

DELEGATED APPLICATION REPORT

SITE ADDRESS: 1 Station Road and 20-22 Friar Street, Reading

APPLICATION NUMBER: 182109/OPA

PROPOSAL: Change of use 1st, 2nd and 3rd floors of building from Class B1(a) (offices) to C3 (dwelling houses) to comprise 15 dwellings. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Introduction

The application relates to the 4 storey 'Nationwide Building Society' building located on the west side of Station Road at the corner junction with Friar Street. The site is on a major pedestrian route from the station to the town centre and it is within an air quality management area.

Proposal

Change of use of building from Class B1(a)(offices) to C3 (dwellinghouses) to comprise 15 residential units. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

No external works are proposed as part of this prior approval application (nor are they permitted under this regime).

Positive and Proactive Engagement

This is an application for whether prior approval is required; the requirements of 186-187 of the NPPF for the LPA to engage in a proactive manner are therefore not relevant.

Relevant Policies and Supplementary Planning Guidance

Legal context

Class O allows development consisting of a change of use of a building and any land within its curtilage to Class C3 dwellinghouses (houses or flats) from a Class B1(a) office use.

As set out in Para 0.2 of Class O (as amended), development is permitted subject to the condition that before beginning the development, the development shall apply to the local planning authority for a determination as to whether the prior approval of the local authority will be required as to:

- a. Transport and highways impacts of the development,
- b. Contamination risks on the site,
- c. Flooding risks on the site, and
- d. Impacts of noise from commercial premises on the intended occupiers of the development

In this case, having initially reviewed the application, the Local Planning Authority has determined that prior approval is required in this instance due to the potential impact concerning points a) to d).

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)

CS34 Pollution and Water Resources

CS35 Flooding

Sites and Detailed Policies Document - Adopted October 2012 (Altered 2015)

DM4 Safeguarding Amenity

DM12 Access, Traffic and Highway Related Matters

Reading Central Area Action Plan 2009

RC9 Living in the centre

Relevant Planning History

180139/OPA - Change of use 1st, 2nd and 3rd floors of building from Class B1(a) (offices) to C3 (dwelling houses) to comprise 11 dwellings. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Permitted 21/03/18.

110641 New fascia signs around existing cash machines. Permitted

011000 Proposed alteration of shopfronts to provide new disabled access to suit internal alterations. Permitted

011001 Replacement of existing illuminated fascia box and projecting box sign with new corporate logo. Permitted

910601 New fascia signs and projecting signs. Permitted

901187 Alterations, renovation and extension to existing building. Permitted

900360 Illuminated fascia sign and two logo projecting signs. Permitted

890025 Alteration, renovation and extension to existing building. Permitted

890880 Fascia signs in plain grey stove enamelled box folded aluminium, central sign to have logo and blue Perspex style lettering over diffused Perspex/concealed strip lighting to give halo effect. Permitted

Response to publicity (representations received)

In relation to this 'prior approval' application, a site notice was erected on site by the case officer. No comments received.

Consultation Responses

Transport: No objection subject to informatives.

Environmental protection: Glazing condition and noise informative suggested. See details in appraisal.

Appraisal

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

- (a) The building is on article 2(5) land
(None in Reading Borough)
- (b) The building was not used for a use falling within Class B1 (a) (offices) of the Schedule to the Use Classes Order immediately before 30th May 2013 or, if the building was not in use immediately before that date, when it was last in use
(The upper floors of the building were in use as offices on 29th May 2013 and are currently in use as B1(a) offices)
- (c) The site is or forms part of a safety hazard area
(It does not)

- (d) The site is or forms part of a military explosives storage area
(It does not)
- (e) The building is a listed building or a scheduled monument
(The building is not a listed building or a scheduled monument)

There are conditions to Class O:

This assessment can only consider the transport, flood risk, contamination risk of the development and noise from commercial premises:

Transport:

The occupiers of the residential units will not be entitled to an on-street car parking permit in the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area in accordance with Core Strategy Policy CS24 and Sites and Detailed Policies document Policy DM12. The site is located close to local facilities, with frequent public transport services on nearby roads. It is requested that the Council be notified of postal addresses of the residential units before occupation and that the occupiers/transferees to be informed of the prohibition on entitlement to a car parking permit.

