

DELEGATED APPLICATION REPORT

SITE ADDRESS: Clock House, 286 Kings Road, Reading
APPLICATION NUMBER: 181090/OPA
PROPOSAL: Change of use of existing building from Class B1(a) (offices) to C3 (dwelling houses) to comprise 3 residential 1- bed flats. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

INTRODUCTION

The application site comprises a four storey building on the corner of Kings Road and Fatherson Road. The building has undercroft parking at ground floor level and the building was in active Class B1(a) office use at the time of the officer site visit on 31/07/18.

PROPOSAL

Prior Approval, under Class O, Part 3 of Schedule 2 to the The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (as amended), is sought for the change of use and conversion of the building from offices to 3 x 1 bed flats.

During the course of the application a number of inaccuracies noted at the time of the officer erecting the site notice have been corrected through the submission of updated plans and elevations.

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 2018 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)).

NPPF 2018

Reading Borough LDF Core Strategy - Adopted January 2008 (Altered 2015)
CS34 Pollution and Water Resources

Sites and Detailed Policies Document - Adopted October 2012 (Altered 2015)
DM12 Access, Traffic and Highway Related Matters

PLANNING HISTORY

140594/OPA - Change of use of building from Class B1(a) (offices) to C3 (dwellinghouses) to comprise 3 x 1 bed flats. Prior approval granted 02/07/14. Not implemented at the time of the officer site visit on 31/07/18.

181077 - Insertion of 2 windows at both first and second floor level of the east (side) elevation. Current application under consideration.

RESPONSE TO PUBLICITY (REPRESENTATIONS RECEIVED)

A site notice was erected on 06/07/18, expiring on 27/07/18. No responses received.

CONSULTATION RESPONSES

Transport: The site was granted prior approval consent on 2nd July 2014 under application no. 140594 for change of use of building from Class B1(a) (offices) to C3 (dwellinghouses) to comprise 3 x 1 bed flats. A condition required the conversion to be implemented before 30th May 2016. Therefore this submission is effectively a resubmission of the previously approved prior approval application where the Council raised no objection to the conversion of the offices into residential flats.

The existing building benefits from a dedicated under-croft car park on the ground floor, which also allows for cycle storage, with additional ad-hoc parking for 2 vehicles to the front. The site would not be eligible for a resident's parking permit or visitor permits.

It is accepted that the existing office use will generate more vehicular trips in the peak hours than the proposed residential use. Therefore, the proposed residential development will not increase traffic in the vicinity of the site.

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 informatives being included in the consent advising about highway works and that the future occupants of the flats that they would not be eligible for a resident's parking permit.

Informatives

1. 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.

2. 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 within the Transport Strategy area of the Transport Section on the Reading Borough Web Site.

Environmental Protection: No objections.

APPRAISAL

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

- (a) The building is on article 2(5) land and an application under paragraph O.2(1) in respect of the development is received by the local planning authority on or before 30th May 2019 *(no)*
- (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 building was seen to be in use at the time of officer site visit on 31/07/18 for office purposes and at the time of the previous OPA application in 2014 satisfied the then requirement. As such, the proposal complies with Class O in this regard)*
- (d) The site is or forms part of a safety hazard area *(it does not)*
- (e) The site is or forms part of a military explosives storage area *(it does not)*
- (f) 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. In these regards:

Transport - The RBC Transport Development Control team has no objections to the proposal, subject to two informatives outlined in full in the transport observations section above.

Flood Risk - The site is in Flood Zone 1 and therefore the proposal is appropriate in this regard. Furthermore, Environmental Protection has no objections to the proposal.

Contamination - No issues anticipated as Environmental Protection has no objections to the proposal.

Noise from commercial uses - The legislation only allows the Council to consider the potential impact of noise from commercial premises on the intended occupiers of the development, and therefore traffic noise, unless directly associated with commercial premises in the vicinity of the application site, cannot be taken into consideration. The surrounding area does not contain commercial uses of the scale/nature/vicinity to warrant resisting the proposals on this basis.

Recommendation:

GRANT Prior Approval, subject to conditions

Conditions:

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. The following plans and drawings have been assessed:

PL-100 - Site Location Plan, as received 20/06/18

PL-01 - Proposed Plans, as received 27/07/18

PL-03 - Existing + Proposed Elevations, as received 27/07/18

PL-04 - Existing Plans, as received 27/07/18

PL-06 - Existing + Proposed Elevations, as received 27/07/18

Reason: For the avoidance of doubt and in the interests of proper planning.

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) (England) Order 2015, 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 within the Transport Strategy area of the Transport Section on the Reading Borough Web Site.