

DELEGATED PLANNING APPLICATION REPORT

Ward: Katesgrove

App Ref: 240980/FUL

Address: 29 Britten Road, Reading, RG2 0AU

Proposals: Temporary change of use from class B8 - Storage and Distribution to Class E (d) - Indoor Sports and Recreation for proposed use as a dance studio for up to 5 years

Case Officer: Nathalie Weekes

Extended Target Decision date: 6 November 2024

1. SITE DESCRIPTION

The application site is a part two storey mid terraced industrial unit with high-bay warehouse on the Robert Cort Industrial Estate located within the and Elgar Road Core Employment Area EM2f, in an established area of industrial and commercial businesses.

The surrounding units are mostly in use as B2 Industrial or B8 Storage or distribution although permission has been granted for a climbing centre and a sports injury and human performance clinic within use class E.

Photo from google maps:



2. PROPOSAL AND SUPPORTING INFORMATION

The application is for a proposed temporary change of use for a period of 5 years of a 255sqm unit from class B8 (Storage and Distribution) to Class E - Indoor Sports and Recreation for proposed use as a dance studio in a unit which is currently vacant.

It is proposed that classes would be held for up to approximately 30-40 people and the proposed opening hours would be 10:00 to 23:00. Private one-to-one sessions are proposed between 10:00 and 17:00 with up to 5 students at any one time. Group lessons are proposed after 17:00. The maximum number of people at one time is proposed to be 40 however this would likely apply to one off events. The landlord has submitted a letter stating that parking will also be available in two overflow car parks at the front, comprising 36 spaces and to the rear of the estate comprising 48 spaces and communal parking adjacent to Unit 33 comprising 19 spaces. Parking provision would remain the same as the existing use, and a total number of 3 parking places is provided/proposed. The supported information states that the majority of other businesses on the estate close before 17:00.

No alterations are proposed to the front of the property. Refuse collections would remain the same.

The planning statement states that there are public transport links.

There are no trees or vegetation on site and it is an exempt site for non-major developments, on existing hardstanding, for BNG.

A certificate of ownership B has been completed and the applicant has confirmed that requisite notice has been provided to the owner of the property.

Plans considered

Planning statement

Transport statement

24-591 002 Proposed floor plans and elevations

24-591 003 Site Location Plan

24-591 001 Existing Floor Plans and Elevations

CIL

Letter in support of the change from the landlord, Robert Cort Properties Ltd, 9 July 2024
~~QA24216/NIA Noise impact assessment, Quantum acoustics, 24 June 2024~~

As received 01/08/2024

Letter regarding parking from landlord, 08 October 2024

Speculative dance timetable

As received 08/10/2024

QA24216/NIA Noise impact assessment report Rev1, Quantum acoustics, 9 October 2024

As received 11/10/2024

3. RELEVANT PLANNING HISTORY

60 Britten Road

201508/FUL Change of use of existing industrial unit (Class B8) to Sports Injury and Human Performance clinic Class E(e) (former Use Class D1). Permitted 20 April 2021

22 Britten Road

17/1286/FUL Temporary change of use from B2 (general industrial) to D1 (non-residential institution) for use as a Sports Injury and Rehabilitation Clinic. Permitted 11 October 2017

6 Britten Road

08/0875/FUL Change of use of existing General Industrial (B2) unit to Leisure and Assembly (D2) OR General Industrial (B2) Permitted 16 September 2008

4. CONSULTATIONS

A site notice was emailed to the applicant to be displayed. The following addresses were consulted by letter

26 Britten Road, Reading, RG2 0AU

27 Britten Road, Reading, RG2 0AU

28 Britten Road, Reading, RG2 0AU

31 Britten Road, Reading, RG2 0AU

No letters of representation have been received.

RBC Environmental Protection - Insufficient information was provided in respect of potential noise arising from the development, Additional information was requested. A condition is required to limit the noise level to 75 dBA as assessed by the noise report submitted and to restrict the hours that amplified music is played. An informative is needed due to potential contaminated land.

RBC Transport - There are no transport objections, subject to condition:

The 3 allocated parking spaces(s) and communal/overflow parking within the wider Robert Cort Estate shall be kept available for parking at all times for us by Unit 29 Britten Road Industrial Estate.

Reason: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users to accord with Policy CS24 & CS24 and Policy DM12.

Communication with the agent

Feedback from internal consultees was communicated to the applicant. Additional information was provided to overcome previous concerns from the RBC Transport team and the RBC Environmental Protection team.

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.

