

DELEGATED APPLICATION REPORT - Application No.: 152292/FUL

Address: 5 Weighbridge Row, Reading, RG1

Proposal: Temporary change of use from office (Class B1) to place of worship and community meeting rooms (Class D1) for 3 years (retrospective).

Applicant: Christ Embassy Reading (Mazars LLP)

Case officer: Jonathan Markwell

Date received (valid from): 20/01/2016

Target decision date: 16/03/2016

1. Site Description and Surrounding Area:

- 1.1 The application site is a two storey industrial type unit located on the west side of the industrial cul-de-sac Weighbridge Row. The building is L shaped, although in practice unit 5 only forms part of this (the rest is occupied by the separate unit 6). On the basis of the 2010 temporary permission at the site, which has expired, the lawful use is considered to be Class B1. However, in practice, the use has been operating since 2010 in Class D1 use, for the applicant - Christ Embassy Reading (although the applicant stated on the application form is Mazars LLP). The floorspace is 330sqm GIA, with circa 150 seats being present in the main ground floor hall at the time of the officer site visit.
- 1.2 Given that Weighbridge Row is a private road, the red line has been extended to reach to an adopted highway. Appropriate notice has been served. Only the 8 car parking spaces shown on the plan are for the use of the occupiers of no. 5 Weighbridge Row.
- 1.3 The site is within the designated Richfield Avenue Core Employment Area. It is also within an air quality management area, on a site of potential contaminated land, Flood Zone 2. The site is outside, but is close (to the south), a Crossrail safeguarded consultation area, given the main rail line to the south of the units located on Cardiff Road.
- 1.4 The surrounding area is predominantly industrial and commercial in nature, with the residential gardens and properties to the south east of the site (No's 60-40 - even Cardiff Road) being the closest residential. It is noted that another Class D1 occupier is present at 141 Cardiff Road, although this use is unauthorised and is subject to on-going planning enforcement involvement.

2. Proposal & discussions with applicant during the course of the application:

- 2.1 Full planning permission is sought for a temporary change of use (for a period of three years) to a place of worship (Class D1). This is from the existing lawful office (Class B1) use. This application follows the expiry of a previous temporary permission at the site (see relevant history below).
- 2.2 The following discussions have taken place with the agent of the applicant prior to the issuing of this decision:
 - Email of 11th January seeking further information / clarity in order to register the application. A reply with this information / clarity was received on 20th January.
 - Site visit on Monday 25th January, where it was explained that there was an on-going appeal for a similar proposal at 141 Cardiff Road, and that officers would be minded not to determine this application until the appeal at 141 Cardiff Road had been determined.

- Email correspondence dated 2nd March seeking updates on the outcome of the appeals at 141 Cardiff Road.
- Email from agent seeking an update on 7th June. Reply to the agent on 8th June advising the appeal decisions at the nearby site were still awaited.
- Email to the agent on 9th June enclosing the appeal decisions at 141 Cardiff Road (appeal dismissed) and advising that it would be unlikely that the local planning authority would be able to support the proposals given the parallels in the context (in particular in relation to the proposed loss of employment land) of the proposal to the dismissed appeal scheme. Despite this, the agent of the applicant was given an opportunity to provide further commentary and respond to the appeal decision by 23rd June.
- A response was received on 21st June, specifying that the agent was *“currently awaiting for a response from the Christ Embassy as to whether they wish us to respond on their behalf on this matter as our previous instructions have lapsed, but we have not to date heard back. Christ Embassy have been made aware of your timescales for determining the application should no response be received. I will let you know as soon as I have heard anything further”*.
- No further response has been received since 21st June.

3. Plans / information Considered:

PL-01 Location Plan, as received 22/12/2015
 PL-03 Proposed Ground Floor Plan, as received 20/01/2016
 PL-04 Proposed First Floor Plan, as received 20/01/2016
 PL-05 Existing Ground Floor Plan, as received 20/01/2016
 PL-06 Existing First Floor Plan, as received 20/01/2016
 Email from Turley, as received 20/01/2016

Planning Statement by Turley, dated December 2015, as received 22/12/2015
 Transport Statement by Motion, final issue dated 26/11/2015, as received 22/12/15
 Flood Risk Statement by Glanville Ref CV8151172/CS/DW/004 Issue 1, dated 06/11/15, as received 22/12/15

4. Relevant Planning History:

5 Weighbridge Row

100309 - Change of use of B1 unit to D1 place of worship and community meeting rooms. Withdrawn 28/04/2010.

101686 - Temporary (3 year) change of use of B1 unit to D1 place of worship and community meeting rooms (Resubmission of 10/00316/FUL). Granted 2/8/10.

