

DELEGATED APPLICATION REPORT

SITE ADDRESS: Sapphire Plaza, Watlington Street

APPLICATION NUMBER: 192059/OPA

PROPOSAL: Change of use of building from Class B1(a) (offices) and Class to C3 (dwelling houses) to comprise 85 residential units. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

Target date: 18/02/20

INTRODUCTION

The application site comprises of a 6 storey building located on the eastern side of Watlington Street. The surrounding area is predominately residential.

PROPOSAL

Change of use of office building from Class B1(a) (offices) to C3 (dwelling houses) to comprise 85 dwelling units. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

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.

355-ACG-ZZ-00-DR-A-2010 Rev P1 - Proposed Lower Ground Floor Plan
355-ACG-ZZ-00-DR-A-2011 Rev P1 - Proposed Upper Ground Floor Plan
355-ACG-ZZ-00-DR-A-2002 Rev P1 - Proposed Site Plan
355-ACG-ZZ-00-DR-A-2020 Rev P1 - Typical Flat Layouts
355-ACG-ZZ-00-DR-A-2013 Rev P1 - Proposed Second Floor Plan
355-ACG-ZZ-00-DR-A-2014 Rev P1 - Proposed Third Floor Plan
355-ACG-ZZ-00-DR-A-2015 Rev P1 - Proposed Fourth Floor Plan
355-ACG-ZZ-00-DR-A-0002 Rev P1 - Existing Site Plan
355-ACG-ZZ-00-DR-A-0001 Rev P1 - Site Location Plan
355-ACG-Z-00-DR-A-0011 Rev P1 - Existing Upper Ground Floor Plan
355-ACG-ZZ-00-DR-A-0012 Rev P1 - Existing First Floor Plan
355-ACG-ZZ-00-DR-A-0013 Rev P1 - Existing Second Floor Plan
355-ACG-ZZ-00-DR-A-0014 Rev P1 - Existing Third Floor Plan
355-ACG-ZZ-00-DR-A-0015 Rev P1 - Existing Fourth Floor Plan
355-ACG-ZZ-00-DR-A-2012 Rev P1 - Proposed First Floor Plan
S10942-JNP-XX-XX-RP-C-1001-S2 - Phase 1 Geo-environmental Desk Study
Transport Statement Project Ref: 47258 prepared by Peter Brett
Finch Consulting Repot Noise Impact Assessment at Sapphire Plaza, Reading. Report
No: 21967

Received 3rd January 2020

RELEVANT PLANNING HISTORY

None relevant to this application.

RESPONSE TO PUBLICITY (REPRESENTATIONS RECEIVED)

A site notice was displayed at the application site from 23rd January 2020. The 21 day statutory consultation period ended on 18th February 2020.

No responses have been received.

CONSULTATION RESPONSES

Transport:

The Sapphire Plaza fronts the River Kennet to the north, with Kennet Street running to the south and providing vehicular access to the site. Queen's Road lies to the west and provides the main pedestrian access. The site is located just to the southeast of Reading with a wide range of amenities and facilities. The site is approximately 650m southeast of The Oracle shopping centre and roughly a 12-minute walk to reading station which provides direct links to London, Swindon and Oxford.

The building comprises of 4,460sqm of B1a office floorspace arranged over basement, ground and four upper floors. The development proposals are for the change of use of the building from Class B1(a) (offices) to Class C3 (houses) to comprise of 85 residential units which are all studios.

The site is located on A329 Watlington Street, a major transport corridor within Reading. Watlington Street and the surrounding road network all have parking restrictions preventing on-street parking. The main vehicular access to the site from Kennet Street will be retained and provide access for cycles, cars, and servicing and deliveries vehicles.

The site is located on the border of Zone 1 and Zone 2, of the Borough's Revised Parking Standards and Design SPD. This area lies at the very heart of the town centre consisting primarily of retail and commercial office developments. This area is defined as having the best transport hubs, with both the main railway station and bus interchanges. Based on the Zone 2 standards, the site would need to provide 94 car parking spaces (85 allocated and 9 visitor) whereas under Zone 1 a maximum provision of 43 car parking spaces is allowed.

