

DELEGATED APPLICATION REPORT - Application No.s: 170654/FUL

Address: 146 Friar Street Reading

Proposal: Change of use of first and second floor from B1a Office to C3 residential to provide two self-contained flats, together with additional first floor window to rear elevation

Case officer: Matt Burns

Site Description and Surrounding Area: The application site is located on the south side of Friar Street and consists of a three storey building occupied by a retail unit on the ground floor with vacant rooms on first and second floor which were last used as consulting rooms in association with the previous use of the ground floor unit as an optician. The site is surrounded by a mixture of town centres uses. The site is located within the Reading Central Area, Central Core, Primary Shopping Area and Office Core Area within an existing designated Active Shopping Frontage. The adjoining building, no. 147, is grade II listed.

Proposal: The application seeks planning permission for change of use of first and second floor from B1a Office to C3 residential to provide two self-contained 1 bedroom flats, together with additional first floor window to rear elevation. The flats would be accessed via existing stairs from the existing ground floor entrance door to shop frontage from Friar Street.

Plans Considered:

Drawing no.s

1110 P.302 - Scheme C Proposed First and Second Floor Plans

Received on 16th May 2017

Drawing no.s

Site Location Plan

Block Plan

1110 D.310 - Scheme C Prior Notification Demolition Works, Front and Rear Elevations

1110 D.302 - Scheme C Prior Notification Demolition Works, First, Second Floor Plans

1110 D.111 - Scheme C Prior Notification Demolition Sections AA & BB

1110 P.310 - Scheme C Prior Notification Proposed Front and Rear Elevations

1110 P.310 - Scheme C Prior Notification Proposed Ground Floor Plan

1110 P.311 - Scheme C Prior Notification Proposed Sections AA & BB

Received on 26th April 2017

Relevant Planning History:

150726/FUL - : Proposed change of use of first and second floors from Consulting - Granted.

140031/FUL - Change of use from opticians to Class A1 (shops) on the ground floor to include new shop front - Granted

140033/ADV - 1 fascia sign and 1 awning - Granted

13/00246/CLP - Change of use of 1st and 2nd floors from ancillary A1 use to C3 - Refused

97/00297/ADV - Fascia pod sign internally illuminated, double sided projecting sign internally illuminated - Granted

97/00025/FUL- Alterations to existing shop front to include an additional single door - Granted.

Public Consultation:

Notification letters were sent to properties and no.145 and 147 Friar Street and a site notice was displayed. No letters of representation have been received.

Consultation Responses:

Transport: No objection, subject to a condition

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

In this regard, the NPPF states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Core Strategy and Sites and Detailed Policies Document) 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 (RCS) (Adopted January 2008 - amended 2015)

- CS1 Sustainable Construction and Design
- CS2 Waste Minimisation
- CS4 Accessibility and the Intensity of Development
- CS5 Inclusive Access
- CS7 Design and the Public Realm
- CS11 Use of Employment Land for Alternative Uses
- CS14 Provision of Housing
- CS15 Location, Accessibility, Density and Housing Mix
- CS20 Implementation of the Reading Transport Strategy (Local Transport Plan 2006-2011)
- CS24 Car/Cycle Parking
- CS33 Protection and Enhancement of the Historic Environment
- CS34 Pollution and Water Resources

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

- SD1 Presumption in Favour of Sustainable Development
- DM1 Adaption to Climate Change

- DM4 Safeguarding Amenity
- DM5 Housing Mix
- DM6 Affordable Housing
- DM8 Residential Conversions
- DM10 Private and Communal Outdoor Space
- DM12 Access, Traffic and Highway-Related Matters
- DM19 Air Quality

Reading Central Area Action Plan (RCAAP) (2009, altered 2015)

- RC5 Design in the Centre
- RC6 Definition of the Centre
- RC9 Living in the Centre

Supplementary Planning Documents & other relevant guidance

- Affordable Housing SPD (2013)
- Revised Parking Standards and Design SPD (2011)
- Sustainable Design and Construction SPD (2011)
- Residential Conversions SPD (2013)
- DCLG Technical housing standards - nationally described space standard (2015)

Appraisal

Principle

The proposal is for a conversion and as such is entirely on previously developed land within the urban area and is therefore considered suitable for residential development in principle, subject to any other relevant policies relating to the existing or proposed uses.

The proposal would retain the existing A1 shop use at ground floor level as such would continue to accord with Policies CS26 and CS27 of the Core Strategy 2008, 2015 and Policy RC6 of the Reading Central Area Action Plan 2009 whilst located within an existing active frontage the proposal would also continue to accord with Policy RC10 of the Reading Central Area Action Plan 2009.

