

COMMITTEE REPORT

BY THE EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 13 November 2019

Ward: Whitley

App No: 190890/FUL

Address: Unit 6, Proctor End South, Reading, RG2 0GG

Proposal: Change of use of unit from retail (Class A1) to gym (Class D2) and insertion of 1,105sqm GIA mezzanine floor

Applicant: Aberdeen Standard Investments

Date validated: 24/06/19

Target Date: 19/08/19

Extended target date: 11/09/19

RECOMMENDATION

GRANT

Conditions to include:

1. 3 year time limit to implement
2. Approved plans
3. Hours of use
4. Bicycle parking to be approved
5. Bin storage to be approved
6. Car Park/Delivery Management Plan
7. Employment Travel Plan
8. Employment Travel Plan Annual Review
9. Construction Method Statement
10. Use as Gym only as approved

Informatives to include:

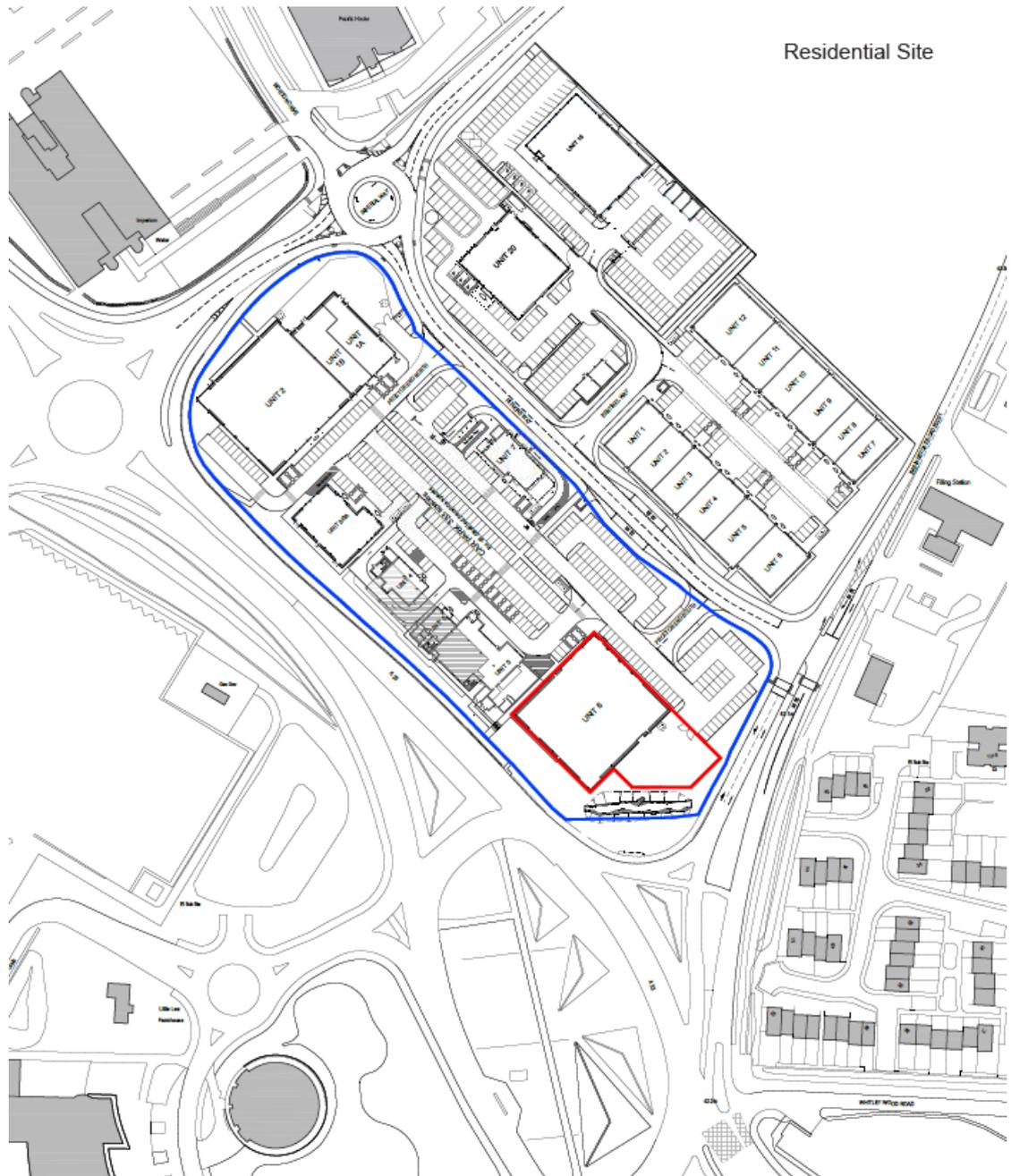
1. Terms and conditions
2. Pre-commencement condition
3. Highways
4. CIL
5. Positive and proactive

