

STATEMENT OF CONSULTATION ON ARTICLE 4 DIRECTION MADE ON 10TH NOVEMBER 2021

November 2022

Contents

Contents	1
1. Introduction.....	2
2. Summary of Consultation and Notification Measures	3
Local advertisement.....	3
Site notices	3
Owners and occupiers.....	7
Secretary of State	8
Other	9
3. Summary of Responses	9
APPENDIX 1: LOCAL PRESS NOTICE.....	10
APPENDIX 2: SITE NOTICE	12
APPENDIX 3: SUMMARY OF REPRESENTATIONS AND COUNCIL RESPONSES	15

1. Introduction

- 1.1 Reading Borough Council made a non-immediate direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (GPDO) on 10th November 2021 which removed a number of permitted development rights that would result in residential development, across a number of locations in the Borough. The direction covers the following forms of permitted development as set out in the GPDO:
- Change of use of commercial, business and service use (use class E) to residential (Part 3, class MA);
 - Change of use of hot food takeaway, betting office, payday loan shop or launderette to residential (Part 3, class M);
 - Change of use of casino or amusement arcade to residential (Part 3, class N);
 - Demolition of single, purpose built, detached block of flats or a single, detached office, light industrial or research and development building and its replacement with a detached block of flats or detached house (Part 20, class ZA);
 - Up to two additional residential storeys on a detached commercial or mixed use building (in use for retail, financial and professional, restaurant and café, office, research and development, light industrial, betting shop, payday loan shop, launderette) (Part 20, class AA); and
 - Up to two additional residential storeys on a two or more storey terraced commercial or mixed use building (see class AA for uses) or one additional storey on a one storey building (Part 20, class AB).
- 1.2 The direction applies to the following areas:
- The entire town centre, as defined in the Local Plan;
 - District and local centres, as defined in the Local Plan;
 - Core employment areas, as defined in the Local Plan;
 - Other primarily commercial or retail locations; and
 - Areas with the poorest levels of air quality.
- 1.3 This Statement of Consultation summarises the consultation and notification measures undertaken, and reports on the results of consultation. It also includes a Council response to the representations received.

2. Summary of Consultation and Notification Measures

2.1 The requirements for notification of making of a non-immediate Article 4 direction is set out in paragraph 1 of Schedule 3 of the GPDO. Notice must be served as follows:

- By local advertisement (1(1)(a))
- By site notice in at least two locations within the area (1(1)(b))
- By serving notice on every owner and occupier (1(1)(c)) unless individual service is impracticable because it is difficult to identify or locate that person or the number of owners or occupiers makes individual service impracticable (other than for statutory undertakers)
- By notifying the Secretary of State (1(6)).

