

DELEGATED APPLICATION REPORT

SITE ADDRESS: 258 Shinfield Road, Reading, RG2 8EY
APPLICATION NUMBER: 200996 / OPA
PROPOSAL: Change of use of rear ground floor office and first floor office from Class B1(a)(offices) to C3 (dwelling houses) to comprise 4 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 comprises a two-storey office building located on the west side of Shinfield Road just.

The application site is not listed, nor is it in a conservation area.

PROPOSAL

Change of use of the ground and first floors from Class B1(a) (offices) to C3 (dwellinghouses) to comprise 4 flats. 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

PLANNING HISTORY

App ref: 150756
Description: Change of use from B1a Office to C3 under PD
Decision: Prior Approval Notification - Approval.
Decision Date: 9/7/2015

Plans/ information submitted

Drawing No. 378.05 Location & Block Plan
Drawing No. 378.03 Existing
Drawing No. 378.01 Proposed
As received: 14/07/2020

RESPONSE TO PUBLICITY (REPRESENTATIONS RECEIVED)

A site notice was displayed at the application site and the 21-day statutory consultation period was observed.

No responses have been received.

CONSULTATION RESPONSES

TRANSPORT:

Transport officers were consulted however no response was received.

ENVIRONMENTAL PROTECTION:

Environmental Protection officers consulted and no response was received. However, the proposal does not create concerns of noise impact on the development as the building is detached and set back considerably from the road. No noise impacts are deemed likely.

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, or **COMPLIES**, previously approved applications for development of this type confirm this fact.

(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; **the building was last in use as B1a (offices)**.

(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

It is noted that the 11 parking spaces currently available on the site would serve a total of 7 bedrooms. Based on the existing parking maximums in the Transport strategy, this parking provision is acceptable, and no conditions are necessary.

(b) Contamination risks on the site

Due to the relative isolation of the building, long-term office use, and existing flats on this site established through other OPA applications, there was no concern.

(c) Flooding risks on the site

The site is located within Flood Zone 1 which means the site has a low probability of flooding.

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

Due to the relative isolation of the building, long-term office use, and existing flats on this site established through other OPA applications, no concern is raised.

Recommendation: Prior Approval **GRANTED**

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 2015

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

Drawing No. 378.05 Location & Block Plan
Drawing No. 378.03 Existing
Drawing No. 378.01 Proposed
As received: 14/07/2020

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. The grant of prior approval does not make the development lawful.
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. 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.
7. There should be no burning of waste on the site.
8. There is a widespread problem in Reading with rats as the rats are being encouraged by poor waste storage which provides them with a food source. Where developments involve shared bin storage areas e.g. flats and hotels there is a greater risk of rats being able to access the waste due to holes being chewed in the base of the large wheelie bins or due to occupants or passers not putting waste inside bins, or bins being overfilled. It is therefore important for the bin store to be vermin proof to prevent rats accessing the waste.
9. 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.