

DELEGATED APPLICATION REPORT - Application No. 171999/FUL

Address: Unit 1B Kings Walk King Street

Proposal: Change of use from A3 (restaurants & cafes) to D2 (assembly & leisure) for use as an 'escape room' experience facility

Case officer: Matt Burns

Site Description and Surrounding Area:

The application relates to Unit 1B within the Kings Walk Centre located on the south side of King Street. The Centre has a linear form with the main entrance from King Street and a second entrance to Yield Hall Place. Unit 1B is located at first and second floor level in the north part of the Centre facing onto Kings Street. The site is located within the Market Place/London Street Conservation Area.

The is also within the Reading Central Area, Central Core, Primary Shopping and Office Core and within an existing Active Frontage as defined by the Reading Central Area Action Plan 2009, as well as within an Air Quality Management Area.

Proposal: The application seeks planning permission for a proposed change of use of the unit from A3 (restaurants & cafes) to D2 (Assembly and Leisure) for use as an 'escape room' experience facility.

The proposal does not seek any external alterations to the building.

Plans and Documents Considered:

Location Plan

Received by the Local Planning Authority on 10th November 2017

Drawing no. 3950/01/* - Proposed General Arrangement

Drawing no. ASS 1999 - 02 - 1st and 2nd Floor Layout

Received by the Local Planning Authority on 14th November 2017

Relevant Planning History:

89/00157/FUL - Part 2-storey, part 3-storey development plus basement comprising 11 retail units in a pedestrian arcade and one 2-bed flat and formation of vehicular access off yield hall place - Approved

04/00410/FUL - Refurbishment of existing shopping centre including the provision of two additional retail (A1) units, the extension of an existing restaurant (A3) and alterations to the north and south entrances - Granted

140551/FUL - Alterations for front and rear elevations - Granted

140552/ADV - LED display around existing glazed canopy front King Street for the display of advertisements relating to business within the shopping centre and Atlantis Village & Logo signs on Kings Walk & Yield Hall Place frontages - Granted

162147/FUL - Change of use of 1240 square metres of floor area of existing shopping centre from A1 (shop) to a flexible A1 (shop) / A3 (restaurant/cafe) use - Granted

Consultation Responses:

Environmental Protection - Recommend conditions to control noise and disturbance.

Transport - No objection.

Notification letters were sent to Units 1, 1A, 8A, 10 and 12 Kings Walk and no. 24 Kings Street. A site notice was also displayed outside the site. No representations have been received.

Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

Relevant Planning Policy and Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. However the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).

In this regard, the NPPF states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Core Strategy, Sites and Detailed Policies Document and Reading Central Area Action Plan) 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).

Accordingly, the National Planning Policy Framework and the following development plan policies and supplementary planning guidance are relevant:

Reading Borough LDF Core Strategy (2008) (altered 2015)

- CS4 Accessibility and the Intensity of Development
- CS5 Inclusive Access
- CS20 Reading Transport Strategy
- CS24 Parking
- CS26 Hierarchy of Centres
- CS33 Protection and Enhancement of the Historic Environment
- CS34 Pollution

Reading Sites and Detailed Policies Document (SDPD 2012) (altered 2015)

- DM4 Amenities
- DM12 Access, Traffic and Highway Related Matters

Reading Central Area Action Plan (RCAAP 2009)

RC6 Definition of the Centre

RC7 Leisure in the Centre

RC10 Active Frontages

Appraisal

Principle

Policy CS26 seeks to maintain and enhance the vitality and viability of the central locations, which can include widening the range of uses available.

Policy RC6 also seeks to promote retail development whilst supporting other town centre uses within the wider Central Core area.

The existing A3 use and the proposed D2 use are 'Centre Uses' and therefore the proposals location within the Central Core is considered acceptable and to respect the vitality and viability of the Reading Centre as well as widening the range of uses available within the centre in the context of Policy CS26 and RC6.

The unit to which the application relates is located within the first and second floors of the building only. Therefore the proposal would not impact upon the existing active frontage at ground floor level and would be in accordance with Policy RC10.

The proposal would also accord with the aims of Policy RC7 which seeks that new leisure development is located within the Reading Central Area given this is the most widely accessible area of Reading.

The proposal relates to an existing unit within a shopping centre. The existing building is widely accessible and includes lift access from ground floor level. The proposal is considered to provide for inclusive access in accordance with Policy CS5.

Design

The application does not propose any internal or external alterations such that there would be no impact on the appearance of the building, visual amenity of the surrounding area or setting of the conservation area. The proposal would accord with Policies CS7, CS33 and RC5.

The proposed plans reference first floor level vinyl stickers to the windows of the unit facing onto King Street however no details of these have been provided. Nonetheless, such advertisements would not fall to be considered under an application for planning permission and would be covered under the advertisement regulations, requiring a separate application for advertisement consent. An informative will be attached to the decision notice to advise the applicant of this.