2.2 The following sections detail how these steps have been complied with.

Local advertisement

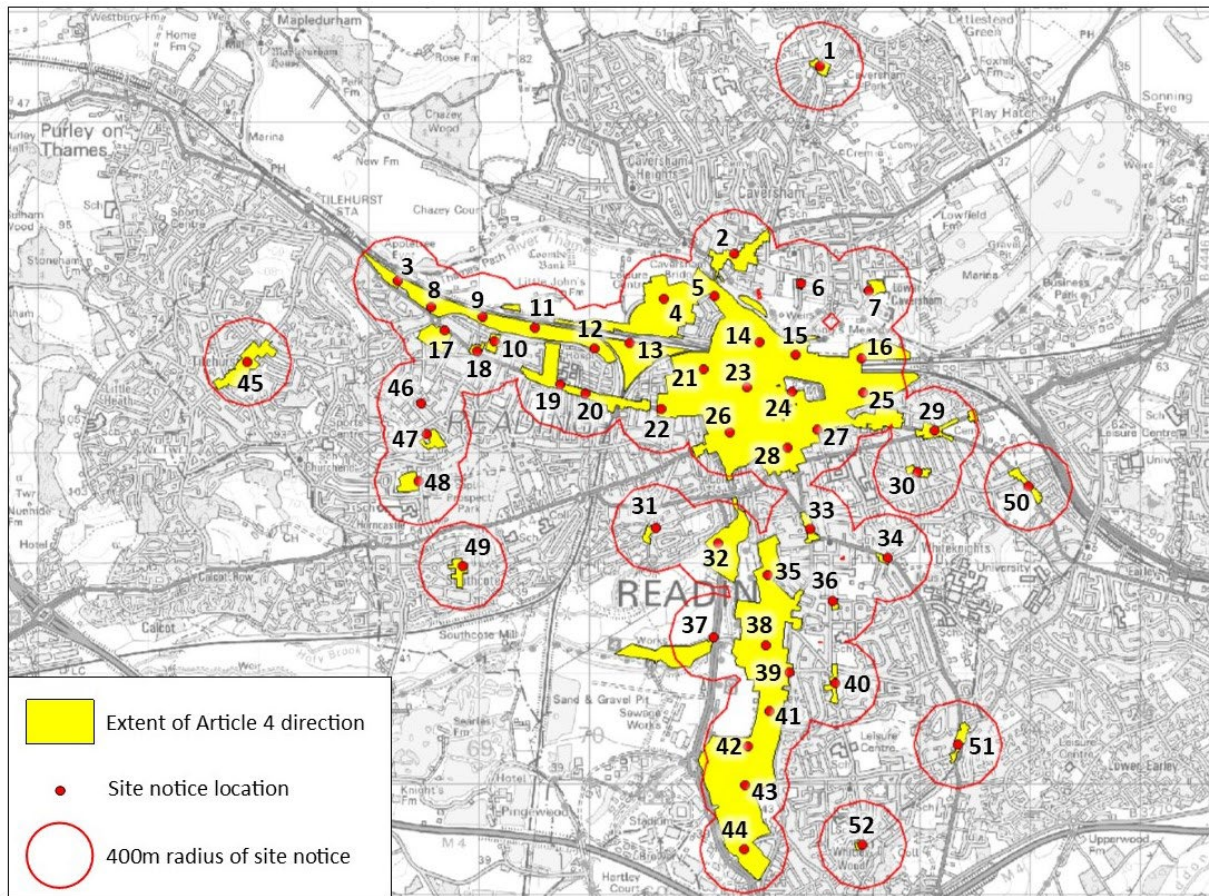
2.3 A local advertisement was placed in the Reading Chronicle on Thursday 11th November, the day after the direction was made. The Notice can be seen in Appendix 1.

Site notices

2.4 The statutory requirement is that site notices should be placed in at least two locations within the area. Given the geographical extent of this direction, it was considered that far more than two site notices would be required. A copy of the site notice is included in Appendix 2. The notice included a QR code that linked directly to the Article 4 webpage.

2.5 It was decided to place site notices at 53 locations in the Article 4 area. These locations were chosen to ensure that almost all of the area of the direction was within at least 400 metres of a site notice. Figure 2.1 shows the location of the notices and the area which falls within 400 metres of a notice. It can be seen that the only place where a significant part of the Article 4 direction area is more than 400 metres of a notice is the area west of the A33 including the Water Treatment Works and the former Environment Agency laboratory. This was not considered to be necessary, as that area is largely inaccessible to the public and is accessed via the junction between the A33 and Rose Kiln Lane, with a site notice being placed directly at the entrance.

Figure 2.1: Location of site notices (November 2021)



2.6 The notice locations are set out in Table 2.1, together with the date that the notice was displayed.

Table 2.1: Site notice locations

Ref	Location	Date
1	East side of Peppard Road opposite entrance to Kidmore End Road	14th November
2	North side of Church Street, Caversham outside 32c (Coral)	14th November
3	Deacon Way at rear of Waitrose adjacent to number 17	12th November
4	Junction of Richfield Avenue and Tessa Road, outside Kwik Fit	11th November
5	Outside the Moderation PH on Caversham Road frontage (by crossing) at junction with Randolph Road	11th November
6	South east of junction of George Street and Kings Road, Caversham	14th November
7	Entrance of industrial estate (outside number 8), north side of Paddock Road	14th November
8	Scours Lane next to recycling bins	12th November
9	East side of Wigmore Lane close to the junction with Loverock Road	12th November
10	North eastern side of roundabout on Bridgewater Close	12th November
11	Eastern side of junction of Littlejohn's Lane and Portman Road	12th November
12	Ashmere Terrace east side close to junction with Portman Road	12th November
13	Opposite entrance to SafeStore on Cow Lane	11th November
14	Rear of The Range on Trooper Potts Way	11th November
15	Napier Road opposite entrance to Kings Meadow Road	11th November
16	North side of Napier Road next to pedestrian crossing to Napier Road underpass east of Luscinia View junction	11th November
17	Entrance of Reading Retail Park on Oxford Road	12th November
18	Outside the Pond House PH on Oxford Road near junction with Grovelands Road	12th November
19	Northern side of Oxford Road outside number 346-348	12th November
20	North side of Oxford Road opposite junction with Connaught Road	11th November
21	Southern side of Great Knollys Street outside number 31	11th November
22	South side of Oxford Road outside number 179 (close to junction with Bedford Road)	11th November
23	North side of Friar Street at junction with Merchants Place	11th November
24	South side of The Forbury in front of the Forbury Hotel	11th November
25	North side of Kenavon Drive opposite entrance to Gas Works Road	11th November
26	North side of Castle Street outside Magistrates Court	11th November