1. INTRODUCTION

- 1.1 The application site comprises a large retail unit at the southern corner of Reading Gateway, a newly developed retail and leisure park located adjacent to the A33. The unit was vacant at the time of the application, most recently occupied by Toys R Us in April 2018. At the time of the application, other units in Reading Gateway included a hotel, drive-thru restaurant and kitchen furniture shop. Landscaping, vehicle parking and access have been implemented in accordance with the original permission for the site. Reading Gateway forms part of the wider Worton Grange commercial and residential development.
- 1.2 The original proposals for the site, considered under application 151944/FUL, included the provision of mezzanine floors to the retail units. The mezzanines were proposed to ensure maximum flexibility in terms of

attracting future tenants, who were unknown at the time of the application. It was originally proposed that if tenants, once secured, did not require the mezzanine floors they would not be constructed. The principal of mezzanine floors was considered acceptable by officers, however during the course of the application they were removed due to CIL cost implications. Officers noted that any future amendments to any approved scheme, to reinstate the mezzanines would be considered on their own merits, in terms of prevailing policies and circumstances.

- 1.2 The site in relation to the wider urban area is shown below, together with a site photograph and an aerial view.



Site location (application site edged in red)



Site photograph



Aerial view looking south

2. PROPOSALS

- 2.1 Full planning permission is sought for the change of use of the unit from retail (Class A1) to a gym (Class D2) and the insertion of a 1,105sqm GIA mezzanine floor. No external alterations are proposed to facilitate the change of use.

- 2.2 Studio spaces, offices and a small café would be located at the ground floor, together with the main gym training area. Changing rooms and further training areas would be located on the mezzanine. The mezzanine would extend over approximately half of the ground floor area. The gym would be operational 24 hours a day, 7 days a week.
- 2.3 The application is being referred to Planning Applications Committee for a decision as the floor space proposed exceeds 1000 square metres (Major).

3. PLANNING HISTORY

151944/FUL - A hybrid application seeking outline planning permission for the development of up to 175 new homes, including affordable housing (with all matters reserved apart from access) and full planning permission for the development of 12 commercial units in flexible use within Classes B1c, B2 and B8, two car showrooms with MOT and servicing (Sui Generis), three retail warehouse units (Class A1), 120 bed hotel (Class C1), pub with restaurant facility (Class A4), coffee shop (Class A1), restaurant (Class A3), and bank (Class A2). New vehicular access from Basingstoke Road and Imperial Way. Bus stop facilities, hard and soft landscaping and other ancillary development (summarised description) - Permitted 14/04/16

181381/PRE - Subdivision of Unit B (as approved under permission 151944) into two units for Class A1/A3 use and 700sqm mezzanine for gym (Class D2) - Observations sent 21/09/18

4. CONSULTATIONS

- 4.1 Neighbouring owners and occupiers at Unit's 4, 5 and 7, Proctor End South and 43, 44, 51 and 52 Kingsley Close were consulted by letter. A site notice was displayed. No letters of representation have been received.

