

TOWN & COUNTRY PLANNING ACT 1990

WOODRIDGE DEVELOPMENTS LTD

PLANNING STATEMENT

**THE QUAD
ARKWRIGHT ROAD
READING
RG2 0LU**

**Change of use from B1 office use to C3 dwellinghouses.
Application under Class O for prior approval**

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1. INTRODUCTION

- 1.1 This statement is submitted in support of an application under Class O for prior approval for the following:

‘Change of use from Class B1 office use to C3 dwellinghouses – Application under Class O for Prior Approval’

- 1.2 The statement is divided into 3 main sections dealing with the following issues:

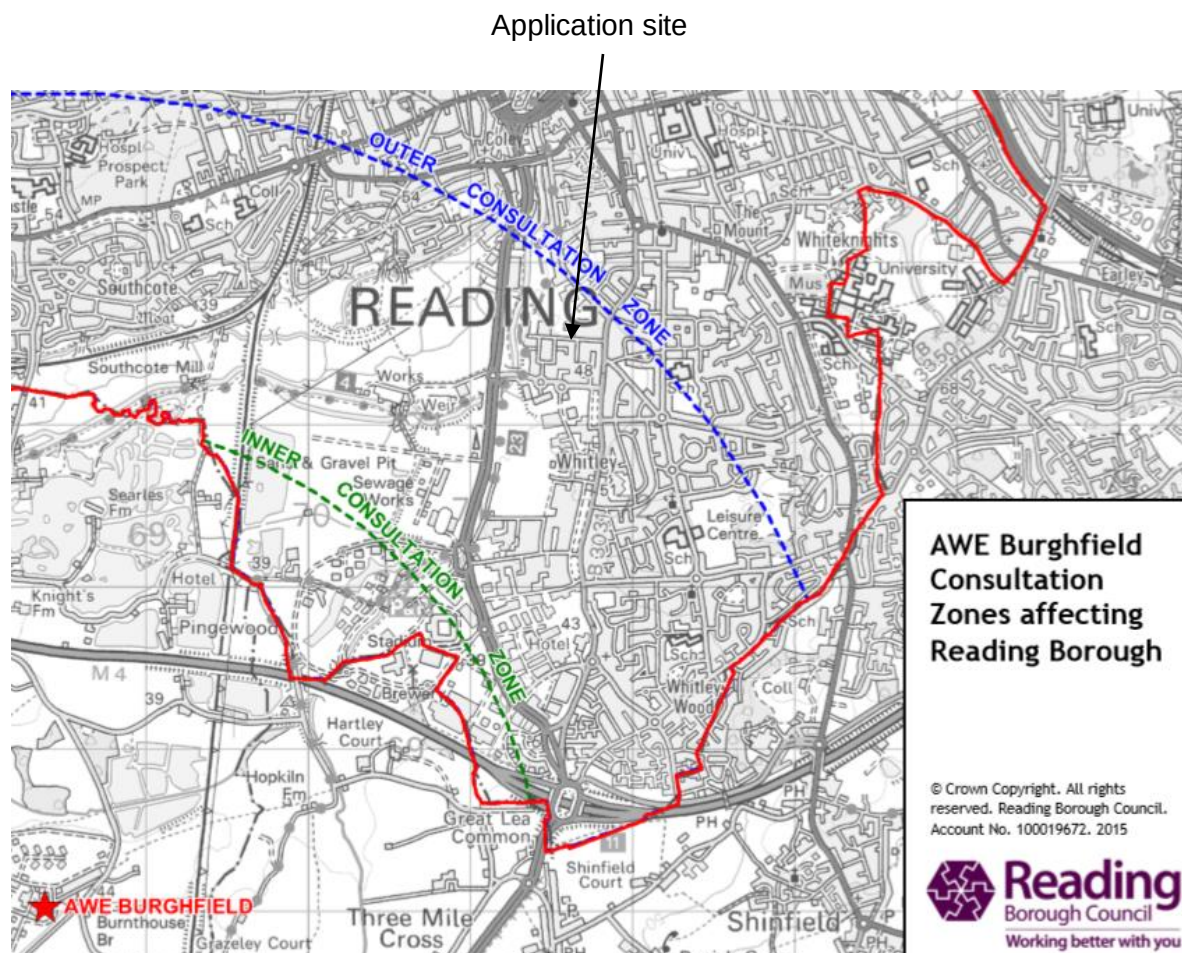
- Site Description
- Whether the site forms part of a ‘safety hazard area’ under paragraph O.1(d)
- Summary and conclusion

- 1.3 This statement deals specifically with the potential restriction imposed by paragraph O.1(d) under Class of Part 3 (Changes of Use) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for prior application changes of use (offices to dwellinghouses). O.1(d) does not allow changes of use where sites form part of a ‘safety hazard area’.

2 SITE DESCRIPTION

- 2.1 The application site comprises of a three storey office building located at the southern end of Arkwright Road. Arkwright Road itself is defined in the development plan proposals map as being part of a defined ‘Core Employment Area’ although this does not introduce any further planning controls which would amount to being a material consideration in the determination of prior approval applications. The site is not located within an area covered by an Article 4 direction restricting the change of use of office premises to other uses.