Ref	Location	Date
27	South side of Queens Road just east of junction with Sidmouth Street	11th November
28	Western side of London Street diagonally opposite entrance to South Street and outside number 74	14th November
29	North side of London Road at Cemetery Junction, just outside Co-Op entrance	14th November
30	North side of Erleigh Road outside St Lukes Church	14th November
31	Outside Wensley Road shops, north side of Wensley Road next to noticeboard	12th November
32	Entrance road to Reading Link Retail Park, opposite petrol station canopy	12th November
33	East side of Whitley Street outside number 51	14th November
34	South side of Christchurch Road at pedestrian crossing outside number 78	14th November
35	West side of Elgar Road north of service access to Makro	14th November
36	South east corner of junction of Northumberland Avenue and Newcastle Road	14th November
37	West side of A33 north of entrance to Water Treatment Works	12th November
38	Northern side of roundabout at junction of Rose Kiln Lane and Gillette Way	12th November
39	East side of Basingstoke Road south east of junction with Buckland Road, close to newsagent	12th November
40	East side of Northumberland Avenue outside number 233 and adjacent to pedestrian crossing	12th November
41	Southern side of Manor Farm Road opposite entrance to Gillette Way	12th November
42	East side of Commercial Road opposite entrance to Manor Commercial Centre	12th November
43	Northern side of Acre Road close to eastern entrance to Waitrose depot	12th November
44	North west side of roundabout at junction of Imperial Way and Proctor Way	12th November
45	Eastern side of School Road north of vehicle access to Park Lane Primary School	12th November
46	South west side of Spey Road outside Spar	12th November
47	East side of Upton Road south east of number 5	12th November
48	North west side of roundabout at junction of Honey End Lane and Meadway Precinct access road	12th November
49	Eastern side of Coronation Square close to the noticeboard	12th November
50	Eastern side of Wokingham Road outside number 99 (Wokingham Tools)	14th November
51	Eastern side of Shinfield Road north of junction with Shinfield Rise	14th November
52	North west side of junction of Northumberland Avenue and Whitley Wood Road	12th November

Owners and occupiers

- 2.7 Paragraph 1(2) of Schedule 3 of the GPDO makes clear that local planning authorities are not required to serve notice on every owner and occupier of every part of land within the area under 1(1)(c) if:
- (a) individual service on that owner or occupier is impracticable because it is difficult to identify or locate that person; or
 - (b) the number of owners or occupiers within the area to which the direction relates makes individual service impracticable.
- 2.8 The Council is of the view that the number of owners or occupiers within the area makes individual service impracticable. There are over 4,100 addresses within the proposed Article 4 area, based on address point data from 2018. Many of these, being commercial properties, will have a separate owner and occupier, which means the number of organisations and individuals to contact would likely be significantly higher. Almost all properties would require an individual Land Registry search. Land Registry ownership data generally identifies address details only meaning contact by letter would be required. The Council does not have the resources to individually identify the owner or occupier of each property and to send out a letter to each.
- 2.9 The Council has considered this matter closely and has also looked at how this requirement has been interpreted elsewhere. In particular we have looked at how the Secretary of State has considered this issue. In modifying an Article 4 direction controlling office to residential permitted development in Broxbourne on 10th October 2014, paragraph 10 of the Secretary of State’s letter says:
- “Please let us know when and where the notices are to be published - we assume, given the numbers involved, it may be impracticable to serve the owners and occupiers of the buildings / land affected and accordingly only local advertisement and site display is required pursuant to Article 5(1)(a) and (b) and 5(2).”¹*
- 2.10 Broxbourne’s Article 4 direction was significantly smaller than the proposed Reading direction, and covered employment areas where premises are larger and ownerships are likely to be less complicated rather than town centres. We do not have access to information to allow us to know exactly how many addresses existed in that area at the time, but we estimate based on the maps that it was almost certainly less than 1,000. We therefore consider that our approach is in line with how this requirement has been interpreted elsewhere.
- 2.11 However, we have sought to undertake other measures to try to reach as many businesses and owners within the area as possible. An e-mail including the notice was sent to around 130 planning agents known to be active in Reading. In addition, an e-mail was