Contamination

The application site is not located on or adjacent to an area of contaminated land. As such it is not considered that the proposed change of use would carry any contamination risk.

Noise Impact from Commercial Premises

The accompanying noise assessment which proposes glazing and acoustic trickle vents to mitigate against high noise levels at the site (in particular the front façade) is not considered acceptable. This is because should residents open their windows, they won't benefit from the acoustic glazing that has been proposed, and internal noise levels will be unacceptable. The applicant should instead consider alternative ventilation for the dwellings on the front façade. A pre-commencement condition relating to sound insulation from external noise is recommended and was agreed by e-mail correspondence with the applicant's agent on 9 January 2019.

Flooding

The site is not located within a flood zone.

Recommendation:

GRANT Prior Approval, subject to conditions

Condition:

1. The development permitted must be completed before the expiration of three years from the date of this prior approval.

Reason: To comply with the provisions of paragraph O.2 of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016

2. Reason: In order to comply with the provisions of Part W of the Town and Country Planning (General Permitted Development) (England) Order 2016.

Drawing No:10196.L.00 - Site Location Plan

Drawing No: 10196.P.03 - 1st, 2nd and 3rd Floors Proposed Conversion to Residential units

Received by the Local Planning Authority 29th November 2018

Reason: In order to comply with the provisions of Part W of the Town and Country Planning (General Permitted Development) (England) Order 2016.

3. No development shall take place until a detailed scheme, informed by an assessment of the current noise environment, for protecting the dwellings from the external noise environment of the area has been submitted to and approved, in writing, by the Local Planning Authority. The scheme itself shall be designed, specified and constructed so that the sound insulation performance of the structure and the layout of the dwellings are such that the indoor ambient noise levels do not exceed the values detailed in Table 4 of BS 8233:2014. Where opening windows will lead to an internal noise level increase of 5 dBA or greater above BS 8233:2014 recommended internal levels, the scheme shall include provision of alternative mechanical ventilation with minimum performance equivalent to a mechanical heat recovery (MVHR) system with cool air bypass as an alternative means of cooling and ventilation. Noise from the system should not result in BS8233 internal levels being exceeded.

Thereafter, the development shall not be carried out other than in accordance with the approved scheme which shall be completed before any part of the accommodation hereby approved is occupied, unless the Local Planning Authority otherwise agrees in writing.

Reason: to protect the amenity of future occupants of the proposed development, in line with policy DM4 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015) and Policy RC9 of the Reading Central Area Action Plan 2009.

Informatives:

1. The applicant is advised that as an application for prior approval under Class O, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2016, this prior approval notice relates to the change of use of the building from Class B1(a) to C3 (dwellinghouses) only and no other use.
2. The occupiers of the residential units will not be entitled to an on-street car parking permit in the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area in accordance with Core Strategy Policy CS24 and Sites and Detailed Policies document Policy DM12. The site is located close to local facilities, with frequent public transport services on nearby roads. It is requested that the Council be notified of postal addresses of the residential units before occupation and that the occupiers/transferees to be informed of the prohibition on entitlement to a car parking permit.
3. 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 be made aware 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 at <http://www.reading.gov.uk/ltp/General.asp?id=5X9452-A782F664> (within the Transport Strategy area of the Transport Section on the Reading Borough Web Site).
4. In connection with the implementation of this office prior approval, no noisy construction, demolition and associated activities should take place outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays. No noisy works shall take place at any time on Sundays and Bank or Statutory Holidays. Please refer to the Council's website for more detailed information: <http://beta.reading.gov.uk/article/2565/What-noise-is-acceptable-during-construction-and-demolition-work>
5. 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.
6. This prior approval relates only to the change of use of existing floor space and land. If there are any external alterations (e.g. to enable the provision of light tubes) or extensions to the building, planning permission is required for these.