5. LEGAL AND PLANNING POLICY CONTEXT

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'. The following local and national planning policy and guidance is relevant to this application:

National Policy and Guidance

National Planning Policy Framework (2023)

National Planning Practice Guidance

Reading Borough Local Plan (2019)

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CC6: ACCESSIBILITY AND THE INTENSITY OF DEVELOPMENT

CC8: SAFEGUARDING AMENITY

EN16: POLLUTION AND WATER RESOURCES

EN17: NOISE GENERATING EQUIPMENT

EM2: LOCATION OF NEW EMPLOYMENT DEVELOPMENT

EM3: LOSS OF EMPLOYMENT LAND

EM4: MAINTAINING A VARIETY OF PREMISES

TR1: ACHIEVING THE TRANSPORT STRATEGY

TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTERS

TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING

SPG/SPD

Revised Parking Standards and Design (2011)

APPRAISAL

Land use at the site

Policy EM2 Location of new employment development states that industrial and distribution and major employment uses 'will be located in the Core Employment Areas', and 'The Core Employment Areas are the main areas of employment uses (excluding the town centre) within Reading. They are shown on the Proposals Map, and have been defined through an examination of the contribution that they make to the employment role of Reading.'

Policy EM3 states 'Within the Core Employment Areas, the overall level of employment land should be maintained. Proposals that would result in a loss of such land will not be permitted other than in the exceptional circumstances. Where, in exceptional circumstances, it can be demonstrated that a site in a Core Employment Area has no long-term prospect of employment use, a related alternative commercial use or a use which complements the employment use of the area may be considered that would not result in a significant reduction in jobs.'

The definition of 'Employment land' in Policy EM3 is '“Employment land’ in the context of this policy is land, which is primarily in B1, B2 or B8 use, or is a use not in the above use classes for which an employment area is the only realistic location.'

Policy EM4 states 'In order to ensure a healthy and balanced local economy, we need to make sure that a variety of sizes and types of employment premises are available' and that 'Development should not therefore reduce the range of sites and space available, and this applies in all locations, not merely the Core Employment Areas.'

4.3.18 (supporting text to Policy EM4) says:

Move-on accommodation is more difficult to define, particularly in terms of space, but a reduction in the range of units of 150 - 500 sq m (g.e.a.) should only occur where it is demonstrated that there is a surplus of such space.

The application site is located within Core Employment Area EM2f: Elgar Road. Policy EM2 of the Reading Local Plan 2019 defined designated 'Employment area' for which Policies EM3 and EM4 can be applied. These areas will be the main location for industrial and warehouse uses (EM2) and there is a general presumption against loss of employment land in these areas (EM3).

Paragraph 85 of the NPPF states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. The NPPF states that *"Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development."*

The proposal seeks the change of use of unit 29 from an existing industrial use (Class B2 or B8) to a dance studio in which 1:1 and group lessons are proposed to take place, falling under Class E, which is contrary to policy EM3. A dance studio in Class E (Flexible commercial use) is not considered to be classed as traditional employment use (industrial, storage and distribution or similar uses) as defined by the policy. However, there are a number of factors which must be considered in determining whether such a use would support the area's economic function and whether it results in a loss of employment land.

The applicant has presented a need for this particular type of business in this Core employment area and has acknowledge that there are other types of use on the industrial estate including a climbing centre and a sports injury clinic. Therefore no new 'non-employment' use would be introduced within this Core Employment area and the majority of units would still comprise B2 or B8 uses. The planning statement submitted states that the unit has otherwise remained vacant, whilst the applicant has explored other facilities which have proven unsuitable for a number of reasons, and unit 29 provides the most suitable usable internal space, in a convenient location. The applicant has negotiated a 5 year lease with the landowners and in this instance a 5 year temporary permission is considered acceptable. The change in use would not result in a loss of employment with opportunities for coaching staff, an administrator and receptionist.

Taking the above into consideration the principle of development is acceptable in this instance and considered acceptable in accordance with policy EM2 of the Local plan and the NPPF.

A condition is recommended to ensure that when either the premises ceases to be occupied by the dance studio, or at the end of 5 years from the date of that permission, whichever shall first occur, the permitted use shall cease (and all materials and equipment brought on to the premises in connection with the use shall be removed). The former unit at 29 Britten Road, once vacated would therefore revert to its former B2 (General Industrial)/B8 (Storage) use.

Impact on neighbouring amenity

Policy CC8 states 'Development will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties, in terms of: Noise and disturbance'.

Policy EN16 states ‘Development will only be permitted where it would not be damaging to the environment and sensitive receptors through land, noise or light pollution’. Policy EN17 states, ‘Where noise generating equipment is proposed, the noise source specific level (plant noise level) should be at least 10dBA below the existing background level as measured at the nearest noise sensitive receptor.’

The unit is located within a defined industrial area in which noise associated activities take place. Most units operate during daytime hours from 09:00 to 17:00, whereas the dance studio proposed opening at 10:00, with all dance classes finishing at 22:00 and opening until 23:00 to tidy up the premises.

A noise assessment was requested to demonstrate that any additional noise, would not have a resultant detrimental accumulative impact and that dance classes occurring after other units had closed on site, would not result in an impact of noise disturbance. The RBC Environmental Protection team requested additional clarification following the original submission of the noise assessment and a revised version was submitted. The noise assessments proposed a music level of 75dBA and recommended that restrictions would be required on any future use of plant.