¹ [pp-office-to-residential-sec-of-state-approval-notice1014 \(broxbourne.gov.uk\)](https://www.broxbourne.gov.uk/pp-office-to-residential-sec-of-state-approval-notice1014)

sent to 900 contacts via the Reading Central Business Improvement District, which covers the commercial core of central Reading. Local contacts for the High Street Heritage Action Zone, which covers the town centre conservation areas, were also contacted. The e-mail also included known representative organisations such as the Federation of Small Businesses, Caversham Traders, Thames Valley Chamber of Commerce and Thames Valley Berkshire Local Enterprise Partnership.

2.12 In addition, as required by paragraph 1(3) of Schedule 3 of the GPDO, all statutory undertakers that were known or thought to own or occupy land within the area were served with the notice. This included:

- British Telecommunications;
- Civil Aviation Authority;
- EE;
- Environment Agency;
- Highways England;
- National Grid;
- Southern Gas Networks;
- Scottish and Southern Electricity plc;
- South East Water;
- Thames Water; and
- Vodafone and O2.

Secretary of State

2.13 Paragraph 1(6) of Schedule 3 of the GPDO specifies that the Secretary of State must be notified of the direction on the first date that notification was given under sub-paragraph (1). The first date was 11th November, the date that the local advertisement was published and the first site notices were put up. Therefore the notification was sent to the Secretary of State via the National Planning Casework Unit on the morning of Thursday 11th November, including the notice, the direction itself and the evidence document. An acknowledgement was received on 25th November 2021. This acknowledgement requested the proposed direction boundaries in digital format, which the Council provided on 25th November.

Other

- 2.12 After making the direction, the Council made revisions to its webpage on Article 4 directions to consolidate it and present information in a more user-friendly format. This included a new interactive map which included the boundary of the proposed new Article 4 direction alongside all existing Article 4 direction boundaries. This was considered to be a better way in which to view the information than PDF maps.

3. Summary of Responses

- 3.1 Responses were received from 4 individuals or organisations. The respondents are set out below.
- Mr Robert Cox;
 - Mr Richard Lainchbury;
 - National Highways; and
 - Universities Superannuation Scheme.
- 3.2 The following points were among those raised by respondents. The full set of representations is set out in Appendix 3.
- One of the responses offered no comment on the direction;
 - Two of the responses were generally supportive but sought the inclusion of additional areas within the direction;
 - One of the responses objected to the making of the direction. The concerns include that the approach did not accord with national policy around the use of Article 4 directions, that it reduces necessary flexibility, prevents measures to increase the delivery of housing and meet Reading's housing need, prevents acceptable changes of use, and creates uncertainty that can impact on investment decisions for assets.
- 3.3 Detailed summaries of each individual representation, as well as a response from the Council are included in Appendix 3.

APPENDIX 1: LOCAL PRESS NOTICE

READING BOROUGH COUNCIL

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (“the Order”)

Notice of the making of a Non-immediate Direction under Article 4

NOTICE IS GIVEN that **READING BOROUGH COUNCIL** made a non-immediate Direction (“the Direction”) on 10 November 2021 under Article 4(1) of the Order.

Description of Development: The Direction applies to development falling within the following classes of Schedule 2 of the Order (“Development”):

-Part 3, Class MA: development consisting of a change of use of a building or any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 (as amended) (“the UCO”) to a use falling within Class C3 (dwellinghouses) of Schedule 1 of the UCO within the identified areas listed below;

-Part 3, Class M: development consisting of a change of use of a building or any land within its curtilage from the following sui generis uses:

- hot food takeaway,
- betting office,
- payday loan shop, or
- laundrette

of Schedule 2 to the UCO to a use falling within Class C3 (dwellinghouses) of Schedule 1 of the UCO within the identified areas listed below;

