

PRIOR APPROVAL APPLICATION FOR CHANGE OF USE FROM OFFICE TO RESIDENTIAL

PLANNING STATEMENT

**SOANE POINT, 6-8 MARKET PLACE, READING, RG1
2EG**

ON BEHALF OF TENE LIVING (READING) LTD



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1.0 INTRODUCTION

1.1 This Planning Statement accompanies a Prior Approval application in respect of the proposed change of use of part of the lower ground floor, ground floor and upper floors of Soane Point, 6-8 Market Place, Reading, RG1 2EG from an office use (Class B1 (a) – now Use Class E) to residential accommodation (Class C3). This submission is made on behalf of Tene Living (Reading).

1.2 This application is submitted to the Council to confirm that the proposals comply with the provisions of Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO 2020).

1.3 Enclosed with this application are the following:

- Completed Application Form;
- Completed CIL Form;
- Covering Letter;
- Supporting Documentation, including:
 - Flood Risk Assessment, prepared by Headoffice3
 - Transport Statement, prepared by TPS Transport Consultants
 - Contamination Assessment, prepared by RGS
 - Noise Impact Assessment, prepared by Venta Acoustics
 - Daylight Assessment, prepared by MES Building Solutions
 - Schedule of Accommodation, prepared by Headoffice3
- Planning Drawings:
 - Site Location Plan – Ref: A(02)XX-001 Rev P1
 - Site Plan – Ref: A(90)XX-001 Rev P1
 - Proposed Lower Ground Floor Plan – Ref: A(03)B1-001 Rev P2
 - Proposed Ground Floor Plan – Ref: A(03)00-001 Rev P2
 - Proposed 1st Floor Plan - Ref: A(03)01-001 Rev P3
 - Proposed 2nd Floor Plan - Ref: A(03)02-001 Rev P3
 - Proposed 3rd Floor Plan - Ref: A(03)03-001 Rev P3
 - Proposed 4th Floor Plan - Ref: A(03)04-001 Rev P3
 - Existing Lower Ground Floor Plan – Ref: A(01)B1-001 Rev P2

- Existing Ground Floor Plan - Ref: A(01)00-001 Rev P2
- Existing First Floor Plan - Ref: A(01)01-001 Rev P1
- Existing Second Floor Plan - Ref: A(01)02-001 Rev P1
- Existing Third Floor Plan - Ref: A(01)03-001 Rev P1
- Existing Fourth Floor Plan - Ref: A(01)04-001 Rev P1
- Existing Elevations – Ref: A(04)XX-001 Rev P1; A(04)XX-002 Rev P1;
A(04)XX-003 Rev P1

Statement Structure

1.4 The remainder of this statement is structured as follows:

- Section 2 – Site Context and Background
- Section 3 – Proposed Development
- Section 4 – Development Assessment
- Section 5 – Conclusion

2.0 SITE CONTEXT AND BACKGROUND

The Site

- 2.1 The building currently comprises a 3-4 storey office building with ancillary retail uses at ground floor level which form the frontage to Market Place. Basement and ground floor car parking for the building is accessed from the rear of the building on Abbey Square.
- 2.2 The application site relates to the parts of the building currently used as offices and ancillary floorspace to this at lower ground, ground and upper floors, as shown on the accompanying plans supplementing this application.



Figure 1 – Indicative Site Location, Market Place, Reading

- 2.3 The main pedestrian entrance to the building is off Market Place, whilst vehicular and service access is from the rear of the building on Abbey Square.
- 2.4 The site is located within the Borough boundary and is in a highly sustainable location, within the identified Central Core, Office Core and Primary Shopping Area in the Local Plan. Given its town centre location, the site benefits from excellent access to services, amenities and public transport. In the immediate locale are a number of office and administrative buildings alongside pubs, restaurants and convenience retailers.
- 2.5 Employment opportunities and additional services are available within Reading

Town Centre and are easily accessible, as are other employment areas, which are commutable by rail and bus. In this regard, Reading Station is located within 400m of the site and a strategic bus route runs via past the site frontage. Nearby Kings Road, Forbury Gardens, Duke Street and Kennet Side also feature pedestrian and cycle links to a number of key locations in the town centre and suburbs.

