

Delegated Application Report

Address: 93 St Peters Avenue

Application No: 211035/CLP

Proposal: Certificate of lawfulness to convert the ground floor shop (A1) to 1 x2 bedroom flat (C3) under Schedule 2, Part 3, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Target Date: 19/08/2021

EOT: 12 October 2021

Case Officer: Nathalie Weekes

Introduction & Proposal

The application site is a ground floor A1 shop at the end of terrace block of houses on the corner of Adelaide Road and St Peter's Road that is currently vacant. It was last used as an A1 premises called Hardcastle Electrical which is believed to have ceased trading at the premises on 3 March 2021. On the first floor is residential C3 flat and the site is in a residential area. As the property is on the end of a terrace it benefits from additional windows to rooms on the front, rear and side elevations.

The proposal seeks to convert the ground floor shop (A1) to 1 x2 bedroom flat (C3) under Schedule 2, Part 3, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Plans Submitted:

21056.B.BC-01 Existing ground floor plan

21056.B.BC-03 Proposed ground floor plan

Received 23 June 2021

Location plan

Received 24 June 2021

21056.B.BC-02 Rev A Existing elevations

21056.B.BC-04 Rev A Proposed elevations

Received 26 August 2021

50351814 Reading Borough Council National Non domestic rate demand notice, Hardcastle Electrical, dated 06 07 2021

BK316006 Title deeds HM Land Registry

Received 07 September 2021

Relevant Planning History:

880066 Two storey side extension to provide garage and extra living accommodation
Permitted 24 01 1989

Assessment:

Based on the information submitted by the applicant it is considered that the Certificate of Lawfulness for Proposed change of use from A1 (Shops) C3 (Dwellings)) would be lawful under Schedule 2, Part 3, Class M of the Town and County Planning (General Permitted Development) (England) Order 2015 (as amended).

Schedule 2, Part3, Class M states:

Permitted development

M. Development consisting of—

(a)a change of use of a building from—

(i)a use falling within Class A1 (shops) or Class A2 (financial and professional services) of the Schedule to the Use Classes Order; **COMPLIES**

(ii) a use as a betting office or pay day loan shop, or **N/A**

(iii) a mixed use combining use as a dwellinghouse with— **N/A**

(aa) a use as a betting office or pay day loan shop, or **N/A**

(bb) a use falling within either Class A1 (shops) or Class A2 (financial and professional services) of that Schedule (whether that use was granted permission under Class G of this Part or otherwise), **N/A**

to a use falling within Class C3 (dwellinghouses) of that Schedule, and

(b)building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule. **COMPLIES**

Development not permitted

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

(a)the building was not used for one of the uses referred to in Class M(a)— **N/A**

(i)on 20th March 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; **COMPLIES** *The business ceased trading from 93 St Peter's Road on 3 March 2021 and the business partner moved office location to Woodley Hill House, Earley, Reading, after which the shop/unit at 93 St Peter's Road was empty.*

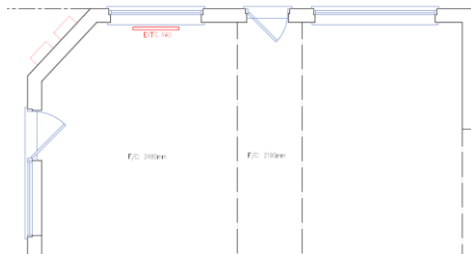
(b) permission to use the building for a use falling within Class A1 (shops) or Class A2 (financial and professional services) of the Schedule to the Use Classes Order has been granted only by this Part; **N/A**

(c) the cumulative floor space of the existing building changing use under Class M exceeds 150 square metres; **N/A**

