

Simon Millett

From: Amoah, Alison <Alison.Amoah@reading.gov.uk>
Sent: 20 December 2018 21:15
To: Simon Millett
Subject: RE: 60 Christchurch Road - 181571

Simon,

WITHOUT PREJUDICE

Sorry for the delay. My view is that the key reason for refusal would be the change of use principle and other issues could probably be resolved through conditions.

However, could you confirm whether the intention would be for the upstairs flat to be occupied as an HMO, and also how was it let when previously occupied? From the floor plans it looks as if the living accommodation was originally integral to its previous ground floor use especially with the staircase being central to the ground floor. It appears as if there are four possible bedrooms, but some have not been surveyed, so it is not clear what these are/ would be for. Please advise.

The bin storage area to the rear seems to have no way in? The building goes up to the red line boundary, so I am not sure how you would get to the rear, especially for the residential users, and is this enough bin storage area for a proposed A3 use and residential? Please let me know.

Be mindful too that Environmental Protection and Nuisance Team advised that further information would be required with regard to noise and odour, and although conditions could be attached, however, there would be a risk that criteria might not be met with the specifications as proposed.

Please advise whether your client will withdraw or not.

Regards,

Alison

Alison Amoah
Principal Planner
Planning, Development and Regulatory Services/ Environment and Neighbourhood Services

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From: Simon Millett [mailto:Simon.Millett@walsingplan.co.uk]
Sent: 18 December 2018 09:52
To: Amoah, Alison
Subject: RE: 60 Christchurch Road - 181571

Hi Alison

Further to the below, please could you confirm that the only reason for refusal would be that the change of use is contrary to adopted policy?

Thanks
Simon

From: Simon Millett
Sent: 04 December 2018 10:45
To: 'Amoah, Alison' <Alison.Amoah@reading.gov.uk>
Subject: RE: 60 Christchurch Road - 181571

Thanks Alison. Obviously disappointing to hear.

As soon as I have heard back from the applicant on how they wish to proceed, I will let you know.

Please could you confirm that the only reason for refusal would be that the change of use is contrary to adopted policy?

Kind regards
Simon

From: Amoah, Alison [mailto:Alison.Amoah@reading.gov.uk]
Sent: 03 December 2018 15:02
To: Simon Millett <Simon.Millett@walsingplan.co.uk>
Subject: RE: 60 Christchurch Road - 181571

Simon,

Apologies again for the delay. I have checked through on the use and I actually do still determine the established use as A1 (in spite of other policy information which has recorded it as sui generis).

Transport has now responded and this is set out below, however, it would still be a refusal based on existing adopted policy for the principle of use. So shall I proceed to refuse or will you withdraw?

Transport comments:

I have reviewed the information below and it is noted that in several of the appeal cases identified the Highway Authority did not provide any evidence to confirm that there would be an increase in parking demand, I have therefore reviewed the TRICS data associated with the proposed change of use and given

the small size of the unit there would not be an increase in demand in parking. The accumulation data is provided below.

Proposed A3 Use

Time	Arrivals	Departures	Accumulation
0.00 - 10.00	0	0	0
10.00 - 11.00	1	1	0
11.00 - 12.00	1	1	0
12.00 - 13.00	2	1	1
13.00 - 14.00	3	2	2
14.00 - 15.00	3	4	1
15.00 - 16.00	4	4	1
16.00 - 17.00	4	3	2
17.00 - 18.00	4	4	2
18.00 - 19.00	5	4	3
19.00 - 20.00	6	6	3
20.00 - 21.00	5	6	2
21.00 - 22.00	3	4	1
22.00 - 23.00	2	4	-1
23.00 - 24.00	0	1	-2

Existing A1 use

Time	Arrivals	Departures	Accumulation
0.00 - 7.00	0	0	0
7.00 - 8.00	3	3	0
8.00 - 9.00	2	2	0
9.00 - 10.00	3	2	1
10.00 - 11.00	2	2	1
11.00 - 12.00	2	1	2
12.00 - 13.00	2	2	2
13.00 - 14.00	3	3	2
14.00 - 15.00	2	2	2
15.00 - 16.00	2	1	3
16.00 - 17.00	2	1	4
17.00 - 18.00	2	2	4
18.00 - 19.00	1	1	4
19.00 - 20.00	1	1	4
20.00 - 21.00	1	1	4
21.00 - 22.00	2	2	4
22.00 - 24.00	0	0	4

As such in this instance we would not have a case to refuse this permission. I therefore have no objections to the proposed change of use.