Amenity

The impact of the change of use upon the amenity of surrounding occupiers must be considered in accordance with Policy DM4 which seeks to protect amenity and Policy CS34 which seeks to control pollution.

The Kings Walk Centre is itself in commercial use and is predominantly surrounded by other commercial uses. As such it is not considered that the proposed change of use of a single unit within the Centre to an 'escape room facility' would, in general, result in any significant harm to the amenity of surrounding occupiers.

However, there is a single residential flat located within the Kings Walk Centre at 2nd floor level which is the most sensitive receptor to the proposed development. Environmental Protection officers sought further information from the applicant as to the nature of the proposed use in order to assess the impact of the proposal on the occupiers of this flat. Having reviewed this information Environmental Protection officers suggested conditions to control the hours of use and the number of customers permitted to be on site at any one time as measures to protect the amenity of residents of the nearby flat from undue noise and disturbance.

The additional information provided by the applicant confirmed that:

- There would be an average of 4 players per game.
- It is possible that all 6 games will be running at peak times although Escape Hunt plan to stagger start times by 15 mins so there is a flow of people through the premises rather than having all customers in the lounge at the same game. For example, Escape Hunt plan to have 2 rooms starting on the hour, 2 more rooms at quarter past and the final 2 rooms starting at half past. This will even out the flow of people, making the facilities more comfortable and aiding the management of customers.
- There is never likely to be more than 10 people leaving the site at any one time and they would be encouraged to leave quietly and respectfully.
- The 15 minute de-brief will include a request to customers to leave quietly and respectfully.
- Escape Hunt are happy to also install signs asking people to leave quietly and respectfully.

Having reviewed the application details and additional information provided it is considered reasonable to control the hours of use of the restaurant. The suggested hours of 10am to 11pm are not considered unreasonable in the context of the existing commercial and restaurant uses within the centre. Given the information provided regarding how the escape room facility would operate it is not considered necessary to restrict the numbers of people on site which would be self-limiting. Furthermore, there are no planning controls upon the number of people allowed to access the other commercial facilities within Kings Walk, which are primarily restaurants and open in the evening. The existing uses within the Centre are not considered materially different to the proposed escape room facility in terms of any noise or disturbance that would be generated. The application unit is also located 30m from the flat at the closest point with the main entrance to the unit being at 1st floor level and the flat located on 2nd floor level. Therefore, there would be no direct need for escape room customers to venture near the flat above that of the existing situation where members of the public visiting the existing restaurants/shops and pub to the rear, can enter the Centre and walk freely around all floors. Subject to conditions to restrict the hours of use of the facility and to

control the use of the unit to that of an escape room only, it is not considered that the proposal would result in any undue disturbance or harm to the amenity of the occupiers of the residential flat. The proposal is considered to accord with Policy DM4 and CS34.

Transport

The site is located within the Reading Central Area and within Reading's primary shopping area. The site is in a key central location and in close proximity to Reading rail station to the north. The Reading Central area is well served by rail and bus links and also contains the largest proportion of public car parking spaces.

The proposal includes no parking spaces and it is intended that the development will remain car free. King Street and the surrounding road network all have extensive parking restrictions preventing on-street parking. Therefore, the non-provision of parking is acceptable in this town centre location.

It is considered that in this location the proposed change of use for use as an 'escape room' experience facility will have no impact in terms of Transport and therefore, there are no Transport objections to the proposed development. The proposal would accord with Policies CS20, CS24 and DM12.

Other Issues

The proposal would not be liable for the Community Infrastructure Levy.

RECOMMENDATION:

GRANT planning permission, subject to conditions.

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission was granted.

Reason: to prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the application land by virtue of this permission shall only be used as an escape room experience facility only and for no other use within Use Class D2 (Assembly and Leisure).

Reason: in order for the Local Planning Authority to control the use of the land in terms of noise and disturbance, in the interests of the amenities of neighbouring properties, in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015), Policy RC6 of the Reading Borough LDF Reading Central Area Action Plan 2009 and Policy DM4 of the Reading Borough LDF Sites and Detailed Policies document 2012 (Altered 2015).

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan

Received by the Local Planning Authority on 10th November 2017

Drawing no. 3950/01/* - Proposed General Arrangement

Drawing no. ASS 1999 - 02 - 1st and 2nd Floor Layout

Received by the Local Planning Authority on 14th November 2017

Reason: because permission is granted in respect of the development as detailed in the approved plans only.

4. The development hereby permitted shall not operate outside the hours of 10:00-23:00 hours Monday to Sunday.

Reason: In order for the Local Planning Authority to control the use of the site and amenities of surrounding residential properties (CS34 of the Reading Core Strategy 2008, altered 2015) and DM4 and of the Sites and Detailed Policies Document 2012, altered 2015).

Informatives

1. The Local Planning Authority has been positive and proactive in dealing with this planning application by determining it in a timely manner.
2. Your attention is drawn to the terms and conditions of this planning permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any conditions attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.
3. The Applicant is advised that any signage would likely require a separate application for advertisement consent.