

## **DELEGATED APPLICATION REPORT**

**Application No:** 200343/FUL

**Address:** 1 Station Road

**Proposal:** Change of use of ground floor from A2 Financial & Professional Services to mixed-use A3/A5 Restaurant/Take away use & associated works including external ventilation Louvre to Station Road elevation

**Target Date:** 22/05/20

**Case Officer:** Connie Davis

### **Site Description and Surrounding Area:**

The application site relates to a Locally Listed building located on the corner of Friar Street and Station Road, although the majority of its frontage is on Station Road. The building was designated locally listed in February 2020 and has been vacant since 2018 when Nationwide relocated from the site. The building comprises of 4 storeys and Prior Approval has been granted to change the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors from office to residential, although it is not believed that this has been implemented. The site is located within the Reading Central Area, Central Core, Primary Shopping Area and within an existing designated Active Frontage.

### **Proposal:**

Planning Permission is sought for the proposed change of use of the ground floor of the building to an A3/A5 use. No external changes are proposed under this application other than the addition of louvre on the Station Road elevation and the installation of air condensing units at the rear of the site.

### **Plans/ Documents considered:**

A0.100 - Site Plan

AS.2500 - Existing First Floor Separating Floor

Planning Statement

XBOXER XBC - Heat Recovery Solutions

Mirage Air Curtain

MiNi SMMS - Heat Pump

Reco-Air - The flexible recirculating kitchen extract solution for the food service industry

Reco-Air - Environmental Extract Solution

Reco-Air Units Technical Table January 2020

Recirculating kitchen extract systems

Dave Extract & Supply Solutions

Received 6<sup>th</sup> March 2020

A0.200 - Ground Floor

PL.1510 - Existing Elevations

108-GF - Ground Floor Existing GA

A0.200 A - Ground Floor General Arrangement Plan

## A0.300 A - Shopfront Elevations Proposed

Received 16<sup>th</sup> March 2020

### Relevant Planning History:

191588/FUL - Erection of second and third floor rear extension (for residential purposes to create 3 additional dwellings) to existing building (linked to Prior Approval application 191446) - Under Consideration

191589/FUL - Installation of additional windows into rear (west-facing) elevation and erection of new dormer window to front roof slope (linked to Prior Approval Application 191446) - Under Consideration

191446/OPA - Change of use of 1st, 2nd and 3rd floors from Class B1(a) (offices) to C3 (dwelling houses) to comprise 12 flats. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 - Prior Approval Not Required

182109/OPA - Change of use 1st, 2nd and 3rd floors of building from Class B1(a) (offices) to C3 (dwelling houses) to comprise 15 dwellings. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 - Prior Approval Not Required

181997/FUL - Change of Use of ground and basement floors from A2 (financial/professional service) to A3 (Restaurant and café) use - Application Returned

### Consultation Responses:

#### Internal Consultees

**Environmental Protection:** No objections subject to conditions.

**Transport:** No objections.

**Heritage:** No objections subject to condition.

**Reading UK CIC:** Support the proposal as it will bring back a vacant site in to use which is still customer facing. Given the changing nature of the high street, this would be a welcomed addition which would provide employment opportunities.

**Crime Prevention Officer:** The following comments were provided with officer responses below:

- The main entrance doors and doors providing access to the basement remain recessed or set back from the building facia. Recessed areas can provide a location where individuals can shelter / sleep, or, simply attract windblown litter or more

unpleasantly waste. It is asked that the recessed areas (doorways/entrance) be designed out - by bringing the entrance door forward effectively flattening the building line.

**Officer comment:** *Although this point is acknowledged, it is not considered reasonable to inflict extra alterations to the applicant given that this is part of the original design of the building. In addition, now that the building is Locally Listed, extensive alterations could raise conflict with heritage policy. A condition would be attached to the permission ensuring a litter strategy is submitted and approved by the LPA, and it is hoped that bringing a vacant site back into use will decrease the likelihood of the area being used in this way.*

- Good deliveries/refuse collection details should be provided prior to determination

**Officer comment:** *See appraisal.*

- Details of fire escapes should be provided prior to determination

**Officer comment:** *This matter would be covered by a subsequent building regulations application rather than during the planning process. An informative would be attached to the permission reminding the applicant of the requirement of building control regulations.*