- 2.6 The site is previously developed, accessible, sustainable and provides opportunity for positive regeneration of under-utilised built form, providing further benefit to the Reading area via delivery of much-needed housing to meet recognised residential shortfall within the Local Plan.

Planning History

- 2.7 There is no planning history of relevance from review of Reading's online system, save for the recently refused Prior Approval application ('the previous application'), reference 210478. This application was refused for two reasons, as follows:

"1. The application fails to demonstrate that future occupiers of the development would not be adversely impacted upon by commercial noise. The submitted noise impact assessment and mitigation scheme concludes that some facades of the development will be affected by noise from mechanical plant such as kitchen extraction units. Whilst suitable glazing is proposed to mitigate this, background trickle ventilation is also proposed and as such it is very likely that residents will need to open their windows in spring and summer to avoid overheating and as a result would be subject to a significant impact on their residential amenity from noise from the mechanical plant when windows are required to be opened. Therefore, prior approval is refused and not given in respect of the criteria set out in paragraph O.2 (1) (d) of Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. The application fails to demonstrate that future occupiers would not be adversely impacted upon by contamination risks on the site. The contamination risk assessment submitted concludes that there is no risk from vapour from the existing basement and ground floor level car park given that the proposed residential accommodation is located at first floor and above. However, this

does not consider the proposed communal amenity room located on the ground floor of the development situated adjacent to the ground floor car park. Therefore, prior approval is refused and not given in respect of the criteria set out in paragraph O.2 (1) (b) of Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)."

- 2.8 Without prejudice to our contention that the Council's refusal of the previous application was unreasonable and will result in an unnecessary appeal, this new application comprehensively addresses these reasons for refusal as set out in accompanying documentation and as assessed in following sections within this Planning Statement.

3.0 PROPOSED DEVELOPMENT

3.1 This application proposes the following development:

"Change of use of building from Class B1(a) (offices) to Class C3 (dwelling houses) to comprise 100 dwellings. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)".

3.2 No changes to the external fabric of the building are proposed as part of this application.

3.3 The accommodation proposed has been amended from 144 studios to 100 dwellings, comprising 76 studios and 24 1-bed units, to meet newly implemented requirements that require all accommodation to be provided to nationally described space standards. As such, each unit meets the minimum 37m² as demonstrated on the submitted Schedule of Accommodation.

3.4 The planning drawings submitted identify alterations on first to fourth floors to accommodate the new housing requirements in comparison to the previous application. Changes at lower ground and ground floor remain largely consistent with the previous application, save for minor amends.

4.0 DEVELOPMENT ASSESSMENT

4.1 The proposal complies fully with the GPDO criteria, as follows:

Permitted development:

4.2 O. Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule.

Development not permitted

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

(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

(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;

(d) the site is, or forms part of, a safety hazard area;

(e) the site is, or forms part of, a military explosives storage area;

(f) the building is a listed building or is within the curtilage of a listed building;
or

(g) the site is, or contains, a scheduled monument.

Conditions

4.4 Paragraph O.2 states that 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,

(d) impacts of noise from commercial premises on the intended occupiers of the development, and

(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.

4.5 The validation and determination of the previous application confirms the acceptance that the site meets these requirements.

4.6 Each of the above conditions have been addressed by a supporting statement/assessment submitted with this application for consideration by the appropriate Technical Officer within the Council.

4.7 It is noted that the previous application was refused in relation to two of the above matters only – b) contamination, and d) noise. In this context, the

Council found the scheme to be acceptable in terms of transport and highways impacts, flooding risks and daylight/sunlight.

4.8 The revised scheme and associated documentation submitted have been updated to address these reasons. Whilst access to natural daylight was not a reason for refusal, the need to now meet national space standards has resulted in an amended scheme layout which a revised Daylight Assessment fully addresses. Similarly, the Transport Statement has been amended to take account of the reduced number of units, and therefore parking, storage and waste requirements related to the scheme. The proposals remain unchanged in relation to Flood Risk.