The upper floors of the building are currently in office use following grant of planning permission for change of use from consulting room use ancillary to the previous occupation of the ground floor units as an opticians (ref. 150726). The site is not located within a designated core employment area. In such locations Policy CS11 of Core Strategy sets a number of criteria against which proposals resulting in a loss of employment land must be considered. In this instance the office floor space is modest in size whilst there are a number of examples of conversion of upper floors from office to residential in the surrounding area. Given this part of the building has only very recently been occupied as B1a office use and the current provision of office accommodation available within the Borough as a whole it is not considered that the loss would result in any significant economic harm in the context of Policy CS11. As such, the loss of the existing use at the site is established.

Design and Character

The only external change to the building sought is the addition of a first floor rear window. The proposed window would reflect the appearance and proportion of the existing rear

windows to the property and would not be visible from the street-scene. The proposal would not result in any harm to the character of the host building or surrounding area and would accord with Policy RC5 of the Reading Central Area Action Plan 2009 and Policy CS7. In addition the proposal would not result in any harm to the adjoined grade II listed building (no. 147) and is considered to preserve its setting in accordance with Policy CS33 of the Core Strategy 2008, 2015.

Impact on Neighbours

The proposal change of use and addition of single first floor rear window is not considered to result in any undue overlooking or loss of privacy to surrounding occupiers in accordance with Policy DM4 of the Sites and Detailed Policies Document 2012, 2015.

Amenity of future occupiers

Policy DM4 seeks that new development creates a quality living environment for existing and future residents. The room sizes proposed are considered reasonable. Whilst outlook to the rear at first floor level is limited given the built up nature of the rear of the site, following an officer site visit this is considered to be adequate for a town centre development and to provide a suitable standard of residential accommodation. The flats would be dual aspect with more than adequate outlook to the front of the site.

As an application for new residential in the town centre a noise assessment and noise mitigation scheme shall be sought by way suitably worded condition to be submitted to and agreed by the Local Planning Authority prior to the commencement of works in order to ensure the flats are protected from external noise to a suitable level in accordance with the British Standard in accordance with Policy CS34 of the Core Strategy 2008, 2015.

The site is also located within an air quality management area and therefore an air quality assessment and details of a mitigation scheme to protect future occupiers of the flats from poor air quality shall also be secured by way of suitably worded condition. Such details shall be submitted and agreed by the Local Planning Authority prior to the commencement of works in accordance with Policy DM19 of the Sites and Detailed Policies Document 2012, 2015.

Housing Mix

Policy RC9 of the Reading Central Area Action Plan 2009 states that all proposals for residential development within the central area will be required to contribute towards a mix of different sized units within the development. Ideally, a mixture of one, two and three bedroom units should be provided. Policy CS15 of the Core Strategy 2008, 2015 also details that developments should provide an appropriate range of housing opportunities. The proposal is a small conversion scheme to flats and given the constraints of the existing property the mix of 2 x 1 bedroom units is considered to be acceptable.

Transport Issues

The site is located within the Reading Central Area and within Reading's primary shopping area. The site is in a key central location, being situated on the corner of Friar Street and Queen Victoria and in close proximity to Reading rail station to the north. This area is well

served by rail and bus links and also contains the largest proportion of public car parking spaces.

Friar Street itself is used by buses and has access restrictions in place during certain times of the day. There is a 24 hours restriction in place for Friar Street West Bound (except for buses and taxis) and time restricted access Friar Street East Bound. Access for loading and unloading (only) via Queen Victoria Street is restricted between the hours of 10am and 6pm.

There is no car parking provision and it is intended that the development will remain car free. Friar Street and the surrounding road network all have extensive parking restrictions preventing on-street parking. Therefore, the non-provision of parking is acceptable given the development sites town centre location. It should be noted that the development site is located in close proximity to a Residents Parking Permit Area; therefore if this application is approved there should be an assumption that any future occupants of the proposed dwelling will not be issued with a resident parking permit which should be covered by condition and an informative applied. This will ensure that the development does not harm the existing amenities of the neighbouring residential properties.

No Cycle storage has been proposed, given that it is unlikely that cycle parking is currently provided for the site, and the lack of external storage space, it is not considered that cycle parking is required for the proposal.

There is considered to be sufficient space within the units for waste and recycling to be stored (prior to on-street collections), without the need for a dedicated facility at ground floor level in this instance.

There are no transport objections to the proposal given that it is likely to generate fewer trips to the existing use. The proposal is considered to accord with Policy CS24 of the Core Strategy 2008, 2015 and Policy DM12 of the Site and Detailed Policy Document 2012, 2015.

h) Sustainability

Policy CS1 of the Core Strategy, supported by the Council's Sustainable Design and Construction SPD seeks the proposal, as a 'creation of new residential units through Conversion', to comply with BREEAM Level of 'Very Good'. It is considered acceptable to deal with this matter by way of a suitably worded condition.