There have also been a number of relevant planning applications at the nearby site of 141 Cardiff Road in the last decade, as follows:

070267 - Change of use from general industrial to use as a dance studio. Refused 28/08/2007.

071330 - Temporary (3 year) change of use from general industrial (B2) to a dance class studio (D2). Granted 13/03/2008.

111094 - Continued use as a place of worship for a temporary period of three years. Granted 3/6/2011.

150413 - Permanent change of use of 141 Cardiff Road, Reading, RG1 8JF - for a place of worship. Refused 31/07/2015.

An enforcement notice was served on 09/10/15, following and in light of the refusal of planning application 150413.

The appeal notice has been subject to an appeal (Refs: APP/E0345/C/15/3137299 APP/E0345/C/15/3138913 / APP/E0345/C/15/3138914 / APP/E0345/C/15/3138915). The outcome of the appeal was issued on 08/06/16 as follows: "The enforcement notice is varied by deleting "Three months" from the "Time for Compliance" and replacing it with "Nine months". Subject to this variation the appeals are dismissed and the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended".

151739 - Temporary change of use from general industrial (Class B2) to place of worship (Class D1) for 3 years. Refused 19/08/16.

Reasons for refusal:

1. The proposed development would result in the continued temporary loss of employment land/floorspace within a defined Core Employment Area, resulting in a continued harmful risk in undermining the local economy by reducing employment generating opportunities and the range of sites and space available, contrary to Policies CS11 (Use of Employment Land for Alternative Uses) and CS12 (Maintaining a Variety of Premises) of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy SA12 (Core Employment Areas) of the Reading Borough LDF Sites and Detailed Policies document 2012 (Altered 2015).
2. The use of the Land and the building erected thereon as a place of worship results in noise and disturbance to neighbouring residential properties which create a significant detrimental impact to their living environment and the applicant has failed to demonstrate measures to acceptably address these detrimental impacts, contrary to Policy DM4 (Safeguarding Amenity) of the Reading Borough LDF Sites and Detailed Policies document 2012 (Altered 2015).
3. The current layout does not comply with the Local Planning Authority's standards in respect of vehicle parking, resulting in on-street parking/reversing movements on Cardiff Road which adversely affects road safety and the flow of traffic, contrary to Policy CS24 (Car / Cycle Parking) of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM12 (Access, Traffic and Highway Related Matters) of the Reading Borough LDF Sites and Detailed Policies document 2012 (Altered 2015).

Application referenced by the applicant in support of the proposals:

141334 - Church of God Worldwide Mission, The Deliverance Centre, 12 Portman Rd, Reading, RG30 1EA - Permanent change of use of the second floor from office to church & community use (class D1) - (Re-submission of planning application 140438). Granted 18 December 2014.

5. Public Consultation:

- 5.1 Consultation letters were sent to 15 nearby addresses on 21/01/16. A site notice was erected on 25/01/16, expiring on 15/02/16, on the basis of the proposal not according with the provisions of the development plan. A press notice was also published on this basis on 28/01/16, expiring on 18/02/16.
- 5.2 One objection has been received from a nearby residential occupier, stating:

“Whilst it is somehow true, as they say, that this group is ‘notably different’ to the one in 141 Cardiff Road they do sing during services, and their singing can be heard from our back gardens and homes when the windows are opened as the site is not sound proof. We have not raised any complaints for this premises as there is only so much time residents in this area have to gather evidence, collate it and draft representations to the council. To date we have prioritised those causing most aggravation, these are the train depot and the Church in 141 Cardiff Road.

I have noticed that the service hours (i.e. up to 12 pm on Sundays) do not correlate with the hours they request for the Church to be open (up to late afternoon Sunday) which is a little worrying as this might indicate an increase in use of the premises”.

6. Consultation Responses:

6a. Transport:

The proposal is a temporary change of use from office (Class B1) to place of worship and community meeting rooms (Class D1) for 3 years (retrospective).

A temporary (3 year) change of use from B1 unit to D1 place of worship and community meeting rooms has previously been permitted in 2010 reference 10/00316/FUL.

The site is located at Unit 5 Weighbridge Row, which is a private cul-de-sac within the Cardiff Road Industrial area. Weighbridge Row provides access to a total of 6 business units.

It has been confirmed that the Christ Embassy Church has 2 main services a week, held on a Wednesday evening between 7pm and 9pm and on a Sunday morning between 10am and 12.30pm. The services have an average congregation of 130 people.

Smaller prayer meetings occur on a Friday and minor activities occur at other times of the week preparing for the main services.