4.9 The following sections identify matters relevant to the determination of the Prior Approval application in respect of Transport and Highways Impacts, Flood Risk, Daylight and Sunlight, Contamination Risks and Noise in order to clearly highlight the acceptability of the proposals with regards to legislative requirements.

Transport and Highways Impacts

4.10 The Transport Statement has considered a reduced development quantum compared to the previous application where Transport and Highways Impacts were not found to be unacceptable and therefore were not a reason for refusal (as identified by the RBC Transport Officers Memo). The conclusions of the Transport Statement following assessment of all relevant criteria identifies that:

- The proposals are in keeping with both the local and national transport and land use planning policy agenda;
- The site is located within an excellent location, within walking distance of amenities in Reading town centre. There are also numerous opportunities for travel by bicycle and public transport locally;
- An analysis of historic accident data suggests that there are no accident trends that might be exacerbated by the addition of development-related traffic;
- It is anticipated that the person trip generation associated with the development will equate to 56 two-way person trips in the AM peak hour and 64 two-way trips in the PM peak hour. Furthermore, in comparison to the previous office use, the proposals are anticipated to result in 76 fewer

person trips in the AM peak hour and 51 fewer person trips in the PM peak hour;

- Opportunities have been identified for on-street visitor parking and cycle parking provision has also been considered; and
- The servicing arrangements for the site have been considered.

4.11 Given the above, it is considered that the proposals will not result in a 'severe residual cumulative impact' (the test set out in NPPF); indeed, they will be complementary to the prevailing policy agenda. As such, there are no substantive highway grounds on which the development should not be granted consent.

Flood Risk

4.12 The site is located within Flood Zone 1, the preferred location for development. Furthermore, the site is currently comprised of either built form or hard surfacing. As there are no changes to the external fabric of the building or its immediate surroundings proposed, the development will not increase surface water runoff or associated flood risk in the locality when compared to the existing site runoff situation.

4.13 Prior approval of the authority is therefore not required as a result of this issue, as confirmed by the determination of the previous application.

Daylight and Sunlight

4.14 A fresh assessment of the development proposals has been undertaken to consider whether the scheme proposals will achieve adequate natural daylight in the habitable rooms of the dwelling units proposed.

4.15 The results have been compared to the recognised BRE guidance figures, with the findings identifying that all of the rooms assessed comfortably fulfil the planning guidance. Indeed, many of the spaces assessed would be regarded as benefiting from very high levels of natural daylight.

4.16 It is therefore the opinion of the Daylight and Sunlight consultants that the development achieves an effective and balanced level of daylight provision in line with the BRE planning guidance provided in Site Layout Planning for Daylight & Sunlight (Littlefair 2011) and that the prior approval of the Local

Planning Authority is consequently not required.

Contamination Risks

4.17 As stated in Section 2 of this statement, there were two reasons for refusal of the previous application, one of which related to Contamination.

4.18 In response, it is clear from the reason for refusal given and the Environmental Health Officers (EHO) response, that is understood to have informed the decision, that this related to a point of clarification raised by the EHO in commentary, rather than necessarily being a substantive reason for refusal.

4.19 The EHO enquired of the Planning Officer:

"The initial risk assessment concludes that there is no significant risk from contamination due to absence of likely pollutant linkages. There is a comment that there is no risk from vapour due to the presence of undercroft parking and the accommodation being at first floor. Does this apply to the ground floor change of use as well?"

4.20 This implies that clarification on this point would have been sufficient to overcome the matter.

4.21 The Contamination Assessment has assessed sources of ground gas and has identified no historic landfills, made ground or infilled workings within 250m of the proposed development site. Table 2 within the Contamination Assessment provides a Conceptual Site Model and Preliminary Qualitative Risk Assessment to consider all pertinent matters, with the conclusions of this work identifying that there are no source-pathway-receptor linkages with respect to the risks posed to human health. In this regard, the section in the table concerning "Migration of hazardous gases via permeable strata" refers to all areas of the building, including the ground floor. Without prejudice to our contention that the Council's refusal of the previous application was not reasonable, we have removed the communal amenity room from the application. Irrespective, no sources of contamination are identified within a radius of 250m from the site.

4.22 In view of the above, it is clear that prior approval of the Local Planning Authority is not required because of contamination risk at the site.