- Opening hours should be submitted prior to determination

**Officer comment:** *See appraisal. Opening hours can be secured via condition.*

- The prospective occupier/ company should be provided prior to determination

**Officer comment:** *The company that would be using the unit is not required to be disclosed. The principle of the change of use is assessed against policy and not based on the tenant.*

- Should the applicant wish to change the use of the building in due course to an A4 use, there would be further concerns raised

**Officer comment:** *This application does not seek to change the building to an A4 use. Separate planning permission and licences would be required to change the site to an A4 use/ selling of alcohol which would be assessed accordingly.*

#### **External consultation:**

The following addresses were formally consulted via letter on 20/03/20:

20, 22 and 23 Friar Street  
3 and 5 Station Road

In addition, a site notice was displayed between 23<sup>rd</sup> March - 13<sup>th</sup> April 2020.

No responses have been received.

### **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.

### **Relevant Planning Policy and Guidance**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. However the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.

In this regard, the NPPF states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Reading Borough Local Plan) 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).

Accordingly, the National Planning Policy Framework and the following development plan policies and supplementary planning guidance are relevant:

### **Reading Borough Local Plan (2019)**

- CR1 Presumption in Favour of Sustainable Development
- CR7 Primary Frontages in Central Reading
- CC7 Design and the Public Realm
- RL1 Network and Hierarchy of Centres
- EN1 Protection and Enhancement of the Historic Environment
- EN4 Locally Important Heritage Assets
- EN16 Pollution and Water Resources
- EN17 Noise Generating Equipment
- TR3 Access, Traffic and Highway-Related Matters

## Appraisal

### Principle

Policy CR7 seeks to maintain and enhance the vitality and viability of central locations, which can include widening the range of use available.

Policy RL1 seeks to maintain a strong retail character. Likewise policy CR7 also seeks to promote retail development, but is also supportive of other town centre uses within the wider Central Core area.

Within an existing active frontage Policy CR7 seeks that uses should be within either A1, A2, A3, A4, A5, C1, D1, D2 or related sui generis uses with frontages being of high visual quality.

The adjoined unit on Friar Street is in A1 use (shop) whilst the adjoined unit on Station Road is a Sui Generis use (betting shop). Within an existing active frontage the proposed A3/ A5 use would accord with the defined uses under Policy CR7. The proposal does not seek any external alterations to the building other than the installation of an air intake louvre and the existing large glazed frontage would be retained as an active frontage to both streets (and its retention secured via condition).

It is acknowledged that Policy CR7 aims for town centre streets to have 50% of their frontages in A1/A2 use. At present, 15% of Station Road's frontage is A1/A2 use, and 34% of Friar Street's. As such, this proposal will reduce these percentages further. However, Policy CR7 also goes on to state that:

*Proposals that would result in the loss of A1 or A2 use such that the proportion of the length of frontage within the street in A1 or A2 use falls below 50% will not be permitted, **unless the proposal introduces a use that makes a positive contribution to the overall diversity of the centre.** 50% of new primary frontages as shown on the Proposals Map should be in A1/A2 use.*

It is considered that the proposed A3 and A5 use to the ground floor of the building would accord with the policies as an A class use would maintain the retail character of the area, albeit a different type of customer interaction to the former A2 use. The unit has been vacant for 2 years after being marketed by national dual agents (Green & Partners and Robinson Webster) with no A1/A2 prospects within these years according to figures provided by the agent. It is considered that this time frame is sufficient to warrant a new use given the absence of a specified time frame within the adopted policies relating to town centre units.

Therefore, it is considered that an A3/A5 use would make a positive contribution to the overall diversity of the centre. In the vicinity are a wide range of uses, with Friar Street having a large number of units contributing to the night time economy (clubs, pubs etc). As such, a restaurant/ takeaway is considered suitably in keeping and a further possible contribution to this economy and will bring a vacant site back into use whilst adding to the vibrancy of the centre.

In light of the economic circumstances facing many town centres and the need for Councils to be more flexible, there is no reason to restrict this use as the proposal remains appropriate in the circumstances and compliant with the overall objectives of Policy CR7. The proposal use would also support the objectives of the 2019 NPPF in placing significant weight on the need to support economic growth through the planning system, and the need to support the viability and vitality of high streets. The principle of development is therefore accepted.

