

DELEGATED APPLICATION REPORT

Ward: Tilehurst

App Ref: 200766/OPA

Address: 20 Norcot Road, Tilehurst, Reading, RG30 6BU

Proposals: Change of use of bookmakers (sui generis) to B1(a) use (offices). Prior Notification under Class JA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Case Officer: Mr David Brett

Applicant: Mr R O’Gorman

Date received (valid from): 04/06/2020

Target Decision date: 06/08/2020

1. INTRODUCTION

The proposal site is an two storey detached recently closed bookmakers on Norcot Road, Tilehurst. The proposal site is along a small parade of retail units, with a garage and car showroom to the rear of the property. The surrounding area is considered a mix of residential, commercial and retail uses.

2. PROPOSAL AND SUPPORTING INFORMATION

The proposed development is the change of use from sui generis to B1 office use.

Plans considered:

- Location Plan - BK473637

Received on 04/06/2020

3. RELEVANT PLANNING HISTORY

None

4. CONSULTATIONS

4.1 *The following consultees were consulted by letter.*

Reading Borough Council, Transport
Reading Borough Council, Environmental Protection

No consultation responses have been received for this application.

5. EQUALITY ACT 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

6. LEGAL AND PLANNING POLICY CONTEXT

RELEVANT POLICIES AND SUPPLEMENTARY PLANNING GUIDANCE

Legal context

JA. Development consisting of a change of use of a building from—

(a) a use falling within Class A1 (shops), Class A2 (financial and professional services), or Class A5 (hot food takeaways) of the Schedule to the Use Classes Order, or

(b) a use as a betting office, pay day loan shop or launderette, to a use falling within Class B1(a) (offices) of that Schedule.

7. APPRAISAL

Permitted development

JA. Development consisting of a change of use of a building from—

- (a) a use falling within Class A1 (shops), Class A2 (financial and professional services), or Class A5 (hot food takeaways) of the Schedule to the Use Classes Order, or
- (b) a use as a betting office, pay day loan shop or launderette, to a use falling within Class B1(a) (offices) of that Schedule.

Development not permitted

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

- (a) the building was not used for one of the uses referred to in Class JA(a) or (b)—
 - (i) on 29th October 2018, 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**

(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; **COMPLIES**

(c) the development (together with any previous development under Class JA) would result in more than 500 square metres of floor space in the building having changed use under Class JA; or **COMPLIES**

(d) the building is—

- (i) on article 2(3) land; **COMPLIES**
- (ii) in a site of special scientific interest; **COMPLIES**
- (iii) in a safety hazard area; **COMPLIES**
- (iv) in a military explosives storage area; **COMPLIES**
- (v) a listed building, or within the curtilage of a listed building; or **COMPLIES**
- (vi) a scheduled monument or contains a scheduled monument. **COMPLIES**

Conditions

JA.2(1) Where the development proposed is development under Class JA, 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; **COMPLIES**

(b) whether it is undesirable for the building to change use to a use falling within Class B1(a) (offices) 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), Class A2 (financial and professional services) or Class A5 (hot food takeaway) of that Schedule or, as the case may be, as a launderette, but only where there is a reasonable prospect of the building being used to provide such services; or **COMPLIES**
- (ii) where the building is located in a key shopping area, on the sustainability of that shopping area; **COMPLIES** and

(c) impacts of noise from commercial and retail premises on the intended occupiers of the development; and the provisions of paragraph W (prior approval) of this Part apply in relation to that application. **COMPLIES**

8. CONCLUSION

The proposed development has been assessed and the proposed works are considered to be in accordance with the above relevant policies and planning permission can be granted.

9. RECOMMENDATION

GRANT

10. CONDITIONS

Development under Class JA is permitted subject to the condition that—

(a) development 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 JA is to be used as an office within the meaning of Class B1(a) (offices) 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 an office.”.

11. INFORMATIVES

IF1: Positive and Proactive Working - approval

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 timescale for the decision to be issued.

IF5: Terms

Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.

IF6: Building Control

Your attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.

IF7: Complaints about construction

Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires associated with the burning of waste on site. The developer is reminded that construction and demolition associated with the approved development will be subject to environmental health law.

IF8: Encroachment

During the course of construction, the developer should take care to ensure that no part of this development (foundations, eaves, guttering, etc.) would encroach on, under or across the boundary line with the adjoining property, as the requisite Notice has not been served on the owner of that property. This permission does not confer any right of access onto land that is not under the developer's control. The developer should also be mindful of the obligations and requirements of the Party Wall Act (1996) details of which can be found at: www.communities.gov.uk/publications/planningandbuilding/partywall