

TOWN AND COUNTRY PLANNING ACT 1990

**THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) (AMENDMENT)
ORDER 2015
As Amended 2019**

To: Bell Cornwell
Unit 2, Meridian Office Park
Osborn Way
Hook
RG27 9HY

Application No: 190952
Application type: Retail Prior Approval

**APPLICATION FOR PRIOR APPROVAL
UNDER CLASS M, PART 3 OF SCHEDULE 2 TO THE TOWN AND COUNTRY
PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) (AMENDMENT)
ORDER 2019**

Applicant: Kennet Investments Ltd

READING BOROUGH COUNCIL as Local Planning Authority give notice that the prior approval of the Local Planning Authority is **GIVEN** for the following development in accordance with the plans and supporting information submitted in connection with this application.

Proposal: Change of use of ground floor from Class A5 (Hot food takeaways) to C3 (dwelling houses) to comprise 2 X 1-bedroom flats. Prior Notification under Class M, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 as amended 2019.

At: 265 Oxford Road Reading

OTHER STATUTORY CONSENTS MAY BE REQUIRED

Date: 9 August 2019



Head of Planning, Development
& Regulatory Services

Application At: 265 Oxford Road Reading

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1. The development shall be carried out in accordance with the details approved by the Local Planning Authority as follows, unless otherwise agreed in writing by the Local Planning Authority:

- PL/A443/20 - Existing & Proposed Plans
- PL/A443/22 - Proposed Elevations

As received: 14/06/2019

unless otherwise agreed in writing by the Local Planning Authority.

2. In order to comply with the provisions of paragraph M2.(3) (a) of Class M of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) development under Class M(a) and M(b) must be completed within a period of three years starting from the prior approval date.

INFORMATIVES

1. The proposal meets the relevant criteria set out in Class M and the proposal is not considered to have an adverse impact in relation to transport and highways matters, contamination risks on the site; or flooding risks on the site.
2. The granting of Prior Approval relates only to the change of use of existing floorspace and land. If external alterations or extensions to the building are intended, a separate planning application is required for these works.
3. The grant of prior approval does not certify that the proposed development would be lawful within the meaning of Section 191 of the Town and Country Planning Act 1990. If you wish to obtain confirmation that the proposed development would be lawful and that no enforcement action could be taken against it, you can apply for a Certificate of Lawfulness. A fee is payable for this. Further information can be found on the Planning Portal: https://www.planningportal.co.uk/info/200126/applications/60/consent_types/9
5. A building which has changed use under Class M is to be used as a dwellinghouse within the meaning of Class C3 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 a dwellinghouse.
6. Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires

Date: 9 August 2019



Head of Planning, Development
& Regulatory Services

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.

7. Building Regulations

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.

- Noise between residential properties - sound insulation of any building
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.

8. Parking Permits

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.

9. Damage to highways

- 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.

10. Air Quality - Increased exposure

The proposed development is located within an air quality management area that we have identified with monitoring as being a pollution hot-spot (likely to breach the EU limit value for NO₂) and introduces new exposure / receptors.

Where the development involves converting an existing building and allowing a buffer zone is not an option then it may be that other mitigation can be applied. In the first instance this would be to implement measures to reduce the level at the facade of the property by creating a barrier between the property and the carriageway, such as close boarded fencing or planting vegetation.

Date: 9 August 2019



Head of Planning, Development
& Regulatory Services

If this is not possible then locating habitable rooms away from the source of pollution or the use of mechanical ventilation with the inlet on the clean side of the property may be acceptable. This list of potential measures is by no means an exhaustive list.

- Mechanical ventilation - inlets from the 'clean' side of the development, long term maintenance needs to be addressed
- Buffer zones - consider increasing distance of the building façade from very busy roads
- Habitable rooms - consider placing stairwells, corridors and bathrooms on the façade fronting pollution source
- Mixed use - locate any sensitive uses on higher floors, allowing commercial use on lower elevations
- Non-opening front windows - this should only be considered in certain circumstances, needs to be balanced against loss of freedom for future occupants

11. Bin storage - rats

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 - 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 any bin stores to be vermin proof to prevent rats accessing the waste.

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