

DELEGATED APPLICATION REPORT

SITE ADDRESS: 59-61 Southampton Street, Reading
APPLICATION NUMBER: 190335/RPA
PROPOSAL: Change of use of part of ground floor from retail (A1) to 2 no. residential studio apartments (C3). Prior Notification under Class M, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
EXPIRY DATE: 30/04/2019

INTRODUCTION

The application site comprises two vacant three storey (with basement) terraced properties, located on the eastern side of Southampton Street. No. 61 forms the end of terrace, and neighbours the red Cow public house, which is also derelict. The last use of the ground floor rooms facing Southampton Street was as a shop. The rear portion of the ground floor, first and second floors were used for flats, but are currently vacant. The basement and loft spaces were used for ancillary storage.

PROPOSAL

The application seeks Prior Approval, under Class M, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for the change of use of the ground floors of both No.59 and No.61, from Class A1 (retail) to Class C3 (dwellinghouse) to comprise a total of two new studios. The associated works comprise:

- The addition of a couple of internal walls to provide bathrooms for the proposed studios
- The erection of bin/cycle storage at the rear of the properties.
- Reinstatement of a blocked up window to provide an additional window to the proposed studio within No.61
- The rear windows of the proposed flats will become French doors for ease of access to the rear yard for refuse storage and cycle parking.

No other external works are proposed.

RELEVANT POLICIES AND SUPPLEMENTARY PLANNING GUIDANCE

Legal context

Class M allows for Development consisting of:

Change of use of a building from -

- (a) (i) a use falling within Class A1 (shops) or Class A2 (financial and professional services) of the Schedule to the Use Classes Order; to a use within Class C3 (dwellinghouses), and*
- (b) Building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of the Schedule.*

Before development can be carried out under Class M, the developer must apply for a determination as to whether prior approval is required in respect of:

- (a) Transport and highways impacts of the development,*
- (b) Contamination risks in relation to the building,*
- (c) Flooding risks in relation to the building,*
- (d) Whether it is undesirable for the building to change to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order because of the impact of the change of use-*
 - (i). On adequate provision of the sort that may be provided by a building falling within Class A1 (shops) or, as the case may be, Class A2 (financial*

and professional services) of that Schedule, but only where there is a reasonable prospect of the building being used to provide such services, or

(ii). *Where the building is located in a key shopping area, on the sustainability of that shopping area, and*

(e) *The design or external appearance of the building,*

And the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

In assessing these issues, officers must have regard to the NPPF as if the application were a planning application, and also have regard to the Local Development Framework (the NPPF states that due weight should be given to the adopted policies of the Local Development Framework 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)).

Reading Borough LDF Core Strategy - Adopted January 2008, altered 2015

CS7 Design and the Public Realm
CS24 Car/cycle parking
CS25 Scale and Location of Retail, Leisure and Culture Development
CS26 Hierarchy of Centres
CS27 Maintaining the Retail Character of Centres
CS34 Pollution and Water Resources
CS35 Flooding

Sites and Detailed Policies Document - Adopted October 2012, altered 2015

DM12 Access, Traffic and Highway Related Matters

PLANNING HISTORY

Planning Reference	Description	Outcome
900250	New shop front with aluminium roller shutters.	Application Refused on 10 April 1990
930307	Minor shop front alteration.	Application Permitted on 27 October 1993

RESPONSE TO PUBLICITY (REPRESENTATIONS RECEIVED)

A site notice was erected on 02/04/2019, expiring on 23/04/2019.

No letters of representation have been received.

CONSULTATION RESPONSES

Transport

"The proposal consists of the change of use from retail (A1) to 2 residential apartments(C3).

The site is located within the Zone 2, the primary core area but on the periphery of the central core area 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 supporting letter indicates that there is a parking court to the rear of the property, however, there are no allocated spaces to the retail use. Therefore, the proposed residential apartments would not have any access to off-street parking spaces.

In accordance with the adopted Parking Standards and Design SPD, the proposal would generate the requirement for 2 parking spaces. Whilst the development does not provide this level of parking, Southampton Street and the surrounding road network all have extensive parking restrictions preventing on-street parking.

In the circumstances it is considered that the proposed change of use would not have a material impact on the character of the traffic in the vicinity of the site. Therefore, there are no Transport objections to prior approval being given for the proposed change of use subject to the informative being included in the consent advising the future occupants of the flats that they would not be eligible for a resident's parking permit.

I13 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".

Environmental Health

Confirmed no comments on this application.

APPRAISAL

Development is not permitted by new Class M in the following instances (officer comments follow in bold & italics):

- (a) The building was not used for one of the uses referred to in Class M(a)-
 - (i). On 20th March 2013, or
 - (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;

The building was in A1 (retail) use on 20th March 2013.

- (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;
No.
- (c) the cumulative floor space of the existing building changing use under Class M exceeds 150 square metres;
No.
- (d) the development (together with any previous development under Class M) would result in more than 150 square metres of floor space in the building having changed use under Class M;
No; based on the plans submitted it is confirmed that the relevant floorspace is below 150sqm.
- (e) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;
No.

- (f) the development consists of demolition (other than partial demolition which is reasonably necessary to convert the building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order); or
No.
- (g) the building is—
 - (i) on article 2(3) land; **No.**
 - (ii) in a site of special scientific interest; **No.**
 - (iii) in a safety hazard area; **No.**
 - (iv) in a military explosives storage area; **No.**
 - (v) a listed building; or; **No.**
 - (vi) a scheduled monument; **No**

There are conditions to Class M:

- (a) Transport and highways impacts of the development,
As per the Transport observations above, no significantly adverse implications are envisaged, subject to an informative relating to parking permits.
- (b) Contamination risks in relation to the building,
The site is not located within an area of potential contamination. Environmental Protection colleagues raise no concerns.
- (c) Flooding risks in relation to the building,
The site is not located within a flood zone. No flooding risks are anticipated on this basis.
- (d) Whether it is undesirable for the building to change to a use falling within Class C3 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) or, as the case may be, Class A2 (financial and professional services) of that Schedule, but only where there is a reasonable prospect of the building being used to provide such services, or
 - (ii) where the building is located in a key shopping area, on the sustainability of that shopping area***The site is not within a designated key shopping area and the loss of these two derelict shop frontages is unlikely to negatively impact the sustainability of shopping in this area in any way.***
There are not considered to be strong economic reasons to resist the proposals in this instance.
- (e) the design or external appearance of the building
The only proposed external change is the reinstallation of a window at the rear of No.61. This will not have a detrimental impact.

Recommendation: **GRANT** Prior Approval
Conditions

1. The development shall be carried out in accordance with the details provided with respect to the ground floor area only labelled 'Flat 3' and 'Flat 4' as shown on submitted Drawing no: 020 Rev P3, received 30th April 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 County 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 buildings to which this prior approval relates are to be used as a dwellinghouses 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.
2. 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.
3. It is likely that the works set out in this application will also require approval from the Council's Building Control office to ensure compliance with any relevant building regulations. It is therefore assumed that concerns about fire safety, means of escape, ventilation and sound insulation will be reviewed and addressed by Building Control if works proceed. Please contact Building Control on 0118 937 2449 for advice.
4. 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.
5. The Local Planning Authority has worked positively and proactively with the applicant to allow permission to be granted within the prescribed target timescale for the decision to be issued.