Affordable Housing

West Berkshire District Council and Reading Borough Council applied for a judicial review of the Secretary of State's Written Ministerial Statement (WMS) to Parliament in 2014 on changes to national planning policy. Those changes sought to exempt developments of 10 or less dwellings from planning obligations for affordable housing and social infrastructure contributions and to introduce a new measure known as the Vacant Building Credit.

The High Court handed down its judgment on the case on 31st July 2015. The High Court found in favour of the challenge by the local authorities and quashed the amendments to the NPPG. The Secretary of State appealed the judgment and the Court of Appeal then quashed the decision of the High Court.

At its meeting of the Strategic Environment Planning and Transport Committee on 13th July 2016, the Council discussed the outcome of the Court of Appeal's decision on its challenge (http://www.reading.gov.uk/media/5651/Item09-SEPT-C-Report-on-C-of-Appeal-judgement-05-16/pdf/Item09_SEPT_C_Report_on_C_of_Appeal_judgement_05_16.pdf).

Having considered its options, the Committee agreed the following as the basis for determining planning applications where Policy DM6 of the Sites and Detailed Policies Document 2012, 2015 is relevant:

To implement Policy DM6 as currently adopted in the Sites and Detailed Policies Document 2012, 2015 but excluding proposals that solely involve the conversion of an existing property, where the conversion involves the provision of 10 or less dwelling units (i.e. not HMOs), or the replacement of dwellings by the same number of replacement dwellings where there is no net increase.

The proposal relates to the conversion of an existing property only and therefore is excluded from the requirements of Policy DM6 of the Sites and Detailed Policies Document 2012, 2015 and no affordable housing contribution is required.

Community Infrastructure Levy

The proposal seeks conversion of existing floor space which is currently in use as offices and therefore would not be subject to a 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. This permission relates only to the following plans and drawings:

1110 P.302 - Scheme C Proposed First and Second Floor Plans

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Reason: To clarify which plans have been approved.

3. The materials to be used in the construction of the external surfaces of this development shall match those of the existing building.

Reason: To ensure that the new development appears in keeping with the existing building, in the interests of the character of the area, in accordance Policy CS7 of the Core Strategy 2008, 2015 and RC5 of the Reading Central Area Action Plan 2009.

4. The residential flats hereby approved shall not be occupied until the Council has been notified in writing of the full postal address of the units. Such notification shall be addressed to the Council's Planning Manager (Implementation) quoting the planning application reference specified in this Decision Notice.

Reason: In order that the Council can update its records to ensure that parking permits are not issued to the occupiers of the new residential flats hereby approved, and thus 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.

5. Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the residential flats hereby approved the prospective occupier/transferee shall be informed of the prohibition on entitlement to a car parking permit. All material utilised for advertising or marketing the residential flats for letting or sale shall make it clear to prospective tenants and occupiers that no parking permit will be issued by the Council to occupiers of the residential flats.

Reason: In order that the prospective occupiers are made aware of the fact that they 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.

6. 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 accordance with Policy CS34 of the Core Strategy (2008, 2015) and Policy DM4 of the Sites and Detailed Policies Document (2012, Altered 2015).

7. No development shall take place until a detailed scheme demonstrating sufficient mitigation to protect the dwellings from poor air quality has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved prior to occupation of any part of the development and retained as approved at all times thereafter.

Reason: to protect the health of future occupants of the proposed development in accordance with Policies DM4 and DM19 of the Sites and Detailed Policies Document 2012, 2015.

8. Prior to the first occupation of any residential unit hereby approved, a final BREEAM Domestic Refurbishment certificate shall be submitted to and approved, in writing, by the Local Planning Authority, demonstrating that the dwellings achieve at least a 'Very Good' rating.

Reason: To ensure that the development is carried out in accordance with sustainable building standards, in accordance with Core Strategy Policy CS1 and the Sustainable Design and Construction SPD, adopted July 2011.

Informatives

1. The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.
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. 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.
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= SX9452-A782F664> (within the Transport Strategy area of the Transport Section on the Reading Borough Web Site).

4. Construction, demolition and associated activities should be restricted to between the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, with no noisy works taking at any time on Sundays and Bank or Statutory Holidays.
5. For further information about construction and demolition nuisance law the applicant is referred to: <http://www.reading.gov.uk/article/2563/Construction--Demolition>
6. These works will require separate approval under the Building Regulations. Please contact the Council's Building Control service for further advice on (0118) 937 2449.
7. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but differs materially from the approved plans and details, or does not comply with any condition (s) or planning obligation (s) 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.
8. Officers have worked positively and proactively to provide a recommendation for approval to be made.
9. Conditions no. 6 & 7 of are pre-commencement conditions because the details required to be approved need to be designed or implemented before any other works start on the site or are of a nature that it would be impractical to consider after work has started.