Regards,

Alison

Alison Amoah
Principal Planner
Planning, Development and Regulatory Services/ Environment and Neighbourhood Services

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From: Simon Millett [<mailto:Simon.Millett@walsingplan.co.uk>]
Sent: 27 November 2018 10:05
To: Amoah, Alison
Subject: RE: 60 Christchurch Road - 181571

Thanks Alison.

Is there any update on the principle of the change of use?

Regards
Simon

From: Amoah, Alison [<mailto:Alison.Amoah@reading.gov.uk>]
Sent: 20 November 2018 13:37
To: Simon Millett <Simon.Millett@walsingplan.co.uk>
Subject: RE: 60 Christchurch Road - 181571

Simon,

I have forwarded your comments to Transport for their review.

Regards,

Alison

Alison Amoah
Principal Planner
Planning, Development and Regulatory Services/ Environment and Neighbourhood Services

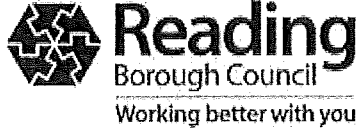
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From: Simon Millett [<mailto:Simon.Millett@walsingplan.co.uk>]
Sent: 20 November 2018 11:02
To: Amoah, Alison
Subject: RE: 60 Christchurch Road - 181571

Alison

In response to the Transport Officer's latest comments, they are wholly inaccurate and do not reflect the actual characteristics of the area. I attach photos of spare capacity in non-resident marked bays in multiple locations a very short walk from the local centre. There have been plenty of empty spaces every time I have visited the site and there are sufficient levels of parking to meet any perceived additional demand. To simply say there is "no spare capacity" is plain wrong.

It appears the Officer is looking at the existing parking capacity of and behaviour within the bays in front of the parade of shops in isolation, for which the applicant cannot be held to blame as part of this application. This forms only a small amount of the parking which supports the local centre and the use of this area of parking would be no different as a result of the proposed development. As already stated, how people park is not a matter for this application. It is an enforcement issue.

I refer to the attached Belvedere appeal decision (2015) where the LPA claimed that a proposed change of use from Class A1 to Class A3 would result in increased congestion caused by parked cars parallel to a main London distributor road. However, the Inspector quashed these claims stating that, despite the congestion and high occupancy of parking bays, he could "*detect no severe impacts upon the transport network that can be attributed to a use for the appeal property that I find to be appropriate in principle to this location.*" This was regardless of the number of covers within the unit. There was no evidence that the use would result in excessive parking demand or prejudice highway safety.

I refer to the attached Chadderton appeal decision (2016) where the Inspector concluded that there was "*no substantive evidence before me to suggest that the current [A3 café/takeaway] use would lead to a greater demand for parking or a larger turnover of visits than that of a hairdresser or other A1 use using the same premises.*" The Inspector acknowledged that A1 uses can have a greater frequency and turnover of vehicle movements than an A3 use, as was likely to be the case with the previous occupier of 60 Christchurch Road. The availability of parking in the wider area (not just nearby) and propensity for customers to access the premises on foot also led the Inspector to conclude that the change of use would not cause any material harm to highway safety in the vicinity of the appeal property. The Inspector was also unconvinced that any illegal parking would be exacerbated by the change of use.

I refer you to the attached Chislehurst appeal decision (2016) for a proposed café along a busy distributor road with no dedicated parking. The Inspector acknowledged that the café would "*be unlikely to be a destination in itself, instead, it would be a convenience outlet serving station users, passers-by already in the area and local people within walking distance.*" He took a practical view, stating that this would be reinforced by existing pressure on parking spaces and any additional traffic or car parking generated by the proposal would, in reality, be minimal. The proposal was therefore judged not to be significantly detrimental to highway safety.