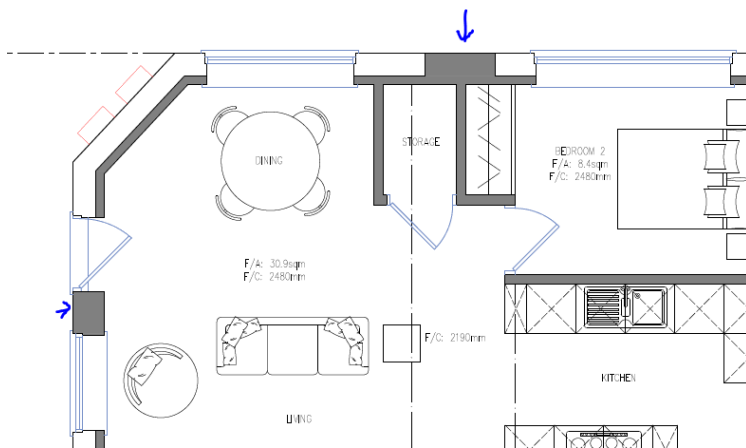
(d) the development (together with any previous development under Class M) would result in more than 150 square metres of floor space in the building having changed use under Class M; **N/A**

(e) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point; **No the external dimensions would not extend beyond the existing building.**

Existing plan



Proposed plan



(f) the development consists of demolition (other than partial demolition which is reasonably necessary to convert the building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order); or

(g) the building is—

(i) on article 2(3) land; **No**

(ii) in a site of special scientific interest; **No**

(iii) in a safety hazard area; **No**

(iv) in a military explosives storage area; **No**

(v) a listed building; or **No**

(vi) a scheduled monument. **No**

Conditions

M.2—(1) Where the development proposed is development under Class M(a) together with development under Class M(b), development 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, ***No the use is not considered to be more intensive and should not create any additional parking or result in a material increase or a material change in the character of traffic in the vicinity of the site***

(b) contamination risks in relation to the building, ***No there are no known contamination risks to the building.***

(c) flooding risks in relation to the building, ***No there are no known flood or critical drainage risks as it is in flood zone 1 and has a low probability of flooding.***

(d) whether it is undesirable for the building to change to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order because of the impact of the change of use—

(i) on adequate provision of services of the sort that may be provided by a building falling within Class A1 (shops) or, as the case may be, Class A2 (financial and professional services) of that Schedule, but only where there is a reasonable prospect of the building being used to provide such services, or ***No - The business ceased trading due to financial losses created by Brexit and the pandemic that closed the business. This means the business does not exist, therefore it is not a loss to the community or local area. It was an office for a personal business and was not rented out to a private contractor. The impact of closing/changing will be to improve the surroundings in a predominantly residential area, it closed as a shop in 1980s. In this area, offices of this size are not required as most companies have their staff working from home, whilst there is a demand for more homes in the area. It is not considered to create a loss to the community. The high street is 0.2 miles from this location which provides an adequate provision of services.***

(ii) where the building is located in a key shopping area, on the sustainability of that shopping area, and ***No the site is not located in a key shopping area***

(e)the design or external appearance of the building, ***No the minor changes proposed to change the front door and reduce the window in the front elevation or to remove the door in the side elevation are not considered to have a detrimental impact on the building or its character within the public realm.***

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

(2) Where the development proposed is development under Class M(a) only, development 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 the items referred to in sub-paragraphs (1)(a) to (d) and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

(3) Development under Class M is permitted subject to the condition that—

(a)development under Class M(a), and under Class M(b), if any, must be completed within a period of 3 years starting with the prior approval date; and

(b)a building which has changed use under Class M is to be used 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 such a dwellinghouse.

(c) where the proposed development includes a change of use of a building from a use falling within Class A1 or Class A2 of the Use Classes Order, the developer must apply for a determination under sub-paragraph (1) or (2) on or before 31 July 2021. ***COMPLIES, the application was made valid before this date.***

Conclusion

The Local Planning Authority is satisfied that the proposal complies with the requirements of Schedule 2, Part 3, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 based on the following submitted plans to convert the ground floor shop (A1) to 1 x2 bedroom flat (C3) .

Plans Submitted:

21056.B.BC-03 Proposed ground floor plan

Received 23 June 2021

Location plan

Received 24 June 2021

21056.B.BC-04 Rev A Proposed elevations

Received 26 August 2021

50351814 Reading Borough Council National Non domestic rate demand notice, Hardcastle Electrical, dated 06 07 2021

BK316006 Title deeds HM Land Registry

Received 07 September 2021

Recommendation: GRANT Certificate

Time limit

Approved plans

Informatives

C3 useage

Terms

Construction

Building control

Encroachment

P&P

Location plan (not to scale)

