

**APPLICATION FOR A CERTIFICATE OF
LAWFULNESS FOR A PROPOSED CHANGE OF USE
FROM A2 (FINANCIAL AND PROFESSIONAL
SERVICES) TO A1 (RETAIL)**

SUPPORTING STATEMENT

62 KINGS ROAD, READING, RG1 3AA

ON BEHALF OF TENDER CROWN LTD

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PLANNING | **DESIGN** | **ENVIRONMENT** | **ECONOMICS**

CONTENTS:

Page No:

1.	INTRODUCTION	2
2.	RELEVANT PLANNING HISTORY	2
3.	PROPOSAL	3
4.	ASSESSMENT AGAINST RELEVANT LEGISLATION	4
5.	CONCLUSION	5

1. Introduction

- 1.1 The proposed development concerns 62 Kings Road, a single unit located to the east of Reading Town Centre. This section of Kings Road is characterised by a mix of small commercial units on the southern side of the road with larger office units to the north. The site itself is on the southern side and bordered by 60 Kings Road to the west, which is occupied by Lincoln Coffee House, and 64-72 Kings Road to the east which is occupied by Zizzi. The unit was most recently occupied by Swinton Insurance, but has been vacant since November 2017.
- 1.2 The applicant wishes to change the use of the unit to A1 (retail) to enable them to occupy the unit as a hair salon with ancillary beauty services. We consider the proposed change of use to be 'Permitted Development' under Class E of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and the application is submitted in anticipation of Reading Borough Council's agreement and confirmation that this is the case.

2. Relevant Planning History

- 2.1 The most recent planning application for the unit was submitted in March 2018 for the change of use from financial and professional services (use class A2) to restaurant and cafes (use class A3) to create a café with ancillary takeaway facilities and associated external alterations. The application was given reference **180439** and was approved on 14th May 2018. The permission included a condition restricting the operating hours of the unit to between 07.00 hours to 18.00 hours on each day.
- 2.2 However this permission has not been implemented. As change of use of the unit would only commence upon occupation of the unit for A3 purposes, the use class of the unit remains as A2 (financial and professional services).
- 2.3 As such, the condition referred to above regarding operating hours has not come into effect, as this condition referred to 'the development hereby permitted' only, i.e. the proposed A3 use of the unit. Prior to this permission, operating hours of the unit were not restricted and it is therefore considered that this remains the case.

- 2.4 The only other recent planning applications relating to the building concerned the change of use of the first, second and third floors from offices to residential units, however as these applications made no reference to the ground floor unit they are not relevant to the current proposals.

3. Proposal

- 3.1 The proposed development is for the change of use of No.62 Kings Road from Class A2 (financial and professional services) to Class A1 (retail) to enable the applicant to occupy the unit as a hair salon.
- 3.2 The primary function of the unit will be hairdressing and the majority of the services offered at the unit will relate to this use. The applicant will also be offering a small amount of beauty services however these will be restricted to eyebrow treatments and face waxing only. Given the small scale nature of this element, these services are considered to be ancillary as hairdressing will be the main use of the unit with the beauty element offered only a small proportion of the business.
- 3.3 The proposed operating hours are 9am to 8pm on a daily basis. No external changes to the unit are proposed, the development concerns a change of use only.

4. Assessment Against Relevant Legislation

- 4.1 The appropriate legislation to assess the proposals under is considered to be Class E of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Development that is permitted under Class E is set out as follows:

Development consisting of a change of use of a building with a display window at ground floor level from-

(a) a use falling within Class A2 (financial and professional services) of the Schedule to the Use Class Order; or

(b) a use as a betting office or pay day loan shop,

to a use falling within Class A1 (shops) of the Schedule to the Use Class Order.

- 4.2 No.62 Kings Road is a building with a display window at ground floor level. The existing lawful use of the building is considered to be A2; the most recent occupier of the unit was Swinton Insurance who would meet the definition of an A2 occupier. Furthermore Reading Borough Council accepted that the existing use of the building was A2 when determining application **180439**. As this permission has not been implemented, the lawful use of the building remains A2 as it was at the time of that application.
- 4.3 The proposed use of the unit as a hair salon meets the definition of an A1 use. The beauty elements would not form a separate use in their own right would only comprise eyebrow treatments and face waxing. Due to the small scale nature of these treatments, they would make up only a small proportion of the business, therefore these are considered to be ancillary to the proposed A1 use. The proposed use of the unit is therefore considered to fall within Class A1 of the Schedule to the Use Class Order.
- 4.4 As such the proposed development complies with the provisions of Class E of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

5. Conclusion

- 5.1 As the proposed change of use complies with the provisions of Class E of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) it is considered to be 'Permitted Development', thereby not requiring planning permission.
- 5.2 As such, Reading Borough Council are respectfully requested to approve the application for a Certificate of Lawfulness for this proposed use at 62 Kings Road, Reading.