I refer you to the attached Tonypandy appeal decision (2017) for a change of use from A1 to A3 on a main road and within a neighbourhood shopping centre. The Inspector stated that any existing indiscriminate parking was associated with the existing situation. He was not persuaded that the proposed use would result in any greater intensity of indiscriminate parking over and above that which already existed. She also noted the site was in a sustainable location: close to a bus stop and *"accessible on foot and by bicycle from nearby residential areas, encourage alternative sustainable means of travel to the premises other than car as well as potentially contributing to an increase in linked trips and a reduction in travel demand."* She therefore did *"not find it at odds with the overarching aims to not cause or exacerbate existing traffic congestion and to be accessible to the local and wider area by a range of sustainable modes of transport, maximising opportunities to reduce car dependency."* This was despite it technically conflicting with local car parking requirements. She had no substantive highway concerns with regards to the change of use.

The proposed use at 60 Christchurch Road, just like the existing A3 use in the parade, is not one which is likely to attract customers from further afield. The unit's primary purpose would be to serve the local population within walking distance of the local centre and be part of linked trips. It has been acknowledged that there would not be an increase in number of cars parking and any increase in the length of stays would be adequately controlled by parking restrictions in place. With the spare capacity available on these surrounding roads, the proposed use would not have a noticeable impact on congestion, result in obstructive or inconvenient parking or harm highway safety. Located in Zone 2, it is well served by public transport and where walking and cycling is encouraged by the Council.

Paragraph 106 of the NPPF states that *"development should only be prevented on highway grounds when the residual cumulative impacts of the development are severe."* The proposed Class A3 use is an entirely appropriate use in the local centre and, consistent with the attached appeals, would not result in **severe** highway impacts.

The adopted parking standards are set as maximum and guideline standards. They were adopted in 2011, prior to publication of both the original NPPF and newly revised NPPF. They refer to extinct PPSs and PPGs. They are out-of-date and the Transport Officer's assessment is inconsistent with the aims of the NPPF which encourages the use of sustainable transport.

To refuse the proposed development on highway grounds would therefore be contrary to the NPPF and a plethora of appeal decisions.

Regards
Simon

Simon Millett
Consultant

Walsingham Planning
Bourne House, Cores End Road, Bourne End, Bucks SL8 5AR

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From: Amoah, Alison [<mailto:Alison.Amoah@reading.gov.uk>]
Sent: 02 November 2018 18:12
To: Simon Millett <Simon.Millett@walsingplan.co.uk>
Subject: RE: 60 Christchurch Road - 181571

Simon,

WITHOUT PREJUDICE

Thanks for letting me know re the CMS discharge.

Below in blue are Transport's latest comments.

"All applications will be dealt with based on their own site locations and characteristics and as such this application has been assessed based on the parking that surrounds the site and other travel characteristics."

Although the proposal is located within a Local Centre this is located along a major route into route into Reading (A327 Christchurch / Shinfield Road), which accommodates an average of 15,413 vehicles a day. The proposal will be aimed at trying to attract a proportion of this pass by traffic as well as some custom from slightly further afield and as such a level of parking will be required. This parking will not attract additional vehicles to the area only to accommodate those that will travel to the area and park for longer periods than what they would have done when associated with the existing use. As has been stated the site is within Zone 2 of the Councils Parking Standards and Design SPD and I agree does have other forms of sustainable travel available however, by providing an insufficient level of car parking this will not tackle congestion but will only lead to on street parking.

The applicant has made reference to the on street parking facilities by stating the following:

As acknowledged, there is parking available in the bays in front of the Centre, as well as plentiful on-street parking within close proximity and walking distance on the surrounding roads (not acknowledged). On-street parking on these roads is controlled by the use of yellow lines and regulated parking bays. Therefore, any unauthorised parking of cars would be the subject of a parking enforcement. Parking restrictions alter travel patterns and prompt travellers to seek alternative more sustainable modes.