As per the 2010 application it is acknowledged that the primary hours of operation will be outside office hours when there is less activity in the area and the road is less congested.

As part of the 2010 application an assessment of the parking was undertaken and this concluded that the proposed D1 use would generate a higher parking demand than the existing B1 use and this was assessed as follows:

Existing

340sqm of B1 @ 1 space/100 sqm = 4 spaces.

Proposed

60 seated members of congregation @ 1 space/10 seats = 6 spaces

121 sqm of open hall @ 1 space/20 sqm = 6 spaces

Total = 12 spaces

However it was determined that although only 8 dedicated parking spaces would be provided it was acknowledged that Weighbridge Row is a private road, and during the off peak periods could take up any overspill parking.

It has been confirmed within the Transport Statement for this application that the congregation has increased from 60 to 130 since the 2010 application I therefore have

reassessed the parking taking this into account. This is as follows:

130 seated members of congregation @ 1 space/10 seats	= 13 spaces
121 sqm of open hall @ 1 space/20 sqm	= 6 spaces
Total = 19 spaces	

It has been confirmed that Weighbridge Row has a provision of 22 unallocated parking spaces that would be available out of hours taking the total available spaces for the proposed use to 30. I am therefore happy that the required parking provision can be contained within the site and therefore complies with local and national planning policy.

A provision of cycle parking is proposed on the ground floor of the building is acceptable in principle. No indication has been provided as to what form of cycle parking is to be provided but I am happy for this to be dealt with by way of a condition.

In the circumstances there are no transport objections subject to the below conditions.

Suggested conditions on any consent

Vehicle parking in accordance with approved plans

The vehicle parking spaces shown on the plans hereby approved shall be kept available for parking at all times.

Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Core Strategy Policy CS24 and Sites and Detailed Policies document Policy DM12.

Bicycle storage (details to be submitted)

Secure, covered and lockable bicycle storage spaces shall be provided and equipped with secure Sheffield cycle stands in accordance with a layout to be submitted to and approved by the Local Planning Authority before occupation of the dwellings to which they relate.

Reason: To encourage travel by sustainable alternatives to driving a motorcar in accordance with the Local Planning Authority's approved transport policies in accordance with Core Strategy Policies CS23 and CS24.

6b. Environmental Protection - no response.

7. 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.

8. 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 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 2012, The National Planning Practice Guidance (NPPG) and the following development plan policies and supplementary planning guidance are relevant:

Reading Borough LDF Core Strategy (Adopted January 2008) (Altered 2015)

- CS1 Sustainable Construction and Design
- CS3 Social Inclusion and Diversity
- CS4 Accessibility and the Intensity of Development
- CS11 Use of Employment Land for Alternative Uses
- CS12 Maintaining a Variety of Premises
- CS20 Implementation of the Reading Transport Strategy
- CS22 Transport Assessments
- CS24 Car / Cycle Parking
- CS31 Additional and Existing Community Facilities
- CS34 Pollution and Water Resources
- CS35 Flooding

Sites and Detailed Policies Document (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
- DM19 Air Quality
- SA12 Core Employment Areas

Reading Borough Council Supplementary Planning Documents

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

Other relevant documents

Reading Employment Land Review by Roger Tym & Partners / LSH, October 2006

Reading Employment Land Review Site-Specific Analysis February 2010 (Reading Borough Council)

Appendix 6 of [Reading Borough Local Plan Consultation on Issues and Options](#) January 2016, which includes a 2015 audit of uses within the Richfield Avenue CEA (this is the first stage of the new local plan for RBC).

Central Berkshire FEMA [Economic Development Needs Assessment](#) (EDNA) Thames Valley Berkshire Local Enterprise Partnership Final Report September 2016 Ref: 14793/MS/CGJ/LBa, published November 2016 (this is part of the evidence base for the emerging new local plan for RBC)

9. Appraisal

The main issues are considered to be:

- i) The principle of development - land use matters
- ii) Amenity
- iii) Transport
- iv) Other matters - Flooding

- Sustainability
- CIL
- Inaccuracies on plans

i) Principle of development - land use matters

9.1 In support of the proposals, the applicant has submitted a detailed planning statement, referring to relevant national and local policies. In summary, the main land use related factors referenced are as follows:

- The local policy context of policies CS11, CS12 and SA12g were in place when temporary permission 101686 was granted at the site in 2010.
- At the time of the previous temporary permission in 2010, marketing was carried out specifying that the unit had been marketed for 3 years at reasonable prices without success. The applicant acknowledges that no active marketing has taken place since 2010, but this is as the unit has been occupied by the applicant (who wishes to remain) and the landlord is content for this to continue.
- Vacant units remain in the locality (albeit acknowledging that the market has picked up since the original consent)
- A further temporary permission would not prejudice the future use of the site for B1 purposes once the D1 use has ceased.
- Reference to paragraph 22 of the NPPF suggests the applicant considers that there is no reasonable prospect of the site being used for its lawful use and that there is a need to support the proposed use to support sustainable local communities.
- The existing (albeit unauthorised) community use serves an important community function. The sole evidence to substantiate this 'important community function' is:
 - main services are on Wednesdays (7pm - 9pm) and Sundays (10am - 12:30pm).
 - The nearest Christ Embassy church is Farnborough and therefore the church has an important role to play in the Berkshire catchment area.
- Reference is also made to Chapter 10 of the Core Strategy, policy CS31 and paragraphs 69/70 of the NPPF. The site is stated to be in a highly accessible location.
- The Council has granted a permanent change of use from B1 to D1 elsewhere in the borough at 12 Portman Road (see relevant history above for details), where material considerations were considered to outweigh the permanent loss of employment floorspace, as considered under the same policy / broad economic climate.

9.2 These factors have been taken into account in the consideration of this application. Commentary in respect of the various points raised is discussed at various points below. Moreover, since the submission of the application, a proposed change of use from Class B1 to Class D1 (Place of Worship) immediately to the southern boundary of the red line of the application site has been dismissed at appeal on 08/06/2016. The recently dismissed appeal decisions at the nearby site of 141 Cardiff Road (see relevant history section above) are considered to be particularly pertinent to the current application, whilst fully acknowledging that this proposal is distinct in being for another temporary change of use instead of a permanent change of use. In terms of the loss of the existing lawful use, particularly relevant elements of the Inspector's decision are considered to be:

Paragraph 5: On the face of it there is a policy presumption against the permanent loss of the unit. However, as the appellant points out, that is not the whole story. They suggest there is a high level of vacancies in the area and the owner of the unit, who also owns a number of other units in the same CEA confirms both that they are happy to lose the unit from industrial uses and that they have a number of vacant properties in the area. The appellant provides a sample of vacant properties in the area, several of

which are in the same CEA, to support their argument there would be no harm to the overall aims of the policy.

6. In 2010, as part of the preparation of the SDPD the Council carried out a full audit of employment land which found an overprovision and excess employment land was not protected by the CEA policy. A further review of this particular CEA was undertaken in 2015 which found there was a 22% vacancy rate. Although this is rather high, they explain the figures are skewed by two large vacant sites in the area, one of which has recently been occupied by a business, and that the proportion of vacant smaller units is much smaller.

7. I consider that had the appellant been able to show the CEA was considerably out of date and there was an excess of vacant land and units that would reduce the weight to be given to the policy protection of the unit, but that is not the case. The CEA is relatively up to date, and, given the Council's explanation, the vacancy rates do not seem unusually high. As the Council point out the object of the policy is to protect the stock of units for the future and I do not think this policy should be undermined on an ad hoc basis because at a certain date there seemed to be other units that were vacant.

8. The current occupier does employ people, but the policy is not about employment alone, but employment in industrial uses, and it is perfectly reasonable for the Council to seek to protect the stock of B2 uses. There is no evidence the unit would inevitably be left empty and subject to vandalism if the appeal is refused. The permanent loss of the unit from a B2 use would therefore be contrary to policies SA12 and CS12.

- 9.3 It is considered that a number of the matters discussed and considered by the Inspector are equally applicable and relevant to these proposals. In particular, it is worthwhile outlining some of the evidence put forward by the Council at the time of the 141 Cardiff Road appeal, which led to the Inspector's comments above. The paragraphs below have been provided within the context of the application site, but references back to 141 Cardiff Road are also included where relevant:
- 9.4 In terms of some further context to the background of the wider area as a Core Employment Area (CEA), this was reviewed as part of evidence base for the Sites and Detailed Policies Document (Adopted October 2012). In this regard the Specific Employment Land Review was published in February 2010 (the market advice was produced in May 2009). It is evident from this that the application site (within 'Plot 5 Richfield Avenue') should remain as a CEA. Put another way, it was concluded that this sub area 'still has value as employment land'. This is more stringent in contrast to the sub area of 141 Cardiff Road, where it was concluded that there were 'too many constraints to take further' in terms of possibly releasing the land from the CEA designation. Hence, this formed the evidence base for the subsequent SDPD designation SA12g at the site.
- 9.5 Moreover, in November 2015 an audit of the uses within the Richfield Avenue CEA has been undertaken by the Council. In analysing the results of this audit, the following is considered to be of relevance:
- Total floorspace is 90,000
 - Total CEA size is 18ha
 - Uses within the defined Core Employment Area (CEA) are as follows:

- Industrial and warehousing (including vehicle workshops)—70,000 sq m
 - Offices—5,000 sq m
 - Trade Counter uses—3,000 sq m
 - Vehicle sales and hire—2,000 sq m
 - Retail and retail showrooms—5,000 sq m
 - Assembly and leisure—5,000 sq m
 - In terms of distribution, the map clearly shows that the majority of the area is still in ‘traditional’ employment uses, particularly around Cardiff Road (where the appeal site is located), Trafford Road and Millford Road. Richfield Avenue itself is acknowledged to be more mixed.
 - Vacancy levels in the Core Employment Area as a whole are around 22% (in terms of floorspace), which is acknowledged to be reasonably high. However, this is considered to be mainly due to two large vacant sites – the former Cox and Wyman printworks (south-east corner of the CEA fronting onto Cardiff Road) and the former Reading Chronicle newspaper production building (on the junction of Richfield Avenue and Tessa Road). Both buildings are examples of ageing, larger and specialist (one making newspapers and the other a printworks) premises, which makes them more difficult to let. As such, these two vacancies skew the overall vacancy figure. Furthermore, since the November 2015 audit, it is now known that the Cox & Wyman site is no longer vacant, having been let on a 3 year basis to a TV scenery storage company. This reduces the 22% figure mentioned above.
 - In contrast, if only small premises are considered (0 - 500sqm), such as the application building, the vacancy levels are far lower. This is considered to be evidence of existing demand for smaller units within the CEA.
- 9.6 It is also reiterated that the protection of the CEA is not purely about the number of people employed at specific sites. Instead, it seeks to ensure that there is enough space for the kinds of businesses that support the local economy, including small and growing firms. In short, therefore, it is considered that the loss of the existing building/floorspace, even on a continued temporary basis as proposed, would cause unacceptable harm to this.
- 9.7 Moving on to consider the Inspector’s conclusions at paragraph 19, comments are also provided with regard to another temporary permission at this nearby site:
- 19. The appellants have suggested a further temporary permission would be acceptable if I were not minded to grant a permanent permission. However, they have already been operating, effectively, with two temporary permissions. While the temporary loss of the unit from B2 use would not be a serious as its permanent loss, the continuing noise and disturbance issues suggest a temporary permission would be unacceptable. There is also no suggestion as to what would change in the next few years to suggest a temporary permission would achieve a planning objective.*
- 9.8 As such, the Inspector considered that a further temporary permission at this nearby site would not be appropriate.
- 9.9 Considering the potential for granting a further temporary permission at the site, which would be a second temporary permission (the unit has been operating unlawfully since the 2010 temporary permission expired in 2013) Planning Practice

Guidance within the 'Use of Planning Conditions section' (Paragraph 014 Reference ID: 21a-014-20140306) states:

Circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period.

A temporary planning permission may also be appropriate on vacant land/buildings to enable use for a temporary period prior to any longer term regeneration plans coming forward (a meanwhile use) or more generally to encourage empty property to be brought back into use. This can benefit an area by increasing activity.

It will rarely be justifiable to grant a second temporary permission - further permissions should normally be granted permanently or refused if there is clear justification for doing so. There is no presumption that a temporary grant of planning of planning permission should be granted permanently.

- 9.10 Based on this, it is clear that national guidance guards against second temporary permissions. The applicant was asked to comment on this guidance prior to the registration of the application (although in itself it was not a reason for making the application invalid) and responded as follows on 20/01/16:

“Whilst we recognise the guidance provided in the PPG recommends that it will rarely be justifiable to grant a second temporary permission, we consider that the proposals represent one such circumstance when a clear justification does exist for a further temporary permission. As you are aware the site falls within a defined Core Employment Area where the Council’s policies seek to prevent the loss of employment floorspace. Whilst the market has picked up since the original consent, there are still vacant units in the area. Therefore there are other opportunities available within the Core Employment Area and this proposal would not preclude businesses from finding employment floorspace. Should circumstances, and the local employment market, change then the granting of a temporary rather than permanent consent allows for the building to revert to an employment use after the three year period when demand for such a unit may exist”.