-Part 3, Class N: development consisting of a change of use of a building or any land within its curtilage from the following sui generis uses:

- casino or
- amusement arcade

of Schedule 2 to the UCO to a use falling within Class C3 (dwellinghouses) of Schedule 1 of the UCO within the identified areas listed below;

-Part 20, Class ZA: development consisting of the demolition of the following Class C3 uses:

- single, purpose built, detached block of flats or
- single, detached office, light industrial or research and development building

of Schedule 2 to the UCO and replacement by the following uses falling within Class C3 (dwellinghouses) of Schedule 1 of the UCO:

- detached block of flats or
- detached house

within the identified areas listed below;

-Part 20, Class AA: development consisting of up to two additional residential storeys on a detached building in use for:

- retail (Class E(a)),
- financial and professional services (Class E(c)),

-restaurant and café (Class E(b)),
-office, research and development or light industrial (Class E(g)),
-betting shop, payday loan shop or launderette (sui generis) or
-a mix of the above uses or a mix of the above uses with residential (Class C3).
of Schedule 2 to the UCO within the identified areas listed below;

-Part 20, Class AB: development consisting of up to two additional residential storeys on a two or more storey terraced building or one additional residential storey on a one storey terraced building in use for:

- retail (Class E(a)),
- financial and professional services (Class E(c)),
- restaurant and café (Class E(b)),
- office, research and development or light industrial (Class E(g)),
- betting shop, payday loan shop or launderette (sui generis) or
- a mix of the above uses or a mix of the above uses with residential (Class C3).

of Schedule 2 to the UCO

within the identified areas listed below as shown in the Second Schedule of the Direction (“Relevant Areas”);

- the town centre as defined in the Reading Borough Local Plan;
- district and local centres, as defined in the Local Plan;
- core employment areas, as defined in the Local Plan;
- other primarily commercial or retail locations; and
- areas with the poorest levels of air quality.

Effect of the Direction: From 15 November 2022, permission granted by the Order shall not apply to Development carried out within the Relevant Areas described above, unless express planning permission is granted by Reading Borough Council on an application made to them.

In accordance with Article 4 (2) (a) of the Order, the Direction does not affect the carrying out of Development where in relation to that Development the prior approval date occurs before the date on which the Direction comes into force on 15 November 2022 and the development is completed within a period of 3 years starting with the prior approval date

A copy of the Direction, including the map defining the Relevant Areas, can be viewed at Reading Borough Council Civic Offices, Bridge Street, Reading RG1 2LU from 9am-5pm Monday to Friday (apart from Bank Holidays) between 15 November 2021 and 15 November 2022 or on the Council’s website at <https://www.reading.gov.uk/planning/article-4-directions/>

Representations on the Direction can be made between 15 November 2021 and 13 December 2021 (inclusive) by email to planningpolicy@reading.gov.uk or by post to Planning Policy, Planning Section, Reading Borough Council, Bridge Street, Reading, RG1 2LU. Any representations must be received by 5pm on Monday 13 December 2021.

It is proposed that the direction will come into force on 15 November 2022 subject to consideration of any representations received during the consultation period and the Direction being confirmed by Reading Borough Council.

APPENDIX 2: SITE NOTICE

Notice of the making of a Non-immediate Direction under Article 4

NOTICE IS GIVEN that **READING BOROUGH COUNCIL** made a non-immediate Direction ("the Direction") on 10 November 2021 under Article 4(1) of the Order.

Description of Development: The Direction applies to development falling within the following classes of Schedule 2 of the Order ("Development"):

-Part 3, Class MA: development consisting of a change of use of a building or any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 (as amended) (UCO) to a use falling within Class C3 (dwellinghouses) of Schedule 1 of the UCO within the identified areas listed below;

-Part 3, Class M: development consisting of a change of use of a building or any land within its curtilage from the following sui generis uses: hot food takeaway, betting office, payday loan shop, or launderette of Schedule 2 to the UCO to a use falling within Class C3 (dwellinghouses) of Schedule 1 of the UCO within the identified areas listed below;

-Part 3, Class N: development consisting of a change of use of a building or any land within its curtilage from the following sui generis uses: casino or amusement arcade of Schedule 2 to the UCO to a use falling within Class C3 (dwellinghouses) of Schedule 1 of the UCO within the identified areas listed below;

