

DELEGATED APPLICATION REPORT - Application No. 170937/FUL

Address: Suites 2, 3 and basement, 122 Castle St, Reading

Proposal: Change of use of basement and part ground floor from Office (Class B1) to Assembly & Leisure (Class D2) for use as an indoor escape room centre.

Valid from date: 20/06/17

Statutory consultation period expiry date: 20/07/17

8 week determination date: 15/08/17

26 week date: 19/12/17

Case officer: Jonathan Markwell

1. Site Description and Surrounding Area:

1.1 The application relates to the basement and part of the ground floor of an existing 4 storey (basement-ground-first-second) office building located on the north side of Castle St, close to the Inner Distribution Road junction (to the east) and Carey Street (to the west). The parts of the building to which this application relates are presently vacant. The other parts of the building, also known as Atlantis House, are occupied (by a gift company at part ground floor & second floor level and an accountancy company at first floor level).

1.2 The building is Grade II listed, with the Historic England entry details being:

Name: CULHAM HOUSE. List entry Number: 1154757. Location CULHAM HOUSE, 122, CASTLE STREET Grade: II. Date first listed: 01-Oct-1973. Details: CASTLE STREET 1. 5128 (North Side) Castle Hill No 122 (Culham House) SU 7173 SW 2/69A 1.10.75. II GV 2. Probably circa 1840. 3 storeys stucco, 3 sash windows (to 2nd floor only). Ground floor rusticated. Slate roof. Central door with panelled pilasters supporting modified type of cornice and pediment. 3 panel door with radiating fanlight over. Ground and 1st floors have modern casement windows. Architrave surrounds to 1st and 2nd floor windows. Rusticated angle pilasters. Oval tablet inscribed "Culham House" over 1st floor central window. Various extensions to left - a 2 storey set back 1 window extension with channelled ground floor, cornice and blocking course and a continuation with pediment to 1st floor. Round headed door to right and wide, now shop, window to left.

1.3 The site is located outside of the designated Reading Central Area, although the boundary is beyond the neighbouring public house to the east. The site is within Russell St / Castle Hill Conservation Area. The Conservation Area Appraisal (2004) identifies the site as being within 'area 2' (Castle Street and Castle Hill), stating in general that "*this area lies along one of the oldest roads in Reading, connecting the town to the west. Castle Street once led directly into the medieval core of Reading, but since the late 1960s this connection has been severed by the Inner Relief Road. It is the finest street in the Conservation Area and noticeable for its undulating topography and the many listed buildings, which are usually set back from the road with gardens and several very important trees. Yeomanry House, and the adjoining Berkshire County Record office, provide the visual focus, but there are also very good views along the street in either direction, and across the Inner Relief Road to the town centre. Uses are very mixed with residential properties mixed with some commercial premises*".

1.4 The building is further identified in the specific commentary regarding listed buildings along Castle Street/Castle Hill: "*the majority of the listed buildings in the*

Conservation Area date to between 1800 and the mid-19th century, and are listed grade II. They were all built as houses, the earlier and more prestigious properties being along Castle Street/Castle Hill. These employ the use of Bath stone, stucco, red brick, and slate, in a variety of styles. Nos. 107, 109 and possibly 111 date to c.1800 with 15 stuccoed fronts, and no. 107 is an especially interesting villa with four Ionic pilasters to the front elevation, supporting a moulded entablature. On the other side of the road, no. 122 (Culham House) dates to c.1840 and is three storeys high, and also built from stucco. Sash windows and a good quality doorcase decorate the front. Another noteworthy group are nos. 134-132 Castle Street, a symmetrical terrace of three storey houses, built from rendered Bath stone. Further along Castle Hill, nos. 144a-152 (Heritage Court) are also early 19th century with French windows to the ground floor, facing the front. Nos. 162a, 162-166 date to c.1840 and have attractive verandahs with curved corrugated metal roofs and cast iron balconies decorated with the honeysuckle pattern popularised by Decimus Burton". As such, it is noted that the neighbouring and adjacent buildings to the site are also listed and the uses vary from commercial to community and residential uses.

1.5 The site, within Abbey ward, is also within an air quality management area.

2. Proposal:

2.1 The application seeks full planning permission for the change of use of the basement and part of the ground floor (suites 2 and 3) from Office (Class B1) use to Assembly & Leisure (Class D2) use, for use as an indoor escape room centre. This amounts to 42.64sqm of ground floorspace and 85.29sqm of basement floorspace, equating to 127.93sqm in total.