The revised noise assessment states ‘If an operative condition is considered appropriate, it would be usual to expect operational noise emission criteria to be set in accordance with BS 4142: 2014 + A1: 2019 “Methods for rating and addressing industrial and commercial sound”. As a result, a requirement that noise emissions from any new building services plant is controlled to a level set to be 10dB below the typical minimum background sound level. A noise condition is also recommended in respect of plant in line with BS 4142.

Insufficient evidence relating to noise levels above 75 dBA have been provided. The noise assessment states that dance classes are proposed to finish at 22:00 and a condition is recommended to restrict amplified music to 75dBA, and to not be played outside the hours of 22:00 to 10:00 is recommended to avoid any future potential for disturbance in the vicinity. This condition has been agreed with the agent. Any noise issues would be measured from the premises in the event of any enforcement investigations. The proposal is therefore considered to accord with policy CC8 of the Local Plan.

Parking

Policy TR1 states ‘Proposed development should contribute appropriately to meeting the objectives of the most up-to-date Local Transport Plan or any successor document, including sub-strategies, specific projects identified and the local action plans.’

Policy TR5 states ‘Development should provide car parking and cycle parking that is appropriate to the accessibility of locations within the Borough to sustainable transport facilities, particularly public transport.’

The application site is located within an established area of industrial and commercial activity and within the Elgar Road Core Employment Area EM2f. These Core Employment Areas (CEA) are the main location for industrial and warehouse uses, and a high proportion of the traffic using the road is commercial traffic ranging from light vans to articulated lorries. There is high demand for parking in the area with limited public transport, reading station is 2,4 miles away, with an approximate 10 minute walk to the nearest bus stops.

This application seeks planning approval for the temporary change of use from class B8 to a dance studio. The supporting statements indicates that the studio will provide competitive and social group classes and private lessons for both adults and children. The maximum capacity for the building at any one time is proposed to be 40 people with a mix of staff and students/participants but it is stated that full occupancy would rarely be achieved and is more indicative of one-off events. During the day, from 10:00 to 17:00 a maximum of up to 5 students at any time for 1:1 lessons is proposed.

The site is located in Zone 2, Primary Core Area, of the Revised Parking Standards and Design SPD. This zone directly surrounds the Central Core Area and extends to walking distances of 2 kilometres from the centre of Reading. There are no adopted parking standards for the proposed use as a dance studio. Therefore, an application of this type is likely to be considered on its own merits considering local circumstances including access to public transport provisions and the availability of parking and on-street regulations.

A brief Transport Statement has been submitted by the applicant, and additional information has been submitted to determine whether the proposed change of use would be acceptable. The unit is accessed directly from Britten Rd and has 3 designated car parking spaces. It is confirmed that there is additional customer parking spaces in two overflow car parks, one to the front (36 spaces) and one to the rear of the estate (48 spaces). There are also 19 communal spaces to the side of Unit 33. Confirmation from the Robert Cort Estate has been submitted to confirm that the building has permission to use the overflow car parking spaces at all times. It does not appear that any parking assessments have been undertaken to confirm there is spare parking provision within the estate, however, the estate management has confirmed that the parking provision is nowhere near capacity.

Considering the development will be located within an industrial estate and the area is controlled with extensive parking restrictions, it is concluded that any parking associated with the proposed development would not overspill onto the public highway or unacceptably prejudice the safety of other highway users. After 17:00 during the week, congestion will decrease and a parking condition is recommended to limit the number of students during daytime 1:1 classes from Mondays to Fridays. A condition is recommended to restrict the number of students on the premises between 10:00 and 17:00 from Monday to Friday to reduce the burden on parking within the industrial estate and to reduce congestion during the day whilst other businesses are in operation. The proposal is therefore considered to accord with policy TR5 of the Local Plan.

Other Issues

Contaminated Land - although this has been presented as a change of use only and with no physical works, were the development otherwise acceptable, an informative warning of possible contaminated land would be applied.

CIL

The proposed development does not attract a CIL charge as it is a change of use of in use floorspace with no additional floorspace proposed.

Conclusion

It has been evidenced that the proposed change of use would not result in a detrimental impact on neighbouring residents along Milman Road situated approximately 70m away behind a tree lined embankment or detrimentally impact the local transport system. Policy CC1 states, 'Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate

otherwise.’ On a matter of planning balance, when considering the use is contrary to the existing use within a core employment area as outlined in policy EM2, the proposed use will result in continued employment at the site with the potential for employee generation, continued use of a vacant premises result in the temporary proposed use to be considered to comply with policy EM3 in this instance. Subject to condition concerns relating to parking for the venue and potential for noise disturbance have been overcome. Sufficient information has been provided to demonstrate that the proposed change of use from B8 to Class E for a period of 5 years would be acceptable, appropriate as a temporary use.

RECOMMENDATION

Grant

Subject to the following conditions:

Time limit
Approved Plans
Use class
Reinstate after temporary use period
Number of daytime midweek students
Parking
Dance class hours/music
Plant

Informatives

Terms
Building regulations
Positive and proactive