- 9.11 Officers have considered the guidance and the comments by the agent on this matter. Set within the context of the limited vacancy levels within the CEA of smaller units, it is concluded that officers consider that a continued temporary loss of employment land/floorspace within a defined Core Employment Area would result in a continued harmful risk in undermining the local economy by reducing employment generating opportunities and the range of sites and space available.
- 9.12 In addition, it is also noted that the agent acting on behalf of the applicant was contacted the day after the appeal decisions at the nearby 141 Cardiff Road were issued, and within this, invited to make any comments prior to this application being determined. No substantive response has been received from the applicant.
- 9.13 It is also worthwhile clarifying and confirming a number of further points of consideration. The applicant implies that there is no reasonable prospect of the site being used for its lawful use. However, no marketing has been carried out at the site since 2010 and evidence from the 2015 audit of the Richfield Avenue CEA confirms

that vacancy rates are limited. As such, there is considered to be little evidence base to support this assertion by the applicant.

- 9.14 The applicant also implies that there is a need to support the proposed use to support sustainable local communities. Furthermore, the applicant also states that the use serves an important community function. However, little evidence to substantiate this has been submitted for consideration. The applicant has solely specified that services take place on one weekday evening and on one weekend morning and that the nearest other facility by the occupier is in Farnborough (22miles away by road). Therefore officers have not been provided with sufficient evidence to substantiate whether the existing use ‘serves an important community function’ or not.
- 9.15 It is also relevant to note that the November 2016 published EDNA (which forms part of the evidence base for the emerging new local plan in Reading) details that there is clear demand for employment floorspace (both office and industrial) within the borough as a whole. This is evidenced in particular by the figures specified within tables 4.8 and 4.10 of the EDNA. It is noted that this evidence, published in November 2016, is more up to date than previous employment demand evidence, but is considered to only strengthen the previous conclusion reached earlier in the year by the Inspector at the nearby 141 Cardiff Road site.
- 9.16 Finally, the Council are mindful of the permission at Portman Road referenced by the applicant. However, it is considered that the dismissed appeal at 141 Cardiff Road, as of June 2016, is more relevant owing to being located within the same CEA and being more recent in nature.
- 9.17 Therefore it is considered that the analysis and conclusions of the Inspector for 141 Cardiff Road, in addition to the guidance within the NPPG and the consideration of other relevant material factors outlined above, when applying a critical planning balance alongside the merits put forward by the applicant, count against a further temporary permission at the site in land use terms. Although the Inspector considered the land use matters not to be “as serious”, officers consider (backed up by other factors, including the technical studies which are feeding into the new local plan in RBC, as well as those which evidence the existing adopted local plan policies) that the proposed development would result in the continued temporary loss of employment land/floorspace within a defined Core Employment Area, resulting in a continued harmful risk in undermining the local economy by reducing employment generating opportunities and the range of sites and space available, and that this is contrary to Policies CS11 and CS12 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy SA12 of the Reading Borough LDF Sites and Detailed Polices document 2012 (Altered 2015). This consequently forms a reason for refusal of this application.

ii) Amenity

- 9.18 In terms of amenity impacts, the applicant has specified the following in support of the proposals:
- There have been no noise/disturbance complaints during its operation,
 - It considered that due to the low scale of operation that it does not have a significant adverse impact on amenity or character.
 - This differs notably from the recently refused application at 141 Cardiff Road (150413/FUL) for a permanent change of use, where significant concerns were raised in relation to the issues associated with its previous temporary consent, and as such the current proposals are considered to materially differ from this.

- The proposed hours of opening would remain as per the condition on the previous consent, namely 7pm-10.30pm on a Wednesday and 9am-7pm on Sundays.

9.19 Similar to the land use section above, the analysis and conclusions of the Inspector in dismissing the recent appeal at the nearby site is considered to be a material consideration in the determination of this application. Relevant sections of the dismissed appeal are considered to be:

12. Although the unit is on an industrial estate, it is close to the eastern edge of the estate and there is a group of houses on the northern side of the road diagonally opposite the unit and, further along the road, more houses on the southern side. A number of local residents have objected to noise from the premises, and there have been objections across a number of years. The Council's Environmental Protection Team visited the unit in September 2013 following complaints and noted the building was unable to contain the loud music played during the services.

13. Neighbours have complained of loud music during services, which can last all day on Sundays, as well as outdoor events with barbeques causing noise and disturbance. I saw on my site visit that the church was set up for a service with electric guitars, a drum kit, microphones and amplifiers. The number of people is also an issue as it seems that limit of 50 is ignored. The Church, quite understandably, want to attract as large a congregation as possible, and meetings of over 100 people do not seem to be unusual.