2.2 The applicant has confirmed the following details about the proposals:

- An escape room is a real life problem solving game whereby players enter a themed room and have to use elements of the room to solve a series of puzzles with the aim of escaping within a set time limit
- The ground floor suites 2 and 3 would be used as a welcoming area, and the first of three escape rooms.
- The basement floor comprises a series of smaller rooms that will be used for two multi-roomed escape rooms.
- Rooms will be booked and scheduled in advance
- The premises will be open from 10am in the morning until 10pm each evening
- The location also has on site parking which will accommodate two vehicles during normal working hours.
- There would be a maximum of 25 people at the site at any one time

2.3 No internal or external alterations to the building are proposed and consequently this application is solely for planning permission and not listed building consent, despite the listed nature of the application site building.

2.4 During the course of the application the applicant was asked to consider the conditions applied to a similar use permission at 11 Friar St (see relevant history section

below). The applicant confirmed that they would find similar conditions acceptable, commenting on each one individually.

3. Plans and Documents Considered:

Location Plan, received 08/06/17

Floor Plans 8200-P-03, received 20/06/17

Planning Statement by James Hamer-Morton, dated and received 08/06/17

Additional Details Statement by James Hamer-Morton, dated 14/06/17, received 20/06/17

4. Planning History:

4.1 Application site:

01/1255 - Name of company i.e. Atlantis Lettings Ltd, telephone number and other relevant company detail on two small brass plaques on either side of the front door. Advertisement Consent granted July 2001.

01/0189 - Alterations to front of building. Listed Building Consent granted July 2001.

141410 - Certificate of lawfulness for proposed change of use at second floor to provide two flats. Refused 28/10/14 (Second floor considered to be in Class B1a use, not Class A2)

4.2 Other sites within the borough for the type of Class D2 use proposed:

58 London St - 152011 - Proposed change of use from B1 officer to D2 leisure and internal alterations to the building. Refused 13/01/16 owing to impact on the listed building and noise matters.

11 Friar St - 161989 - Proposed change of use of first, second and thirds floors from B1(a) (Office) to D2 (Assembly and Leisure) for use as an escape room activity/puzzle facility. Granted 21/12/16.

5. Consultation Responses:

5.1 Environmental Protection

5.2 Noise arising from development - The applicants have submitted information explaining why the proposed use and times of use of the premises will not cause an increase in existing noise levels or cause unacceptable noise disturbance to users or occupiers of nearby premises. They also submit that there is a possibility that customers leaving the premises may cause some noise and so have included information explaining how they will ensure this does not happen.

5.3 As such, EP is satisfied that an adverse impact on neighbouring premises due to noise is unlikely. However, as a further precautionary measure, please consider adding a

condition to any consent stipulating that no noise associated with the use of the premises as proposed shall be audible within adjoining or nearby premises.

5.4 Contaminated Land - low risk sites - It is advised that adjacent to the development lies a potentially contaminated site (formerly a Builders Yard). A very small section of this site lies on the development site also. Due to the nature of the historic land use there is the potential of contaminated land being present. The developers must be aware that any ground or enabling works may bring receptors into contact with the aforementioned contaminants. You may wish to satisfy yourself that the details of the construction proposals take the necessary account of the possibility of contaminants from that source.

5.5 Transport Development Control - The site is located within Zone 1 of the adopted Parking Standards and Design SPD which is an area at the very heart of Reading Borough, consisting primarily of retail and commercial office developments, with limited residential. This area is well served by rail and bus links and also contains the largest proportion of public car parking spaces. Submitted planning statement details that the development will have 2 off road parking spaces during normal working hours. It also states that the landlord has confirmed that outside standard business hours the proposed leisure facility can use the remaining unused spaces for visitors. The development site is within close proximity to roads where Reading Borough Council's residential permit scheme operates as well as other parking restrictions such as double yellow lines therefore parking is able to be regulated through these restrictions to ensure no unauthorised off road parking occurs. In principle it would be 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 as on street parking is regulated and parking provision for the existing use will be retained. Therefore, Transport would not have any objections for the proposed change of use subject to the following informatives:

INFORMATIVES:

IF3 Highways

- i) 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.
- ii) 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 note 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 from the Council's website.

5.6 Reading CAAC: No response.

5.7 Public consultation: Six nearby occupiers were notified via letter on 21/06/17, expiring on 12/07/17. A site notice was erected on 21/6/17, expiring on 12/07/17. A press notice was published on 29/06/17, expiring on 20/07/17. No responses have been received.