Transport Development Control

- 4.2 In response to the information supplied with the application, significant concerns were raised with regard to the accuracy of the Transport Assessment. The Transport Assessment stipulated that the mezzanine floor was approved as part of the original planning permission. This is not the case, as the mezzanine floors were removed from the development during the course of the application. Any proposal to reinstate a mezzanine floor would need to be assessed in terms of providing additional floor space.
- 4.3 The trip rates supplied did not take account of the full assessment of the previous application, which looked to establish new trips to the site. The trip rates provided with the original Transport were therefore unacceptable. Suitably amended information was requested.
- 4.4 Following lengthy discussions between the agent and officers, a final Transport Technical Note was received on 29/10/19. In response to this, Transport Development Control commented as follows:
The proposed development consists of the change of use of unit to Class D2 (gym) and insertion of 1,105sqm GIA mezzanine floor.
- 4.5 The assessment undertaken has been revised to remove the mezzanine floor areas from the current layout as these were not included within the final assessment of the site under planning permission 151944. It should be

noted that the junction assessments did initially include the mezzanine floor areas and these junctions were detrimentally impacted by the development. Given this the junctions were not reassessed following the significant reduction in floor area as this would have resulted in a reduction in trips on the network therefore reducing any impact. I am therefore happy that the assessment of the existing use is now acceptable.

- 4.6 The assessment of the proposed D2 includes data from the Trip Rate Information Computer System (TRICS). TRICS is the national standard system of trip generation and analysis in the UK and Ireland, and is used as an integral and essential part of the Transport Assessment process. It is a database system, which allows its users to establish potential levels of trip generation for a wide range of development and location scenarios, and is widely used as part of the planning application process by both developer consultants and local authorities and is accepted by Inspectors as a valid way to ascertain likely trip generation.
- 4.7 The TRICS data has been assessed and has been deemed acceptable. I have also agreed that the reductions agreed as part of the original 2015 development can be applied which includes a 22% reduction applied to the mezzanine floorspace and a 41% reduction applied in relation to Cross-Visitation between on site uses.

The review of the trips identifies the following:

	2015 Submission (Junction Assessment)	2015 Actual Permission	Proposed Development (Wider Site Changes)	Difference Between Proposed Development (Wider Site Changes) & 2015 Submission	Difference Between Proposed Development (Wider Site Changes) & 2015 Actual Permission
AM Peak	22	14	26	+4	+13
PM Peak	131	81	87	-44	+6
Saturday Peak	268	177	134	-134	-43

- 4.8 Following this updated assessment it is evident that the proposal will result in minimal increases to the network within the AM and PM peaks but does result in significant reductions in flows on a Saturday Peak. I would however add that the Saturday Peak assessment is based on the trip rate 1.658 which is the peak for the particular use and not the peak hour of 1pm-2pm which was assessed for the 2015 planning application which was 0.921 and as such would generate fewer trips than identified in the table above, however given that the assessment undertaken by the applicant would have been overly robust I am happy that this is acceptable.
- 4.9 A car park accumulation survey has been undertaken and this has identified that the proposed development would require an additional demand for car parking. However the applicant has not included a reduction based on linked trips and therefore the assessment undertaken would be an over provision in addition the 2015 proposal initially included a parking provision to include the mezzanine floors which was later removed and above this a surplus level of parking was provided. As a result of all of the above I am

happy that the level of car parking provided on site is sufficient to accommodate the proposed development.

- 4.10 The approved cycle parking provision as part of the 2015 permission was for a total of 52 spaces. The approved spaces were not allocated for each use / unit specifically, but, rather, across the development. The Council's minimum cycle parking standards for a Gym states 1 space per 6 staff and 1 space per 40sqm, resulting in circa 76 spaces requirement. On the basis that the existing unit should have provided up to 7 spaces, the Gym will provide the additional spaces in a convenient / appropriate location. Given that the proposal will not require the extensive servicing area that would allow for this provision to be provided I am happy that this can be secured by condition.
- 4.11 In the circumstances there are no transport objections to the proposal subject to conditions and informatives.

Thames Water

- 4.12 No objection raised with regard to waste water network and sewage treatment works infrastructure capacity. With regard to surface water drainage, it was advised that if the developer follows the sequential approach to the disposal of surface water, no objection would be raised. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services would be required. An informative was recommended with regard to use of the water network.

Sport England

- 4.13 No objection raised to the proposal. Advice and guidance offered with regard to ensuring the facility is fit for purpose.

