

DELEGATED APPLICATION REPORT - Application No. 190576/FUL

Address: 41a Church Street, Reading

Proposal: Change of use at ground floor to flexible use (A1, A2, A3, A4, A5, D2)

Case officer: Anthony Scholes

Site Description and Surrounding Area:

The property is unit 40a within St Martins Centre in the Caversham District Centre as identified within the LDF. The precinct includes a number of small shops and some residential units above. The lawful use of Unit 40a is currently A1 (retail) use.

Proposal:

The application seeks planning permission for a flexible town centre use (A1, A2, A3, A4, A5, D2) to allow flexibility in finding a tenant for the long vacant unit.

The proposal does not seek any external alterations to the building.

Plans and Documents Considered:

Drawing No: S418/0397/P/0002 - Basement floor plan

Drawing No: Block Plan

Drawing No: Location plan

Received 29 January 2019

Relevant Planning History:

None applicable for subject unit.

Consultation Responses:

Environmental Protection: No objection, subject to conditions.

Transport: No objection, subject to conditions.

Notification letters were sent to adjoining properties, and a site notice was erected from 3 May 2019.

No letters of representation 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. The Development Plan for Reading relevant to the application site comprises the Reading Local Development Framework '*Core Strategy*' 2008 (Altered 2015) and '*Sites and Detailed Policies Document*' 2012 (Altered 2015).

The '*National Planning Policy framework*' ('NPPF') 2019 states clearly that its content is to be a material consideration in the determination of applications. The 'NPPF' states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Core Strategy and Sites and Detailed Policies Document) 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 'NPPF' and the following development plan policies and supplementary planning guidance are relevant:

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

Reading Borough LDF Core Strategy (2008) (altered 2015)

- CS1 Sustainable Construction and Design
- CS7 Design and the Public Realm
- CS20 Implementation of the Reading Transport Strategy (Local Transport Plan 2006-2011)
- CS24 Car/Cycle Parking
- CS26 Network and Hierarchy of Centres
- CS27 Maintaining the Retail Character of Centres

CS34 Pollution and Water Resources

Reading Sites and Detailed Policies Document (SDPD 2012) (altered 2015)

SD1 Presumption in favour of Sustainable Development

DM1 Adaption to Climate Change

DM4 Amenity

DM12 Access, Traffic and Highway Related Matters

Appraisal

Principle

Policy CS26 seeks to maintain and enhance the vitality and viability of the central locations, which can include widening the range of use available. Policy CS27 also seeks to maintain a strong retail character to such locations by preventing significant groupings of non-retail uses in one part of the centre. Policy RC6 also seeks to promote retail development whilst supporting other town centre uses within the wider Central Core area.

Paragraph 85 of the NPPF 2018 states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. The Glossary of the NPPF details that the main town centre uses are: *Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).*

The proposed flexible A1, A2, A3, A4, A5, D2, uses are considered to be appropriate 'centre uses', and therefore its location with the Caversham District Centre is considered to respect the vitality and viability of the Centre in the context of Policy CS26, and is therefore accepted.

Policy CS27 states that retail uses form the main contributor to the vitality and viability of centres and identifies a monitoring target that 50% of A1, A2, A3, A4, A5 and Sui Generis units within Centres should be in A1 use, this refers to District and Local Centres. The proposed uses are predominantly considered under this policy, whereas the D2 use is not considered a centre use. Of the 16 units within St Martins Precinct, 14 units are currently

in A1 use. As such, should the proposal be used as all other uses as proposed (A2, A3, A4, A5, B2) the retail character of the precinct is not considered to be impacted upon negatively. A condition is recommended that 10 years following approval the use which is in situ at the unit will become the lawful use.

Whilst either of the proposed use are likely to be acceptable, there are other uses within the D2 class which display different characteristics and therefore may not be appropriate for this site. It is therefore considered reasonable to restrict the proposed D2 use to that as either a Bingo hall, dance hall, gymnasium or area for other indoor sports/recreation (not involving motorised vehicles or firearms) by way of a suitably worded condition. This is on the basis that an unrestricted D2 use could have the potential to cause harm to the amenity surrounding occupiers by way of noise and disturbance as well as increase in demand for parking and highway safety issues in such a location (Policy DM4 of the Sites and Detailed Policies Document 2012, 2015 and Policy CS34 of the Core Strategy 2008, 2015).

The application site is designated as an 'Active Frontage' as defined by the proposals map and Policy RC10 (Active Frontages). Policy RC10 states that uses should be within A1, A2, A3, A4, A5, C1, D1 or D2, related sui generis uses, unless it would be an entrance to upper floors. The proposed development has not proposed any external alterations at this time, and it currently has a glazed shopfront similar to all other units in the centre. As such, it is considered acceptable.

Design Considerations

The application does not propose any internal or external alterations such that there would be no impact on the appearance of the building, visual amenity of the surrounding area, or the character and appearance of the conservation area. The proposal would therefore accord with Policies CS7.

An informative is recommended to advise that any alterations to the shop or signage would require separate planning permission and advertisement consent.

Impact on Neighbour Amenity

The impact of the change of use upon the amenity of surrounding occupiers must be considered in accordance with Policy DM4 which seeks to protect amenity and Policy CS34 which seeks to control pollution.

The proposal does not seek to enlarge the property such that no undue loss of light or overbearing impact would occur to any neighbouring property.

The site is located within a busy local centre with a number of commercial and retail uses, restaurants and take-aways. As such, it is not considered that the proposed change of use would, in general, result in any significant harm to the amenity of surrounding occupiers. It is considered appropriate to restrict the hours of use of the outdoor seating area, and any A4 or A5 use to 0800 - 2300.

No additional plant is proposed as part of the application or any extensions or alterations to the building. However, certain uses proposed are likely to require mechanical plant such as kitchen extraction or other mechanical plant. Environmental Protection Officers have provided comments, citing no objection to the proposal on the basis that a condition can be included that requires the submission of a noise assessment/odour assessment prior to the installation of any mechanical plant equipment in accordance with Policy DM4 and Policy CS34.

Transport

The Council Transport Team has considered the proposal and raises no objections subject to conditions.

CIL

The proposal would not be liable for the Community Infrastructure Levy.

Conclusion

Having regard to the material considerations and all matters raised, the Local Planning Authority considers that the balance of considerations therefore weigh in favour of granting planning permission subject to conditions.

RECOMMENDATION:

GRANT planning permission, subject to conditions.

APPENDIX

Uses in precinct

1. Marc Antoni - A1
2. A1 pop up
3. Planet nails - Sui Generis
4. Pine & Oak - A1
5. Cara - A1
6. Iceland - A1
7. Costa - A1
8. Boots - A1
9. Superdrug - A1
10. Waitrose - A1
11. Barber Shop - A1
12. Jennings Butcher - A1
13. Vacant 41 - A3 (CLE)
14. Terrys - A1
15. Age Uk - A1
16. Forresters (barber) - A1