14. Evidence from the Church itself suggests they are mindful of the problems of noise and disturbance and do everything they can not to cause a nuisance. However, it seems with a growing congregation and no way to limit the numbers, as they acknowledge, there are inevitably going to be issues with neighbours, particularly as the services seem to depend on loud amplified music. The impression I get from the evidence is of well attended, loud, boisterous and cheerful services and gatherings, mostly occurring at weekends and evenings when other activities on the estate are at a minimum. This is obviously good for the Church and its members, but it does seem to be bad for local residents. I consider also a large number of parked cars, turning and reversing in Cardiff road would add to the noise and disturbance, which I consider would be harmful to residential amenity.

15. The appellants argue that numbers can be limited and a management plan can be put in place to ensure disturbance is avoided. I do not see how numbers can be limited, as the Church will not turn people away and the 50 person limit has been regularly breached. I also do not agree that with strict enforcement a limit can be made to work. Exactly how such a limit would be enforced has not been explained, and it does not seem reasonable to me to try and cut numbers by half and stifle a successful Church. No management plan has been provided, and again I do not see how one could reasonably be enforced if it dealt with activities of Church members outside the premises. The building could be sound-proofed, but again no evidence has been proved that this could be both affordable and successful.

16. It seems to me that it would be very difficult to control noise and disturbance from this particular user, not least because of the nature of their services and gatherings. This is contrary to policy DM4 of the SDPD.

17. The appellant suggests a lot of the Council's concerns are specific to the users of the unit which is unfair as the appeal is for a permanent D1 use. That may be so, but there is no suggestion the current users would be likely to move out and a different

D1 use take place. Given the Power of Faith Assemblies of God Church intend to occupy the site for the foreseeable future and that they operate in a specific manner that has already caused issues in the locality then it is entirely reasonable to consider the appeal on the basis that they will continue in the future.

- 9.20 Within the Inspector's conclusions at paragraph 18, further comments are made (extracts below):

... It does seem the use, especially as it is carried out on Sundays, is a "bad neighbour"... the harm to amenity also counts against the proposal... I have considered the use of conditions, as discussed above, but I do not consider they would satisfactorily overcome the problems I have identified.

- 9.21 It is also reiterated that paragraph 19 includes the following conclusions:

...the continuing noise and disturbance issues suggest a temporary permission would be unacceptable. There is also no suggestion as to what would change in the next few years to suggest a temporary permission would achieve a planning objective.

- 9.22 Within this context, the following points are considered to be of particular relevance:

- There have not been noise / disturbance complaints to Environmental Health in terms of the application site.
- There has only been a single public consultation response in relation to this application, which itself acknowledges that the extent of noise / disturbance is considerably less than that at 141 Cardiff Road
- The red line of the application site also includes a significant part of Weighbridge Row (a private road), including parking spaces.
- The 2010 temporary permission included an hours condition limiting the use for services / meetings to only 1900-2200 on Wednesdays and 0900-1700 on Sundays. This is considered to be fairly limited in terms of usage across a week.
- The application site is further away from the row of residential dwellings fronting Cardiff Road than the nearby site at 141 Cardiff Road.
- Based on the officer site visit, there were circa 150 seats within the main hall at ground floor level.
- The GIA floorspace is 330sqm.

- 9.23 However, officers are also mindful of the following factors as well:

- The application must be considered on the basis of any Class D1 place of worship, not solely the current occupier; For example, it could be possible (although this has in no way been intimated by the applicant) that the occupier of 141 Cardiff Road could seek to relocate to this building.
- Consideration must be given as to whether amenity impacts could be sufficiently mitigated by the imposition of relevant planning conditions;
- Whether separate environmental health legislation could control the noise related behaviour of individual users of the building;
- The potential noise and disturbance from the existing lawful Class B1 use at the site.

- 9.24 On the basis of the above, it is considered that loss of amenity to nearby occupiers could justifiably be included as a reason for refusal, on the basis of the potential noise and disturbance a Class D1 use which could occur. This is as the unit is larger than that at nearby 141 Cardiff Road, whereby an appeal has recently been dismissed partly on

amenity grounds. Potentially, the noise and disturbance from this unit could be greater than that which exists at 141 Cardiff Road. However, paragraph 17 of the appeal decision is considered to be particularly relevant, as here the Inspector concluded it was entirely reasonable to consider that appeal on the basis that the current D1 occupier would continue in the future. That specific context, in relation to the particular D1 occupier, is also present at this site. Based on the submission the applicant has specified that they intend to continue occupying the unit, which they already have done since 2010. There is nothing to suggest it would be operated by another Class D1 occupier. Accordingly, on this basis and the lack of complaints and general 'track record', greater parking provision, greater distance from residential occupiers and relatively modest operating hours and temporary nature of the application, it is therefore considered on balance that amenity matters should not form a reason for refusal of this application. Had the application been able to be supported by officers, a number of conditions (e.g. hours / occupancy / management plan) would have been secured to ensure that significantly harmful amenity impacts would not occur.