5. LEGAL AND PLANNING POLICY CONTEXT

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy Framework, among them the 'presumption in favour of sustainable development'.
- 5.2 The application has been assessed against the following policies:

National Planning Policy Framework

Reading Borough Core Strategy (2008)

Policy CS1 - Sustainable Construction and Design

Policy CS2 - Waste Minimisation

Policy CS3 - Social Inclusion and Diversity

Policy CS4 - Accessibility and Intensity of Development

Policy CS7 - Design and the Public Realm

Policy CS9 - Infrastructure, Services, Resources and Amenities

Policy CS10 - Location of Employment Development

Policy CS24 - Car/Cycle Parking

Policy CS25 - Scale and Location of Retail, Leisure and Cultural Development

Policy CS26 - Network and Hierarchy of Centres
Policy CS34 - Pollution and Water Resources
Policy CS36 - Biodiversity and Geology
Policy CS38 - Trees, Hedges and Woodlands

Sites and Detailed Policies Document (2012)

Policy SD1 - Presumption in Favour of Sustainable Development
Policy DM1 - Adaption to Climate Change
Policy DM4 - Safeguarding Amenity
Policy DM12 - Access, Traffic and Highway-Related Matters
Policy DM14 - Impact of Main Town Centre Uses
Policy DM18 - Tree Planting
Policy DM19 - Air Quality
Policy SA2a - South Reading Strategic Development Sites - Worton Grange
Policy SA15 - District and Local Centres

Supplementary Planning Guidance/Documents

Revised Parking Standards and Design (2011)
Revised Sustainable Design and Construction (2011)
Employment, Skills and Training (2013)

Emerging Reading Borough Council Local Plan (2019)

The new Reading Borough Council Local is proposed to be adopted by the Council on 4th November 2019 and the following policies will replace those listed above as of relevance to this application:

Policy CC1 - Presumption in Favour of Sustainable Development
Policy CC2 - Sustainable Design and Construction
Policy CC3 - Adaptation to Climate Change
Policy CC4 - Decentralised Energy
Policy CC5 - Waste Minimisation and Storage
Policy CC6 - Accessibility and the Intensity of Development
Policy CC7 - Design and the Public Realm
Policy CC8 - Safeguarding Amenity
Policy TR1 - Achieving the Transport Strategy
Policy TR3 - Access, Traffic and Highway-Related Matters
Policy TR5 - Car and Cycle Parking and Electric Vehicle Charging
Policy EN15 - Air Quality
Policy EN16 - Pollution and Water Resources
Policy EM1 - Provision of Employment
Policy EM2 - Location of New Employment Development
Policy EM4 - Maintaining a Variety of Premises
Policy RL1 - Network and Hierarchy of Centres
Policy RL2 - Scale and Location of Retail, Leisure and Cultural Development
Policy RL3 - Vitality and Viability of Smaller Centres
Policy RL5 - Impact of Main Town Centre Uses

6. APPRAISAL

(i) Principle of development

6.1 The existing unit has a lawful Class A1 use, granted permission under 151944/FUL as part of the wider Worton Grange development. This permission included a range of uses across the site. It is therefore accepted that a mix of retail and leisure uses has been accepted. The principle of the proposed Class D2 use is therefore considered acceptable, subject to meeting other policy requirements as set out below.

6.2 The provision of mezzanine floors within the units was also established under the original application. For financial reasons, the mezzanine floors were removed from the original proposal during the course of that application. Subject to meeting other policy requirements as set out below, the principle of the installation of a mezzanine floor within the unit is acceptable.

(ii) Character and appearance

6.3 There are no external alterations proposed to facilitate the change of use. The proposal would therefore not detract from the character and appearance of the surrounding area, in accordance with Policy CS7 (Policy CC7 in the new Local Plan) An informative is recommended, to advise the applicant that any future signage would be subject to separate advertisement Consent.

(iii) Amenity

6.4 The unit is located within an established area of commercial activity. The closest residential dwelling to the application site is located approximately 100m to the east, at Kingsley Close. At this distance, it is not considered that the proposed use would cause significant harm to neighbouring residential amenities.