Noise Impacts

- 4.23 In the previous application, the EHO was again seeking further information rather than stating that the scheme would be unacceptable in terms of noise impacts:

"I have reviewed the noise assessment which concludes that some facades of the development will be affected by noise from mechanical plant (kitchen extraction etc). Suitable glazing is proposed to mitigate this. However, background trickle ventilation is proposed therefore it is likely that residents will need to open their windows in spring and summer to avoid overheating. I am concerned that there will be a significant impact on their amenity from the mechanical plant. Can further consideration be given to mitigating the noise at source or providing additional ventilation to the apartments? How many of the apartments will be affected by the noise?"

- 4.24 Having reviewed the comments provided by the EHO, a ventilation system is proposed that means that residents would not have to open their windows, although they could if they wanted to.

- 4.25 As set out in Section 6 of the Noise Assessment, the sound reduction performances of building elements and window sets has been assessed and appropriate specifications suggested. Paragraph 6.3 provides further detail on ventilation and identifies that this will be achieved using a Mechanical Ventilation with Heat Recovery (MVHR) system, which is a continuous source of ventilation that extracts stale, moisture-laden air from a building and resupplies fresh, filtered air back in, resulting in a comfortable and condensation free environment all year round. MVHR meets Building Regulations for new properties under System Four of Building Regulations Part F. The system will simulate an open window, enabling windows to remain shut. With this system in place the rooms will be adequately cooled and appropriate noise levels can be achieved.

- 4.26 We note that the Local Plan recognises that in order to mitigate potential noise disturbance from neighbouring land uses and other sources, "it would be necessary to *provide a system of ventilation that entirely removes the necessity to open windows, even in very hot weather*".

"Policy CR6: LIVING IN CENTRAL READING

Proposals for residential development within the central area will be assessed

against the following criteria:

ii) Proposals for new residential development within the central area will be required to demonstrate how the issue of potential noise disturbance from neighbouring land uses and other sources, and air quality implications of residential development, have been considered and if necessary, mitigated. New residential development should not be located next to existing town centre uses where those uses would give rise to unacceptable levels of noise and disturbance to the occupiers of the new scheme, unless this can be mitigated.

- 4.27 Supporting Text, paragraph 5.3.25 notes further: *"In some cases, in order for the internal noise levels to be reasonable and not adversely affect health it would be necessary to provide a system of ventilation that entirely removes the necessity to open windows, even in very hot weather".*
- 4.28 To clarify, we are proposing windows that can be opened, if the residents choose to do so. At the same time, the proposed glazing and MVHR system will ensure that even with the windows shut on summer days, there will be sufficient ventilation and noise levels will remain within the guidance.
- 4.29 The previous application contemplated mechanical ventilation and it would have been entirely appropriate, if considered necessary, for the Council to have attached a planning condition (Paragraph W(13), Schedule 2 Part 3) to ensure that the development was carried out in accordance with the approved details or to require full details of the glazing / ventilation.
- 4.30 The further information set out in this document and the Noise Assessment provides clarification on this matter and it is therefore strongly contended that this satisfactorily addresses the Council's previous concerns on noise grounds. In this regard, the prior approval of the local authority is not required in relation to noise risk at the site.
- 4.31 In considering the relevant sections of the NPPF, it is noted that the Framework promotes the redevelopment of brownfield land, supports the efficient use of land and recognises that residential development plays an important role in the vitality of centres. The NPPF also seeks to 'boost significantly the supply of housing', deliver a wide range of homes, of different types and tenures.

5.0 CONCLUSION

- 5.1 The information contained within this statement, supporting documents and planning drawings demonstrate that the proposal will fully satisfy the requirements of Schedule 2, Part 3, Class O of the GPDO 2015 (as amended).
- 5.2 The new flats will provide a much-needed range of housing for first time buyers or downsizers in Reading in a highly accessible and sustainable location, which will be fitted out to a high specification in line with that submitted for the Council's consideration.
- 5.3 In consideration of the submitted information, it is contended that Prior Approval for the proposed change of use of Office (Class B1(a)) to 100 residential units (Class C3) should be consented without delay.