheme, therefore, there are no Transport objections to prior approval being given for the proposed change of use.

IF3 Highways

i) The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.

ii) Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.

I13 Parking Permits

The occupiers of the residential unit(s) will not be automatically entitled to an on-street car parking permit. Current and 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.

Environmental Protection:

Although the structure of the building is not proposed to change which lowers the risk to future users coming into contact with any contamination there, if there is to be any amenity space or soft landscaping associated with the development future users could come into contact with any land contamination from this source. Additional evidence is required in respect of potential contamination. There is still a potential source and a receptor for each of the below pathways that need to be ruled out:

- Ingestion, dermal contact, inhalation of dusts/vapours
- Permeation of contamination into water pipes
- inhalation of asbestos fibres in airborne dust

Residential use is a more sensitive use class than office or business use. People are more likely to be exposed to contaminants for longer periods of time at their home, and young children more sensitive to contamination are more likely to be present. The phase one assessment has been carried out using 'residential (without consumption of homegrown produce)' use class and has recommended further investigation. Therefore further investigation is required to demonstrate the site is suitable for the proposed end use, prior to occupation. Contaminated land conditions can be added on the basis that ground investigations are completed prior to occupation.

Subject to informatives:

Noise between residential properties - sound insulation of any building

Informative

To minimise the disturbance by noise of future residential occupiers of the flats and its effect on neighbouring residents, residential accommodation must be designed and constructed or converted so as to achieve the insulation requirements set out in Building Regulations Approved Document E.

Construction and demolition phases - extensions / renovations

We commonly receive complaints about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and about smoke from bonfires associated with the burning of waste on site of minor developments.

The following informative is attached to help prevent complaints.

Recommended Informative

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.

There should be no burning of waste on the site.

Officer comment: Although the above informatives do not specifically relate to the criteria under which these prior approvals are assessed, it is not considered harmful or unreasonable to include the informatives due to them not having any legal bearing on the decision.

APPRAISAL

The proposal comprises the change of use of the building from Class B1(a) office space to Class C3 (dwellinghouse) with the proposal to be considered against the criteria and conditions contained within Part 3, of Class O (a)-(g), of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

In addition, in order to qualify for assessment under Class O, all applications submitted under this class from 6th April 2021 must comply with Department for Communities and Local Government's Technical Housing Standards - Nationally Described Space Standards, minimum space standards. As the application was

received after the 6th April 2021 there is a requirement to comply with these minimum space standards. It can be confirmed that the proposed units appear to comply with these minimum space standards as illustrated in the submitted drawings. Three flats are on bordering on the minimum space standards permitted.

Development is not permitted by Class O in the following instances (officer comments follow in bold):

O.1 Development is not permitted by Class O if—

- (a) the building is on article 2(5) land; COMPLIES
- (b) the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order—
 - (i) on 29th May 2013, or COMPLIES
 - (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use; UNKNOWN
- (c) the site is, or forms part of, a safety hazard area; COMPLIES
- (d) the site is, or forms part of, a military explosives storage area; COMPLIES
- (e) the building is a listed building or is within the curtilage of a listed building; or COMPLIES
- (f) the site is, or contains, a scheduled monument. COMPLIES

Conditions:

O.2.—

(1) Development under Class O is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport and highways impacts of the development,
- (b) contamination risks on the site,
- (c) flooding risks on the site, and
- (d) impacts of noise from commercial premises on the intended occupiers of the development
- (e) the provision of adequate natural light in all habitable rooms of the dwellinghouses

and the provisions of paragraph W (prior approval) apply in relation to that application.

(2) Development under Class O is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date

ASSESSMENT OF CONDITIONS O.2

- (a) Transport and highways impact of the development

COMPLIES: Adequate parking is proposed. Please note that due to pressure on the local Council parking permits, no assumption can be made that future occupants would be issued with a resident or visitor parking permit, which would be covered by condition and informative. Proposed cycle storage is deemed acceptable. It is requested that the applicant consider relocating the bin storage no further than 15m from the access point to assist the ease of collection.

As per the Transport consultation response, the proposed development is considered acceptable from a transport perspective, subject to informatives.