6.5 The proposed use of the unit is not considered to be significantly more harmful to other occupiers of Reading Gateway than the pre-existing use. The proposal therefore accords with Policy DM4 (Policy CC8 in the new Local Plan).

(iv) Transport

6.6 In accordance with Policy DM12 (Policy TR3 in the new Local Plan), development will only be permitted where it will not have a material detrimental impact on the functioning of the transport network. During the course of the application, following lengthy discussion with Transport Development Control Officers, a revised Transport Assessment and Transport Technical Note was supplied.

6.7 A trip generation exercise was undertaken, concluding that there would be minimal increases to the network within the AM and PM peaks, and significant reductions in flows during the Saturday peak.

6.8 A further calculation was made with regard to parking demand. Parking demand has been calculated to be highest between 16:00-20:00 on a weekday. It is noted that this would occur when the other retail uses within Reading Gateway are lower. The assessment concludes that on this basis, the current parking provision of 333 spaces within Reading Gateway remains an appropriate level of provision. It is also relevant that conditions relevant to travel plans and deliveries for each unit, which were applied when the retail park was originally granted permission, should also be applied to this proposed new use. Officers are therefore satisfied that the overall level of parking is sufficient to accommodate the proposed use.

6.9 The proposed use of the unit would require a slight increase in the number of existing bicycle storage spaces across Reading Gateway. Officers are satisfied that this additional provision could be secured by condition. While the proposed change of use of the unit will alter the number of trips to the site, this is not considered to have a material detrimental impact on the

functioning of the transport network. The proposed change of use is therefore considered to accord with adopted Policy.

(v) Retail and leisure impact

6.10 The NPPF specifies that retail and leisure development should be located in line with a sequential approach and impact assessment, and that it should have no detrimental impact on the viability and vitality of existing centres. The site is classified as out-of-centre for the purposes of retail and leisure assessments, and the applicant has undertaken a review of sequentially preferable locations for the proposed use. The relevant centres for sequential review are Reading Town Centre, Whitley District Centre, Shinfield Road District Centre, Lower Earley District Centre and Whitley Wood Local Centre. The applicant has supplied supporting information to justify that a sequential test is passed, sighting the Supreme Court ruling on 21st March 2012 in the Tesco Store Limited v Dundee City Council, a case that is now widely accepted as the basis on which the sequential test should be applied. Officers accept that compliance with the NPPF and Policy CS25 (Policy RL2) has been demonstrated, in that there are no sequentially preferable sites that are available, suitable and viable for the proposed use.

6.11 The primary catchment area of the proposed use is South Reading, beyond the catchment of the town centre which is already served by four gyms. Policy DM14 (Policy RL5) requires that proposals including 1000 square metres of additional floor space for town centre uses in out of centre locations, must demonstrate that no significant adverse impact on existing centres will occur. Analysis supplied by the applicant concludes that there is demand (and likely additional latent demand) for additional provision of gyms, which is set to increase in the future. It is concluded that there are no existing facilities which would have to close or relocate as a result of the proposed use, which therefore meets an identified need.

6.12 The above assessments (and those earlier on transport and amenity impacts) are based on the gym use as applied for, which falls within the D2 use class. As other forms of assembly and leisure use have not been considered it is reasonable therefore to apply a planning condition to restrict the use of the converted unit to gym use only.

(vi) Flooding and air quality

6.12 The proposals would not materially change the existing impact of the unit in terms of flood risk and air quality. The proposals therefore accord with Policy CS34 (Policy EN16) and Policy DM19 (Policy EN15).

(vii) Employment, skills and training

6.13 The wider Worton Grange development, approved under 151944/FUL, was considered suitable to provide opportunities for local employment, training and skills development. Accordingly, as secured by S106 legal agreement, an Employment Skills Plan for the construction phase and a financial contribution in connection with the commercial development was agreed. During the course of this application, it has been agreed that the future occupier of the unit will accord with the terms of the existing legal agreement, so no further contribution or legal agreement is required.

(iii) Equality

6.5 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age and disability. There is no indication or evidence