iii) Transport

- 9.25 As per section 6a above, transport officers have considered the supporting documentation submitted with the application. On this basis, had the application been able to be supported in overall terms, there would have been no transport issues subject to conditions relating to *the provision of vehicle parking in accordance with approved plans and details of bicycle storage to be submitted and approved.*

iv) Other matters

Flooding

- 9.26 The development site is located within Flood Zone 2. The applicant has submitted a Flood Risk statement with the application. In terms of flood risk, both the existing (lawful) and proposed use 'less vulnerable' uses and therefore the proposal would not introduce a more sensitive land use to the flood zone. In other regards the report also specifies that the proposals are acceptable and officers concur with this conclusion, taking into account policy CS35 (Flooding).

Sustainability

- 9.27 In line with policy CS1, the proposals should seek to incorporate sustainable construction and design features. In this regard the applicant has not submitted any specific commentary. However, it is acknowledged that in change of use applications it is difficult to insist on / incorporate such measures in this regard. Furthermore, there are no inherent issues which would prevent such features being incorporated or relevant sustainability standards possibly being met. Moreover, this application is for a temporary period of three years. With this in mind and in this instance, had the application been able to be supported at officer level, officers would not have considered it necessary to include any sustainability based conditions on any permission.

Community Infrastructure Levy (CIL)

- 9.28 The applicant duly completed a CIL liability form as part of the submission of this application. On the basis of the information submitted the CIL charge would be zero.

Inaccuracies on plans

9.29 Based on the officer site visit on 25/01/16, it was evident that there were a number of inaccuracies on the ground floor plan. Most significantly, the following is noted:

- Internal partitions separating rooms from the main hall, described as an 'office' and 'cycle stores' were no longer present, with the majority of this space provided as part of the main hall. A small kitchen and mixing desk room is provided in the south-east corner of the building
- At the northern end of the building separate (from the main hall) storage and meeting rooms are provided.

9.30 It was discussed with the agent of the applicant during the site visit that a revised floorplan would be required to accurately show the layout of the unit. However, it was discussed that this would only be necessary once feedback on the proposal was provided. No revised floor plan has been provided, so these points will be included as an informative on the decision notice.

10. Conclusion

10.1 Having regard to the material considerations and all matters raised, the Local Planning Authority considers that the balance of considerations therefore weighs against the proposal, and instead planning permission is recommended to be refused.

11. Recommendation

11.1 Refuse Planning Permission

12. Reason for refusal:

1. The proposed development would result in the continued temporary loss of employment land/floorspace within a defined Core Employment Area, resulting in a continued harmful risk in undermining the local economy by reducing employment generating opportunities and the range of sites and space available, contrary to Policies CS11 (Use of Employment Land for Alternative Uses) and CS12 (Maintaining a Variety of Premises) of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy SA12 (Core Employment Areas) of the Reading Borough LDF Sites and Detailed Policies document 2012 (Altered 2015).

Informatives

1. The decision relates to the following drawings and documents:

PL-01 Location Plan, as received 22/12/2015
PL-03 Proposed Ground Floor Plan, as received 20/01/2016
PL-04 Proposed First Floor Plan, as received 20/01/2016
PL-05 Existing Ground Floor Plan, as received 20/01/2016
PL-06 Existing First Floor Plan, as received 20/01/2016
Email from Turley, as received 20/01/2016

Planning Statement by Turley, dated December 2015, as received 22/12/2015
Transport Statement by Motion, final issue dated 26/11/2015, as received 22/12/15
Flood Risk Statement by Glanville Ref CV8151172/CS/DW/004 Issue 1, dated 06/11/15, as received 22/12/15

2. The local planning authority has worked with the applicant in a positive and proactive way by setting out concerns relating to the proposal and providing an opportunity for the applicant to submit more information in light of the dismissed appeal decisions at a nearby site or withdraw the application. However, the applicant did not respond in any substantial manner and hence the issuing of this refusal notice.

3. Given that the place of worship use is unauthorised at the site, the applicant is advised that the Council will now proceed with enforcement action.

4. Based on the officer site visit on 25/01/16, it was evident that there were a number of inaccuracies on the ground floor plan. Most significantly, the following is noted:

- Internal partitions separating rooms from the main hall, described as an 'office' and 'cycle stores' were no longer present, with the majority of this space provided as part of the main hall. A small kitchen and mixing desk room is provided in the south-east corner of the building
- At the northern end of the building separate (from the main hall) storage and meeting rooms are provided.

It is advised that any future application should include fully accurate plans.