-Part 20, Class ZA: development consisting of the demolition of the following Class C3 uses: single, purpose built, detached block of flats or single, detached office, light industrial or research and development building of Schedule 2 to the UCO and replacement by the following uses falling within Class C3 (dwellinghouses) of Schedule 1 of the UCO: detached block of flats or detached house within the identified areas listed below;

- Part 20, Class AA, Part 20: development consisting of up to two additional residential storeys on a detached building in use for: retail (Class E(a)), financial and professional services (Class E(c)), restaurant and café (Class E(b)), office, research and development or light industrial (Class E(g)) betting shop, payday loan shop or launderette (sui generis) or a mix of the above uses or a mix of the above uses with residential (Class C3) of Schedule 2 to the UCO within the identified areas listed below;

-Part 20, Class AB, Part 20: development consisting of up to two additional residential storeys on a two or more storey terraced building or one additional residential storey on a one storey terraced building in use for: retail (Class E(a)), financial and professional services (Class E(c)), restaurant and café (Class E(b)), office, research and development or light industrial (Class E(g)), betting shop, payday loan shop or launderette (sui generis) or a mix of the above uses or a mix of the above uses with residential (Class C3) of Schedule 2 to the UCO within the identified areas listed below.

In accordance with Article 4 (2) (a) of the Order, this Direction does not affect the carrying out of development where in relation to that development the prior approval date occurs before the date on which the direction comes into force on 15 November 2022 and the development is completed within a period of 3 years starting with the prior approval date.

Relevant Areas: the town centre, district and local centres and core employment areas as defined in the Local Plan, other primarily commercial locations, and areas with the poorest levels of air quality, as shown on the map attached to the Direction.

Effect of this Direction: Permission granted by the Order shall not apply to Development carried out within the Relevant Areas described above, unless express planning permission is granted by Reading Borough Council on an application made to them.

Representations on the Direction: These can be made between 15 November 2021 and 13 December 2021 (inclusive) by emailing planningpolicy@reading.gov.uk or by post to Planning Policy, Planning Section, Reading Borough Council, Bridge Street, Reading, RG1 2LU. Any Representations must be received by 5pm on Monday 13 December 2021.

Proposed date Direction will be in force: 15 November 2022

A hard copy of the Direction, including the map defining the area covered, can be viewed at Reading Borough Council Civic Offices, Bridge Street, Reading RG1 2LU from 9am-5pm Monday to Friday (apart from Bank Holidays) between 15 November 2021 and 15 November 2022 or on the Council's website at <https://www.reading.gov.uk/planning/article-4-directions/> or by **scanning the QR code.**



APPENDIX 3: SUMMARY OF REPRESENTATIONS AND COUNCIL RESPONSES

The table below includes summaries of the representations received to the consultation. Please be aware that these are not necessarily verbatim comments, rather they are summarised for ease of reference.

Table 1: Summary of representations received and Council responses

Name	Representation	Council Response
Mr Robert Cox	<p>If my understanding is correct the aim is to control the loss of sites which employ people, i.e., businesses of one form or another, to residential accommodation.</p> <p>While it is clear that there is a demand for houses, equally there must also be sufficient employment otherwise the local economy will become unbalanced. Therefore I support this scheme which gives the Council some control over the potential loss of employment within Reading.</p> <p>I am also glad to see that the Council has included controls on the potential construction of new dwellings on the top of existing business premises, whether detached or terraced. Reading has several local centres where the buildings date from the late 19th and early 20th century such as the shops close to me in Christchurch Road included in Area 33 of the map and which could contribute considerably more to the street scene and local heritage interest than they do at present. By ruling out significant changes to the buildings' height and roof form, this Directive could, given some care and attention to the buildings, make it possible to re-generate and support a more inclusive atmosphere to these local areas. The newer centres built since the Second World War will benefit as well since the architectural cohesion can be maintained.</p> <p>If it is not too late I would ask that the small shopping/business area at the southern end of Northcourt Avenue at its junction with Cressingham Road and Sycamore Road also be included in this scheme. Any increase in building heights or loss of local employment would not be beneficial to the area.</p> <p>It is known that 'heritage' is good for business as is an unthreatening environment in and around shopping centres.</p> <p>I support the reasons for this Article 4 Directive and I hope that it achieves its aims.</p>	<p>Noted.</p> <p>In terms of the area at the junction of Northcourt Avenue and Cressingham Road, this currently consists of three shops, a car workshop and a scout headquarters. Whilst the Council agrees that, in principle, proposals to change commercial into residential in all locations should go through the planning application process, national policy sets a high bar in terms of justifying inclusion of areas within a direction. The Council's view was that, in terms of local centres, those that had been defined in the Local Plan and therefore been through a process of evidence collection, consultation and public examination as defined centres would give the most robust basis for decision making.</p> <p>There may be possibilities to extend the direction in the future should this be justified and necessary due to the likely harm in other areas.</p>