The proposed site will provide a total of 69 car parking spaces which is acceptable considering the location of the site. 43 cycle parking spaces will be provided as part of the development in secure and sheltered space to help promote alternative modes of travel. It is stated that the cycle parking spaces will be in the form of Sheffield stands located within the basement/ undercroft level, which will be secure, covered and lit but the specific details cannot be assessed as this is not a material consideration for this type of application.

It is accepted that the existing office use will generate more vehicular trips in the peak hours than the proposed residential use. Therefore, the proposed residential development will not increase traffic in the vicinity of the site.

In the circumstances 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. Therefore, there are no Transport objections to prior approval being given for the proposed change of use subject to the informative being included in the consent advising the future occupants of the flats that they would not be eligible for a resident's parking permit. 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.

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.

Environmental Protection:

Noise impact on development

The noise assessment submitted with the application concludes that there is not a significant impact from commercial noise sources therefore no noise mitigation can be required. I would recommend the developer undertakes a noise assessment to ensure the residents are adequately protected from road noise, (see design criteria below) as the assessment of road noise made in the submitted document is based on predicted/modelled levels which are unlikely to be accurate.

Internal noise criteria (taken from BS8233:2014)

Room	Design criteria	Upper limit
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Bedrooms (23:00 to 07:00)	<30dB LAeq,8hour	
Living rooms (07:00 - 23:00)	<35dB LAeq,16hour	
Gardens & Balconies	<50dB LAeq,T	<55dB LAeq,T

Officer comment: *It should be noted that only noise from commercial uses can be considered as part of this prior approval application.*

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.

Air Quality Impact

The site is likely to be impacted by high levels of traffic pollutants therefore if ventilation is to be added as part of the development the developer is advised to avoid placing air intakes on the polluted facades.

Contaminated Land

The development lies on the site of an historic print works which has the potential to have caused contaminated land and the proposed development is a sensitive land use.

The contaminated land desk study submitted with the application concludes that no further investigation is necessary as the development is just a change of use therefore hardstanding on site will protect receptors from potential contamination.

No further recommendations are therefore necessary.

Construction and demolition phases

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.

I recommend 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.

Thames Water:

Thames Water recommended the following informative:

The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

[https://developers.thameswater.co.uk/Developing-a-large-](https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes)

[site/Planning-your-development/Working-near-or-diverting-our-pipes.](https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes)

Should you require further information please contact Thames Water.

Email: developer.services@thameswater.co.uk

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 agent provided an email dated 31st January 2020 to further support the argument of the building having a B1(a) use. The site is occupied by HMRC and therefore is a government building. It is considered that the functionality of HMRC is that of a B1(a) office. Government buildings are also classified as B1(a) in the Land Use Gazetteer.**

(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:

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,

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

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

(b) Contamination risks on the site

The contaminated land assessment concluded that no further remediation is necessary. As such, the proposal is considered acceptable in this regard.

(c) Flooding risks on the site

The site is not located within flood zone 2 or 3.

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

It is a prior approval application so only commercial noise needs to be considered. The site is located adjacent to residential development and therefore the change of use to residential is not considered to significantly impact upon noise.

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:

355-ACG-ZZ-00-DR-A-0001 Rev P1 - Site Location Plan
355-ACG-ZZ-00-DR-A-2002 Rev P1 - Proposed Site Plan
355-ACG-ZZ-00-DR-A-2010 Rev P1 - Proposed Lower Ground Floor Plan
355-ACG-ZZ-00-DR-A-2011 Rev P1 - Proposed Upper Ground Floor Plan
355-ACG-ZZ-00-DR-A-2013 Rev P1 - Proposed Second Floor Plan
355-ACG-ZZ-00-DR-A-2014 Rev P1 - Proposed Third Floor Plan
355-ACG-ZZ-00-DR-A-2015 Rev P1 - Proposed Fourth Floor Plan
355-ACG-ZZ-00-DR-A-2012 Rev P1 - Proposed First Floor Plan
355-ACG-ZZ-00-DR-A-2020 Rev P1 - Typical Flat Layouts

Received 3rd January 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 1995, 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. 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.

5. 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.

6. 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 proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

8. 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.