On balance, the proposed change of use is therefore considered to be in accordance with Policies RL1 and CR7 of the Reading Borough Local Plan (2019) in this specific instance.

#### Impact on Locally Listed Building

The proposal seeks the installation of an air intake louvre on the Station Road elevation. A pre-commencement condition showing its detailed design and proposed materials is considered necessary in order to preserve the appearance of the Locally Listed Building and to comply with Policy EN4.

#### Character of the surrounding area

The proposal does not seek any major alterations to the building and is not considered to result in any harm to the visual amenities of the surrounding area in accordance with Policy CC7 of the Reading Borough Local Plan (2019).

#### Amenity

The applicant has not provided details of any plant (vent/flue) equipment that would no doubt be necessary for A3, or A5 uses, as such, a number of pre-commencement conditions would need to be imposed to ensure that future equipment is suitable and will not have an adverse impact on the amenity of nearby occupiers/ residents. In addition, an odour assessment would be required to be carried out.

A condition would also be imposed restricting opening hours. Although the future occupier of the unit has not been disclosed, the agent requested extended opening hours (06:30 - 00:00) if possible. After discussion with the Environmental Health officer, it is considered that opening hours of 07:00 - 23:00 (Sunday - Thursday) and 07:00 - 00:00 (Friday and Saturday) are acceptable. However, a separate licence from the licensing department will be required in order to operate (an informative would be attached to the permission reminding the applicant of this). Given that it is a town centre site, these hours are considered reasonable despite the potential of a residential use above granted under recent prior approval applications. An informative would be attached to remind the applicant of Building Regulation Requirements to ensure that there would be adequate sound proofing between the ground and first floors (ie. between the restaurant and residential).

With regards to hours of deliveries and waste collection, again, the agent asked for these to not be restricted to a narrow period if possible so they could align with deliveries/

collections of nearby stores. However, the Environmental Health team were not prepared to support such wide timeframes via a condition. They therefore recommended no condition relating to these matters be attached to the permission so that any noise disturbances that arise can be investigated (which may not be possible if hours are permitted under an application). The applicant will be reminded via an informative that deliveries and waste collections should be carried out at reasonable times, otherwise these matters could be investigated by the Environmental Health team should complaints arise. Prior to first occupation, details of refuse collection will be required to be submitted, along with a litter strategy (secured via conditions).

As the Council's Environmental Protection Officer has raised no objection to the proposed development, it is considered to be in accordance with Policy EN17 and CC8 of the Reading Borough Local Plan (2019), subject to conditions.

### Transport

The site is located within the Reading Central Area and within Reading's primary shopping area. The site is located within Zone 1 of the adopted Parking Standards and Design SPD which is an area at the very heart of Reading Borough, consisting primarily of retail and commercial office developments, with limited residential. This area is well served by rail and bus links and also contains the largest proportion of public car parking spaces.

The proposal includes no parking spaces. However, Market Place and the surrounding road network all have extensive parking restrictions preventing indiscriminate on-street parking. Therefore, the non-provision of parking is acceptable in this town centre location as any demand for parking will be met by the town centre public car parks.

It is considered that in this location the proposed change of use will have little impact in terms of Transport and is therefore considered acceptable in relation to Policy TR3.

### **Conclusion**

It is considered that the proposal is acceptable in this specific instance for the reasons set out in this report.

### **RECOMMENDATION:**

**GRANT** Planning Permission subject to conditions. All pre-commencement conditions have been agreed by the applicant's agent:

- 1) TL1
- 2) Approved Plans
- 3) No mechanical plant to be installed without written agreement from the LPA
- \* 4) No development to be carried out until an odour assessment is submitted and approved by the LPA
- \* 5) No development to be carried out until details of the air intake louvre on Station Road are submitted and approved by the LPA
- 6) Prior to first occupation details of waste collection are to be submitted

- 7) Prior to first occupation a litter strategy is to be submitted
- 8) Hours of operation
- 9) Retain and active frontage

### **Informatives**

- 1) Terms
- 2) Building Control
- 3) Complaints about construction
- 4) Separate licence required
- \* 5) Pre-commencement conditions
- 6) Deliveries and waste collections should be carried out at reasonable times to avoid noise complaints
- 7) Any external advertisements require separate consent from the LPA
- 8) Positive and Proactive