Name	Representation	Council Response
Mr Richard Lainchbury	<p>I'd like to say that I fully support this direction, and I don't think these go far enough. They should include more areas where new residential areas are poorly supported.</p> <p>I'd like to see the area around the moorings included as well. This area has a contentious issue with a rather aggressive developer. Converting this plot into housing would cause many issues that are well known to the planning department. This would help put the matter to rest as any changes would allow the council to control development and due process followed.</p>	<p>Noted.</p> <p>It is understood that this response related to the moorings at Mill Green in Caversham. It is not clear that any buildings on this site are within a use that could benefit from the permitted development rights that this direction seeks to address. However, if they could, according to our latest Strategic Flood Risk Assessment (2017), the whole of this site is within Flood Zone 3b, the functional floodplain. Within the prior approval process, the Council is able to take flood risk into account, and it is clear from national policy that residential development in the functional floodplain would not be appropriate. Therefore, adequate tools to address these specific rights in this location already exist.</p> <p>Whilst the Council agrees that, in principle, proposals to change commercial into residential in all locations should go through the planning application process, national policy sets a high bar in terms of justifying inclusion of areas within a direction, and the area of the direction has therefore had to be minimised to the smallest geographical area possible.</p>
National Highways	We have reviewed submitted information and have 'No Comments'.	Noted. No change needed.

<p>Universities Superannuation Scheme</p>	<p>USS strongly disagrees with the Council's approach to applying a wide reaching Article 4 Direction to large areas of Reading. This is in direct conflict with Paragraph 53 of the National Planning Policy Framework which requires Article 4 Directions to apply to the smallest geographical area possible. USS therefore requests that the Council does not confirm the Article 4 as proposed. The reasons for this are set out below.</p> <p><u>Mixture of Uses in Town Centres</u></p> <p>USS acknowledges the important role that commercial floor space plays in the local and national economy and is pleased that the Council shares this view. However, USS also recognises the need for new housing and supports the flexibility which permitted development rights provide, particularly the flexibility they offer for the ongoing viability of commercial assets, including the ability for new homes to come forward in sustainable town centre locations.</p> <p>A mixture of uses in town centre locations can help support the vitality and character of the wider area and support its economic performance. The wider social and economic impacts can also be greater, for example by creating mixed communities that support and improve the viability of existing uses in town centres.</p> <p>Class MA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) which permits development for the change of use from Use Class E (commercial) to Use Class C3 (residential) allows commercial buildings to contribute to increasing the housing stock. This can take place as part of a mix of uses, retaining some of the employment space whilst providing complementary residential uses where appropriate. USS believes that these opportunities should not be restricted given the context of a national housing crisis that is particularly prevalent in the South East.</p> <p>Paragraph 38 of the When is Permission Required Planning Practice Guidance (2021) states that Article 4 Directions should be limited to situations where an Article 4 direction is necessary to avoid wholly unacceptable adverse impacts. USS considers that this is not the case for the Site. The Site and its structure are well suited to a mixed employment and residential use which could be achieved through Class MA of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). This is because of the Site's central location and the large floor plates within Aquis House.</p> <p>Reading Town Centre is a highly sustainable town centre location which already supports successful residential development. Commercial uses could be retained on the ground floor of town centre buildings and could be complemented with residential uses above ground floor level, which would improve the vitality of the area. The permitted development rights should therefore not be restricted.</p> <p><u>Adjacent Change of Use</u></p>	<p>No change proposed.</p> <p>The Council considers that this direction already seeks to cover the smallest geographical area possible to address the wholly unacceptable adverse impacts. This is set out in detail in the supporting evidence document. The area proposed to be covered represents only 12% of the Borough's area, and its coverage has been robustly justified.</p> <p><u>Mixture of Uses in Town Centres</u></p> <p>The Council recognises the benefits of a mix and diversity of uses in town centres, including residential, and has policies in place to achieve exactly that. As set out in the evidence document, an increasing residential presence in the centre of Reading is a long-term trend that pre-dated the office to residential PDR by many years, and has been achieved through the planning application route. The planning application process, where an application is judged against those policies ensuring a mix of uses, is the way to ensure that a mix and diversity is maintained.</p> <p>The Evidence Document demonstrates that PDR has not resulted in a clear boost to overall housing supply in Reading, with overall housing delivery at similar levels before and after introduction of PDR. Nor has it resulted in a particular boost to town centre housing.</p> <p>It is stated that residential uses of upper floors could be allowed whilst retaining the ground floors in commercial use. However, the effect of the current PDR is that, without this direction, the Council would have no control over the retention of even ground floor uses within the centre. As such, allowing continued unrestricted use of PDR within central Reading is likely to lead to a decrease rather than an increase in mix and diversity of uses.</p> <p>The important point to make clear is that an Article 4 direction does not mean that employment uses cannot necessarily be converted to residential, rather it puts in place a mechanism for ensuring that such conversions are appropriate and mitigate their impacts.</p> <p><u>Adjacent Change of Use</u></p> <p>The fact that an adjacent building was considered appropriate for a change of use to residential in terms of contamination, transport, flood risk and noise, the only matters that could have been taken into account at the time, does not mean that an adjacent change of use will be appropriate. Nor does the introduction of the Article 4 direction necessarily mean that such a change of use would be inappropriate. The direction is to reintroduce a mechanism that ensures the impacts can be adequately considered.</p> <p><u>Housing Need</u></p> <p>The Evidence Document demonstrates that the average number of homes completed per year in Reading overall does not appear to have increased as a</p>
---	--	--

