

DELEGATED APPLICATION REPORT

SITE ADDRESS: 14 Church Street, Caversham

APPLICATION NUMBER: 200471/OPA

PROPOSAL: Change of use of first and second floors from class B1(a) (Offices) to C3 (Dwelling House) to comprise of 3 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.

Target date: 28/05/20

INTRODUCTION

The application site comprises of a 3 storey semi-detached building located on the northern side of Church Street. At ground floor level is Nationwide (A2 use). The surrounding area is primarily retail

PROPOSAL

Change of use of first and second floors from class B1(a) (Offices) to C3 (Dwelling House) to comprise of 3 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.

The ground floor (Nationwide) will remain unaltered.

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,

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

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).

Reading Borough Local Plan (2019)

EN16: Pollution and Water Resources

TR3: Access, Traffic and Highway Related Matters

PLANS CONSIDERED

Drawing No.

01

Environment Agency Flood Risk Form
Flood Risk Map

Received 24th March 2020

RELEVANT PLANNING HISTORY

None relevant to this application.

RESPONSE TO PUBLICITY (REPRESENTATIONS RECEIVED)

As a result of the Covid-19 pandemic, the site notice was sent to the agent to display. The site notice was sent to the agent on 19th March 2020.

One response has arisen from the consultation period from the Caversham and District Residents Association who supports the application as it will aid commercial vitality. However they have concern over refuse collection as that has not been illustrated on the plans and rubbish bags on the street is a common problem.

***Officer comment:** Under this application type, the applicant is not required to provide details of refuse collection. Should any issues arise regarding this matter, please contact the Waste Operations or Street Care teams at the Council.*

CONSULTATION RESPONSES

Transport:

The site is located just outside the Reading Town Centre and is close to Caversham Centre. It falls within the Zone 2, the primary core. This zone directly surrounds the Central Core and extends to walking distances of 2 kilometres from the centre of Reading. This zone is well served by public transport, with buses continuing either into or out of the Central Core Area via this zone and other local centre facilities.

In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide parking provision of 1 parking space for each proposed flat, therefore equating to a total provision of 3, however no off road parking provision has been illustrated on plans.

Church Street and the surrounding road network all have parking restrictions preventing on-street parking, therefore, any overflow in parking would not affect flow of traffic on the classified road network. Church Street falls within a Resident's Permit Zone, it should be noted that residents of the proposed flats will not be eligible to apply for a Resident or Visitor Parking Permits; a, parking informative should be placed on the permission to inform the occupants that they would not be eligible for a parking permits.

The proposed change of use would not have a material impact on the traffic in the vicinity of the site. Therefore, there are no Transport objections to prior approval being given for the proposed change of use subject to the following informatives:

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.

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

Environmental Protection:

No objections subject to conditions requiring a noise assessment and air quality assessment to be submitted. In addition, details of bin storage to be submitted.

Officer comment: This application can only assess the proposal in respect of contaminated land and noise from commercial development that residents would be exposed to. As such, conditions relating to the submission of an air quality assessment and bin storage cannot be attached to the prior approval. The requirement of a noise assessment is discussed within the appraisal.

Environment Agency

No response received. Officer comments in relation to this matter are in the appraisal below.

APPRAISAL

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 - **COMPLIES, the applicant has provided several forms of information to demonstrate that the first and second floors were in B1(a) use on this date. Planning permission from 1970 was provided to demonstrate the whole building was granted planning permission to change to offices. In addition, an email was provided from New England Technical Services Limited confirming that they have used the upper floors as offices since 1996.**

Furthermore, Business Rates information confirm that these floors have been registered for business purposes since 1997.

In the absence of any contradiction in the form of planning records, it is considered that the use was B1(a) on the date specified.

(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**

(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:

0.2.—

(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,

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 0.2

(a) Transport and highways impact of the development

The proposal has been assessed and concluded that the proposal would be satisfactory from a highways perspective.

(b) Contamination risks on the site

The site is not located on contaminated land, and in addition is not proposing a change of use at ground floor level. As such, the proposal is considered acceptable on this basis in the absence of information to the contrary from the Environmental Health department

(c) Flooding risks on the site

The site is located within Flood Zone 2 which has a medium probability of flooding. However as the proposal is only seeking to convert the first and second floors (as opposed to ground floor level), it is not considered that the development would be at likely risk of being flooded.

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

This application can only assess the proposal in respect of commercial noise that residents would be exposed to. The requirement of a noise assessment (as stated in the Environmental Health response) has not identified to be specific in relation to commercial noise, but rather focusing on other forms of noise such as road noise. Therefore again, it is not considered necessary to attach this condition in this instance.

With regard to commercial noise, the site is a semi-detached property and screened by vegetation on the southern elevation. Although Caversham's parade of shops is located

nearby, the site is somewhat isolated to the south of these and is therefore considered less exposed to the noise of the small shopping centre.

Due to the nature of the use of the ground floor (bank - Nationwide), it is not considered that this would result in excessive levels of commercial noise, and has opening hours in line with a standard working day.

As such, it is not considered that residents would be exposed to an unacceptable level of commercial noise, although an informative relating to sound insulation between residential units will be attached to the prior approval.

Recommendation: **APPROVE** Prior Approval

Conditions:

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:

01

Received 24th March 2020

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

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 2015, 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, planning permission is required for these.

3. 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.

4. 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

5. 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.

6. 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.

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.