6. Equality Act 2010:

6.1 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.

7. Relevant Planning Policy and Guidance

7.1 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).

7.2 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.

7.3 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

7.4 The 'National Planning Policy framework' ('NPPF') 2012 states clearly that its content is to be a material consideration in the determination of applications. 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 'NPPF' and the following development plan policies and supplementary planning guidance are relevant:

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

CS1	Sustainable Construction and Design
CS2	Waste Minimisation
CS4	Accessibility and the Intensity of Development
CS5	Inclusive Access
CS11	Use of Employment Land for Alternative Uses
CS20	Reading Transport Strategy
CS24	Car/ Cycle Parking
CS25	Scale and Location of Retail, Leisure and Culture Development
CS33	Protection and Enhancement of the Historic Environment

CS34 Pollution and Water Resources

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

SD1	Presumption in Favour of Sustainable Development
DM1	Adaptation to Climate Change
DM4	Safeguarding Amenity
DM12	Access, Traffic and Highway Related Matters
DM14	Impact of Main Town Centre Uses
DM19	Air Quality

7.7 RBC Supplementary Planning Documents

Revised Parking Standards and Design SPD (2011)
Sustainable Design and Construction SPD (2011)

7.8 Other relevant documentation

Russell Street/Castle Hill Conservation Area Appraisal (2004)

8. Appraisal

8.1 The main issues to consider in the determination of this application are:

- Land use
- Design and Historic Character of the Listed Building
- Amenity
- Transport
- Other matters

8.2 Land use

8.3 The loss of the existing office floorspace must be considered in the context of Policy CS11 (Use of Employment Land) for alternative uses. The site is located outside of a core employment area, so the criteria set out in Policy CS11 is instead relevant. The applicant has submitted commentary in respect of each part of the criteria, with it being shown that various parts of the building have been marketed over time and that the basement is unfit for office use (specified as storage space within marketing. It is also relevant to note that this proposal seeks only the partial conversion of the office floorspace at the site, with the remainder of the ground and the entirety of the first and second floors remaining in office use. With these factors in mind it is considered that the proposal, on balance, complies with the principles of Policy CS11 and therefore the loss of the office use is justified.

8.4 Given that the principle of the loss of the existing Class B1 has been justified, the principle of the proposed Class D2 can be considered. The site is located outside of the designated regional, district, major local or local centre within the borough. As policies CS25 and DM14 (in particular) highlight, the most suitable location for retail, leisure, and

culture development is in existing centres. The NPPF (paragraph 23) recognises town centres as the heart of their communities and advocates policies to support their viability and vitality. A sequential test should be applied for main town centre uses that are not in an existing centre; and that applicant's and LPA's should demonstrate flexibility on issues such as format and scale (paragraph 24). No sequential test has been submitted (although commentary under the heading 'retail impact assessment' has been submitted) and therefore the proposal is contrary to this general thrust of policy.

8.5 However, in this specific case there are considered to be a number of factors which, on balance, weigh in favour of the principle of the proposed use. First, the site is evidently located within a highly accessible 'edge of centre' location well connected with the town centre, almost bordering the boundary of the Reading Central Area. Second, the nature of the proposal is somewhat bespoke in nature, with a condition recommended to secure solely an indoor escape room use (rather than a general Class D2 use), thereby limiting its potential impact on the vitality and viability of the regional centre. Moreover, the applicant, similar to other recent applications in the borough for similar uses (see relevant history section above), considers the listed nature of the building as an advantage in its use "we are able to use its quirks and small spaces to improve the customer experience". With this factor in mind, it is considered that the specific requirements of the applicant would mean any sequential test assessment undertaken would be likely to lead to a favourable conclusion (i.e. in all likelihood it is considered the proposal would pass the sequential test). In addition, the proposal would bring back into use vacant floorspace within a listed building, which is considered favourably in that it would reduce the potential for the heritage asset to fall into a state of disrepair. Moreover, the nature of the primary space at basement level is unlikely to be suitable for a broad range of uses - evidenced by its vacancy.

8.6 Furthermore, the ground floor space proposed to be converted amounts to 42.64sqm, with the remaining 85.29sqm being at basement floor level. The limited floorspace involved again limits the potential impact on the vitality and viability of the regional centre. With all of these factors considered in combination, it is considered that the principle of the proposed use, secured as such via condition, would be suitable and that the insistence on the applicant undertaking a sequential test assessment in this instance would not be proportionate to the proposed scheme. Accordingly, on balance, the principle of the proposed use is considered to be established.