What I would reiterate from my previous comments is that the parking bays to the frontage of the site are mainly in use throughout the day and with very little spare capacity, vehicles also do not park in accordance with the bay design, this has been mentioned to specify that the Council want the applicant to address this but to stress that the bay itself is insufficient already to cope with the parking demand hence why vehicles do not park appropriately. The surrounding areas do have parking restrictions but these allow parking to take place and as per the bay along the site frontage these are also already heavily utilised therefore providing no spare capacity.

The National Planning Policy Framework states the following at Paragraph 106:

Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network

The Governments response to questions continues to state the following:

The approach to parking standards remains that minimum or maximum standards may be set locally, but with maximum standards requiring particular justification, considering the effect that limits on spaces can have on on-street parking

Given that the site is located on the A327 Christchurch Road which accommodates an average of 15,413 vehicles a day and is within close proximity to the A327 Christchurch Road / Northcourt Avenue / Redlands Road / Elmhurst Road signalised junction it is essential that the Council closely manage this area of the local road network and as such set parking standards to ensure that obstructive / inconvenient parking does not occur. The Governments response to questions regarding the updated NPPF also addresses points relating to on street parking and the impact this can have by Councils limiting parking, it is therefore clear that the latest Government advice is that development should be provided with sufficient levels of car parking to meet the demand and not rely on on street parking.

As has been previously identified the proposed change of use will increase the parking demand given the increased length of time patrons will stay at the application site generating a slower turnover of parking as opposed to the existing use. As a result additional parking is required to address this increased demand.”

With regard to the principle of use if it were A1 then it would fail the current adopted policy (we would not determine it against emerging policy) and it would be a refusal based on the principle of the proposed use. However, it would appear, inspite of previous planning history which has always described it as A1, that it has been Sui generis use for some time. I looked back at old surveys we have undertaken of local centres and found one from June 2004, which described it as a dry cleaners - sui generis use. On this basis it might be difficult to defend the loss of A1. Notwithstanding this, and I would need to check the relevant legal approach to dealing with it, there is still a transport objection. Additionally there is a lot of objection, as you will note from the web from local residents, with regards to amenity issues both with respect to the proposed ground floor and upper floor uses.

I would like the opportunity to discuss this further with colleagues, which I will do at the back end of next week; I am away at the beginning of next week and Wednesday is committee day, which is always busy. I will contact you again after this.

As discussed please confirm your acceptance of an extension of time to December 3rd 2018.

Regards,

Alison

Alison Amoah
Principal Planner
Planning, Development and Regulatory Services/ Environment and Neighbourhood Services

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From: Simon Millett [<mailto:Simon.Millett@walsingplan.co.uk>]
Sent: 02 November 2018 09:40

To: Amoah, Alison
Subject: RE: 60 Christchurch Road - 181571

Hi Alison

FYI, the construction method statement discharge of condition application appears to have been allocated to Julie Williams.

If you are able to send across the transport comments when you get an opportunity it would be appreciated. I have asked the applicant how long the previous occupier was there.

Regards
Simon

From: Amoah, Alison [mailto:Alison.Amoah@reading.gov.uk]
Sent: 18 October 2018 10:48
To: Simon Millett <Simon.Millett@walsingplan.co.uk>
Subject: RE: 60 Christchurch Road - 181571

Thank you

Alison Amoah
Principal Planner
Planning, Development and Regulatory Services/ Environment and Neighbourhood Services

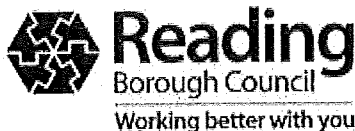
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From: Simon Millett [mailto:Simon.Millett@walsingplan.co.uk]
Sent: 18 October 2018 10:47
To: Amoah, Alison
Subject: Re: 60 Christchurch Road - 181571

Hi Alison

Ed has sent me the CMS this morning so I will submit via Planning Portal this afternoon when back in the office.

Regards

Simon

Sent from my iPhone

On 17 Oct 2018, at 18:50, Amoah, Alison <Alison.Amoah@reading.gov.uk> wrote:

Simon,

That is good news, but Ed still needs to submit the CMS, as he agreed to do today. I have emailed the local Highway Inspector to advise him of the current situation.