(b) Contamination risks on the site

COMPLIES The site is located on the site of an old laundry, it has been designated land with 'contaminated land polygons' and as such prior to occupation, the agent agreed to a condition for an intrusive contaminated land investigation to be submitted to demonstrate the contamination risks on the site, as mentioned in the 'Your Environment' Phase 1 Desktop study and preliminary risk assessment ref YE8922 submitted by the applicant.

It is considered acceptable for a prior to occupation condition to assess contamination risks and any remedial action to be taken on site.

(c) Flooding risks on the site

COMPLIES. The site is located within zone 3. The Environment Agency has no objection to the proposal based on the amended flood risk assessment provided subject to a condition.

d) Impacts of noise from commercial premises on the intended occupiers of the development

COMPLIES The site is located next to a light industrial/commercial estate in which a number of unit are currently vacant, with reduced noise levels. Plans illustrate windows are to be replaced with improved acoustic specifications for the benefit of future residents. The proposal has been assessed and concluded that the proposal would be satisfactory from an Environmental Health perspective.

(e) the provision of adequate natural light in all habitable rooms of the dwellinghouses

Statutory Instrument 2020:632 introduces the requirement that consideration is given in respect to the provision of adequate natural light in all habitable rooms. This requires examination of the detailed floor plans and a judgement to be exercised as to whether appropriate levels of light can be achieved to rooms used for sleeping or living. This excludes bathrooms, service rooms, corridor, laundry rooms and hallways.

COMPLIES. The submission does not include light calculations or assessments, however the proposal is considered to provide adequate light and windows in all habitable rooms on the amended plans submitted.

Other Matters

i) External Alterations

Prior Approval applications cannot make external modifications to the existing building. Separate planning permission would be required following confirmation that prior approval is not required. Any replacement windows should match the windows in the existing building.

Conclusion

Recommendation: **APPROVE** Prior Approval

Reason

1. The development permitted must be completed before the expiration of three years from the date of this prior approval.

Reason: To comply with the provisions of paragraph O.2 of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016.

2. The development shall be carried out only in accordance with the submitted information and details:

10258 Delta house application letter, dated 18 June 2021, by Bell Cornwell

778 001 PL00 Site location & Block plan

778 015 PL00 Proposed site plan

778 021 PL00 Proposed first floor plan

QFRA 1754 Version 1.1 Flood Risk Assessment FRA Report Delta House 70 South View Avenue , dated 25/11/2020 by UK Flood Risk (, (Appendix A Collection of figures, Appendix B Existing site and proposed plans, Appendix C Environment Agency's Data and information)

20324 Topographical survey

YE8922 Issue 01 - Phase 1 Desktop Report V2, dated September 2020 by Your environment

As received 18 June 2021

778 020 PL01 Proposed ground floor plan

As received 24 August 2021

Reason: In order to comply with the provisions of Part W of the Town and Country Planning (General Permitted Development) (England) Order 2016.

3. The development shall be carried out in accordance with the submitted flood risk assessment (ref 25/11/2020, QFRA 1754 version 1.1, UK Flood Risk) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 38.34 metres above Ordnance Datum (AOD).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants. This condition is supported by local plan policy NE18 of the Reading Borough Local Plan. Adopted November 2019.

4. Prior to occupation, ground investigations and an assessment of the nature and extent of contamination should be submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

REASON: These details are required due to insufficient information being contained within this submission and to ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy EN16 of the Reading local Plan 2019.

Informatives:

1. The applicant is advised that as an application for prior approval under Class O, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2016, as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2016, this prior approval notice relates to the change of use of the building from Class B1(a) to C3 (dwellinghouses) only and no other use.

2. This prior approval relates only to the change of use of existing floor space and land. If there are any external alterations or extensions to the building and additional structure in this case the bike and bin store shown on plan 778015PL00 Proposed site plan, planning permission is required for these.

3. To minimise the disturbance by noise of future residential occupiers of the flats and its effect on neighbouring residents, residential accommodation must be

designed and constructed or converted so as to achieve the insulation requirements set out in Building Regulations Approved Document E.

4. We commonly receive complaints about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and about smoke from bonfires associated with the burning of waste on site of minor developments.

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.

There should be no burning of waste on the site.

5. i) The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.

ii) Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.

6. The occupiers of the residential unit(s) will not be automatically entitled to an on-street car parking permit. Current and 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.

7. The local planning authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the prescribed target or agreed extended timescale for the decision to be issued.