8.7 Design and Historic Character of the Listed Building

8.8 The application does not propose any internal or external alterations such that there would be no adverse impact on the appearance of the building or its historic character. As mentioned above, the functional use of the space is likely to protect the asset, rather than the space remaining vacant. An informative shall be added to any decision notice advising that any internal or external alterations are likely to require an application listed building consent whilst signage is also likely to require listed building consent as well as advertisement consent.

8.9 Amenity

8.10 The impact of the change of use upon the amenity of surrounding occupiers must be considered.

8.11 The supporting information submitted as part of the application states that the activities for the proposed escape room would involve small groups of people communicating with each other to solve puzzles, with background music and pre-recorded story elements. However, partly based on the applicant's experiences elsewhere (an existing facility in Peterborough) the level of noise and disturbance is considered by the applicant to be limited. In addition, the applicant has also detailed a number of measures to reduce noise / possible instances of noise from the building. Furthermore, the applicant is required (through the lease/tenancy agreement) by the owner of the building to ensure noise levels do not extend above those typical of a normal office use (to protect the amenity of existing/future office tenants elsewhere within the host building).

8.12 On the basis of what has been submitted Environmental Protection Officers are satisfied (see detailed comments above) that the proposed use would not result in any adverse noise impacts to adjoining occupiers. A condition is recommended to stipulate that noise associated with the escape room activities should not be audible within adjoining premises.

8.13 The application stipulates that the maximum number of people on the premises at any one time would be a maximum of 21, including 3 staff, whilst the opening hours are proposed as 10am - 10pm Monday to Sunday. The proposed use must also be considered in the context of the surrounding area, such as the neighbouring public house. Conditions limiting the total number of people within the site to 25 and the proposed opening hours are recommended to protect nearby amenity.

8.14 The Class D2 use class covers a wide variety of uses. Although the applicant has specified that the proposed use will be for an indoor escape room centre, an unrestricted Class D2 permission could, theoretically at least, result in the use being other activities, which could potentially have very different transport / amenity implications to the use sought (e.g. concert halls, indoor sports uses). In such circumstances it is considered prudent to restrict the permission to solely the applied for Class D2 indoor escape room centre use and no others within this Class D2 use.

8.15 It is not considered possible to achieve disabled access in this listed building without unacceptable damage to existing fabric. Within the context of this solely being a change of use proposal, the application is considered to comply with Policy CS5.

8.16 Transport

8.17 As per paragraph 5.5 above, transport officers have no concerns with the proposals, subject to two informatives.

8.18 Other matters

8.19 Sustainability - Strictly speaking, the applicant should have included details of sustainability measures to be incorporated within the proposals. However, in light of the change of use nature of the proposals, the existing/proposed uses and the listed nature of the building, on this specific occasion this is not considered to be appropriate.

8.20 CIL - In line with the RBC charging schedule, the proposals would not be liable to a CIL payment.

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 (basement and part ground floor level) shall only be used as an escape room centre 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, disturbance and traffic generation, in the interests of the amenities of neighbouring properties, in accordance with Policies CS20, CS22 and CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policies DM4 and DM12 of the Reading Borough LDF Sites and Detailed Policies document 2012 (Altered 2015).

3. The development hereby permitted shall not be carried out other than in accordance with the following drawings and documents:

Location Plan, received 08/06/17

Floor Plans 8200-P-03, received 20/06/17

Planning Statement by James Hamer-Morton, dated and received 08/06/17

Additional Details Statement by James Hamer-Morton, dated 14/06/17, received 20/06/17

Reason: To clarify which plans have been approved and in the interests of proper planning.

4. The development hereby permitted shall not operate outside the hours of 10:00-22:00 hours Monday to Sunday.

Reason: To protect the amenity of nearby residential occupiers, in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM4 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

5. There shall be no more than 25 people on the escape room centre premises hereby permitted at any one time.

Reason: In order for the Local Planning Authority to control the intensity of the use of the site in the interest of the noise impact on the amenities of surrounding residential properties, in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM4 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

6. No noise associated with the escape room activities hereby permitted shall be audible within adjoining premises.

Reason: To control the noise impact on the amenities of surrounding occupiers, in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM4 of the Reading Borough LDF 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 proposed external or internal alterations to the building would likely require listed building consent whilst any signage would also likely require listed building consent and advertisement consent.
4. 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.
5. 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 note 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 from the Council's website.