Regards,

Alison

Alison Amoah
Principal Planner
Planning, Development and Regulatory Services/ Environment and Neighbourhood Services

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From: Simon Millett [<mailto:Simon.Millett@walsingplan.co.uk>]

Sent: 17 October 2018 12:37

To: Amoah, Alison

Subject: FW: 60 Christchurch Road - 181571

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Alison

It was nice to meet you this morning.

In addition to the below, after you left, the applicant spoke to the tyre business who agreed that goods can be delivered using their land to the rear.

Kind regards
Simon

From: Simon Millett
Sent: 17 October 2018 12:35
To: 'Amoah, Alison' <Alison.Amoah@reading.gov.uk>
Subject: RE: 60 Christchurch Road - 181571

Hi Alison

Thank you for forwarding the below transport comments, which were unexpected.

As I am sure you are aware, the parking standards are **maximum** standards which should be applied in the context of the Local Centre and in relation to the site's accessibility. The requirement to provide 9 new spaces is therefore wholly inappropriate and incorrect. Having dealt with a large number of changes of use to Class A3 uses on behalf of Costa Coffee and other similar operators, additional parking has never been seen as appropriate or required in the context of local or town centre locations.

The proposal does not include any specified parking provision and there is no space on the application site to do so. This is the same as the other town centre uses (including the two existing A3 uses) within the Local Centre all of which share what communal parking is available.

Irrespective of the availability of parking spaces, the intention of the Local Centre and the new Class A3 use is to serve the local area. The nature of the use and its location within a sustainable and accessible setting (Zone 2 – well served by public transport and where walking and cycling is encouraged) would not therefore result in significant additional trip generation or harm the efficiency or safety of the surrounding highway network. The provision of additional spaces within a Local Centre would go against the Council's transport aims of promoting sustainable transport choices; reducing carbon emissions; taking into account levels of public transport accessibility; reducing the amount of land needed for development; and tackling congestion. The proposals promote sustainable transport choices and accord with Policy CS24.

As acknowledged, there is parking available in the bays in front of the Centre, as well as plentiful on-street parking within close proximity and walking distance on the surrounding roads (not acknowledged). On-street parking on these roads is controlled by the use of yellow lines and regulated parking bays. Therefore, any unauthorised parking of cars would be the subject of a parking enforcement. Parking restrictions alter travel patterns and prompt travellers to seek alternative more sustainable modes.

However, should customers wish to travel by car, it is concluded that there is satisfactory provision.

The existing layout within those bays in front of the Centre is not the applicant's responsibility or within their control and an objection on these grounds is also therefore wholly inappropriate. The applicant cannot be held responsible for existing or future users of these bays. If users are parking incorrectly or affecting road safety, this is a matter for parking enforcement or the Police.

Regards
Simon

Simon Millett
Consultant

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From: Amoah, Alison [<mailto:Alison.Amoah@reading.gov.uk>]

Sent: 09 October 2018 15:47

To: Simon Millett <Simon.Millett@walsingplan.co.uk>

Subject: 60 Christchurch Road - 181571

Simon,

The following is the Transport response. Do you have any response?

"The proposal is for the change of use from an A1 retail use to an A3 café / restaurant use for a building that is 65sqm.

The Council's parking standards requires the existing use to have a provision of 2 parking spaces while the proposed use would require a provision of 9 spaces. The higher provision would be required due to the longer periods at which patrons would stay within the facility to eat etc. The bay to the frontage of the site is heavily used and vehicles already park protruding into the carriageway and not parallel as designed to provide additional car parking and as such we could not agree to the proposal given the lack of car parking.

I therefore object to the proposal on the following grounds

The layout does not comply with the Local Planning Authority's standards in respect of vehicle parking. This could result in on-street parking/reversing movements on Christchurch Road and the surrounding roads, adversely affecting road safety and the flow of traffic, and in conflict with Core Strategy Policy CS24 and Sites and Detailed Policies document Policy DM12."

Regards,

Alison

Alison Amoah

Principal Planner

Planning, Development and Regulatory Services/ Environment and Neighbourhood Services

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