- 2.2 As set out in chapter 3 below, the site falls within the 'outer consultation zone' for the AWE Burghfield site. A plan showing the site and the boundaries of the different zones are set out below.
- 2.3 Within the 'outer zone' the Council have previously sought to oppose applications for office to residential prior approval applications such as at 472 Basingstoke Road, Reading (LPA ref.141939) on the grounds that sites within such locations would be in conflict with paragraph (d) of O.1 (i.e. it would form part of a 'safety hazard area'). This statement examines whether it is correct to oppose prior approval applications on these grounds. Reference is made in particular to the position that other affected local planning authorities take to the same AWE Burghfield outer zone and also the Office for Nuclear Regulation's (OCR) planning guidance and their recent change in advice.



3 WHETHER THE SITE FORMS PART OF A ‘SAFETY HAZARD AREA’

- 3.1 Paragraph O.1(d) states that development is not permitted by Class O if the site is, or forms part of, a safety hazard area. Paragraph 2 of the Order defines a ‘safety hazard area’ as an area notified to the local planning authority-

(a) By the Health and Safety Executive for the purposes of paragraph (e) of the Table in Schedule 4 to the Procedure Order; or

(b) By the Office for Nuclear Regulation for the purposes of paragraph (f) of that Table.

- 3.2 The Procedure Order states that this will relate to development within the vicinity of toxic, highly reactive, explosive or inflammable substances on a nuclear site and which involves the provision of various forms of development including residential accommodation.

- 3.3 The ONR’s advice is effectively informed by the views of local Emergency Planners. Their role includes setting the Detailed Emergency Planning Zones (DEPZ) for sites where there could be an off site radiological release. Local authorities are required to prepare plans for responding to an off site nuclear emergency within the DEPZ area. For the purposes of advising on planning applications, ONR has defined two consultation zones: The inner zone which is the DEPZ and the outer zone which extends from the outer perimeter of the DEPZ. Each zone has its own consultation criteria (Parts 1 and 2). Part 1 sets out the consultation criteria for each zone. Within the outer zone, the criteria includes *‘any new development, re-use or re-classification that will lead to a material increase in the size of an existing development, which is otherwise likely to impact on the off-site emergency plan’*. Examples of development likely to affect the operation of the off-site emergency plan include at Part 2, residential housing and flats.

- 3.4 Under the prior approval application to change the use of offices to residential at 472 Basingstoke Road, Reading (141939), the Council concluded that the development did not comply with the limitations of Class J (now defined as Class O) on the basis

that the site fell within the outer Burghfield AWE consultation zone, a fact confirmed by the ONR in an email dated 19th December 2014. The conclusion was thus that the site was excluded under Class J on the basis that the site formed part of a 'safety hazard area' as notified by the ONR. The decision to reject prior approval was issued on 19th January 2015.

3.5 Since 2015 the ONR have re-assessed how the emergency planning zones will be considered and interpreted. This re-assessment was made following a prior approval submission at a site located within West Berkshire's jurisdiction but still within the outer zone. The application for prior approval was for the change of use of an agricultural building to a residential dwelling (Woodlands Farm, Wood Lane, Beech Hill, Reading LPA ref.17/02131/PACOU). The submission followed an earlier application for prior approval in 2016 (16/001837/PACOU) that was subsequently withdrawn on the basis of its location within the AWE outer consultation zone and its assumed classification at the time as being within a 'safety hazard area'.

3.6 Under the revised submission lodged in 2017, the Council and applicant sought further clarification from the ONR about whether the outer zone of the AWE should be classified as a detailed emergency planning zone and thus the subject of restrictions under prior approval changes of use under O.1(d). The decision of the ODR and the Council's Civil Contingencies Officer (West Berks) was that it should no longer be classified as a detailed emergency planning zone and therefore not considered a 'safety hazard area' for the purposes of interpreting Paragraph 2 of the GPDO. The officer report concluded the position as follows:

'Further clarification has been sought from the Council's Civil Contingencies Officer and from the Office of Nuclear Regulations (ONR). Sites within the outer consultation zones for either Aldermaston or Burghfield will not be classed as within a detailed emergency planning zone and therefore would not be restricted under the GPDO article 3, schedule 2. This is an updated position from the ONR which has changed since the Headlands Farm appeal decision

3.7 Further decisions for residential use under prior approval procedures within the outer zone have not been resisted in West Berks and further prior approvals have

been granted on further sites in the outer zone such as at 10A West End Road, Mortimer Common, Reading (17/03273/PACOU), granted 23.01.2018). This interpretation represents the latest ONR position for all sites within the outer zone whether they are within West Berks or neighbouring authorities such as Reading BC. The same principles will apply in both cases as the ONR are the statutory consultee on this matter and it is primarily their role to determine how each zone should be interpreted. Therefore, in the case of this application at The Quad, the site's location within the AWE outer zone should not be opposed under Paragraph O.1(d) of the Class O requirements.

4 SUMMARY AND CONCLUSIONS

- 4.1 This statement has set out the case for prior approval under Class O in respect to the interpretation of Paragraph O.1(d) and whether the site's location within the AWE outer zone amounts to it being within a 'safety hazard area'. The evidence clearly demonstrates that the main statutory consultee on this matter, the ONR, now regard the outer zone as not falling within a 'safety hazard area'. This represents a changed position within the last 6 months on the part of ONR advice and should be applied to this particular application site in the same manner as other outer zone sites in neighbouring authorities. The conclusion is therefore that prior approval under Class O should not be withheld on the basis that the site is within the Burghfield AWE outer zone.