

DELEGATED APPLICATION REPORT

SITE ADDRESS: 51 Southampton Street Reading

APPLICATION NUMBER: 170845/OPA

PROPOSAL: Change of use of ground, first and second floors from Class B1(a) (offices) to C3 (dwellinghouse) to comprise 3 x 2-bed flats. 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 a three storey mid-terrace building located on the east side of Southampton Street. The building is located within the Market Place/London Street Conservation Area, with the designated Reading Central Area (Reading Central Area Action Plan 2009) and within an air quality management area.

Proposal

Change of use of ground, first and second floors from Class B1(a) (offices) to C3 (dwellinghouse) to comprise 3 x 2-bed flats. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The applicant has submitted an amended plan removing a number of external alterations to the existing building from the proposal. Such alterations cannot be considered under the scope of a prior approval application.

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

CS34 Pollution and Water Resources

CS35 Flooding

Sites and Detailed Policies Document - Adopted October 2012

DM12 Access, Traffic and Highway Related Matters

Planning History

120768/ADV - 1 x timber fascia sign and 1 x timber projecting hanging sign on shop FRONT
- Granted.

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 an informative.

Environmental Protection: No objection.

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 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 is in use as B1(a) offices*)
- (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:

Transport:

The site is located within the Zone 2, the primary core area but on the periphery of Zone 1, the central core area, which lies at the heart of Reading Borough, consisting primarily of retail and commercial office developments with good transport hubs. In accordance with the adopted SPD, the development would be required to provide a parking provision of 1 space per flat.

There is an existing vehicular access into the site from St Giles Close which currently provides off-street at the rear of the property.

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 the informative being included in the consent advising the future occupants of the flats that they would not be eligible for a resident's parking permit. This will ensure that the development does not harm the existing amenities of the neighbouring residential properties by adding to the already high level of on street car parking in the area.

Contamination

The site is not located within an area of potential contamination.

Noise Impact from Commercial Premises

There are no concerns with regard to impact on the proposal in respect of noise from commercial premises.

Flooding

The site is not located within a flood zone.

Other

Development under Class O is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.

Recommendation:

GRANT Prior Approval

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. The following plans and drawings have been assessed:

Drawing no.s

Location plan ref. 51 Southampton Street, Reading, RG1 2QP
DC 2017/01 - Existing Elevations, Floor, Plans and Sections (EXISTING)
Received on 30th May 2017

DC 2017/02 - Existing Elevations, Floor Plans and Sections (PROPOSED)
Received on 17th July 2017

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

Informative:

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. This prior approval relates only to the change of use of existing floor space and land. If there are any external alterations or extensions to the building, planning permission is required for these. The grant of prior approval does not make the development lawful.
3. 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. The parking permit conditions above place a requirement 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.
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>