<p>The adjacent building that is in USS' ownership, 33 Blagrove Street Reading, was granted prior approval on 15 August 2018 for:</p> <p>“Change of use from Class B1(a) (offices) to C3 (dwelling houses) to comprise of 28 dwellings (17 x 1-bed and 11 x 2- bed) . Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.”</p> <p>The officers report identified that there were no concerns in relation to Transport and Highways; Contamination; Flood Risk and Noise from surrounding commercial premises. This has established the principle of a change of use being acceptable and it is likely a similar conclusion would be reached for Aquis House. The Council should not be restricting changes of use that are acceptable though a blanket approach Article 4 Direction.</p> <p><u>Housing Need</u></p> <p>The Local Plan (2019) sets a housing target for the Council of 15,847 homes (averaging 689 homes per annum) for the period 2013 to 2036. The Local Plan proposes to provide the majority, but not all, of Reading’s housing need. A shortfall of 230 dwellings was identified to be provided elsewhere in the Western Berkshire Housing Market Area. By restricting permitted development rights, the Council is further restricting its ability to deliver its own housing need within Reading Borough Council boundaries.</p> <p>The proposed Direction could therefore impact the delivery of housing within the area which contradicts national planning policy. Paragraph 60 of the National Planning Policy Framework states that <i>“to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed”</i>.</p> <p>It is important to note that residential development delivered through permitted development rights can lead to good quality homes which contribute to solving the housing crisis. Under the Town and Country Planning (General Permitted Development) Order 2015 (as amended), prior approval is required for conversions to residential use. The Council therefore has the ability to prevent conversions that would be unacceptable through the prior approval process without the need for the Article 4 Direction. Furthermore, conversions are subject to extensive conditions set out in Class MA which prevent unacceptable conversions.</p> <p><u>Asset Management</u></p> <p>It is also important to note that it is unlikely commercial assets would be converted to residential uses unless demand for commercial uses reduces considerably. The balance of supply and demand for commercial uses would ensure that commercial space that is in demand is not lost to residential, whilst allowing underutilised commercial space to contribute to solving the housing crisis and to contribute to the ongoing vitality of town centres. Town centres are susceptible to change in line with economic and cultural circumstances and consequently require flexibility to adapt to these changes.</p>	<p>result of the introduction of PDR, and it is not therefore considered that removal of these rights will necessarily reduce housing delivery.</p> <p>It is also important that the answer to the housing crisis is not to provide a large amount of poor-quality homes. It is appreciated that there is nothing to prevent developments under PDR providing a high quality of accommodation, but equally, as demonstrated in the Evidence Document, there is nothing to prevent PDR development providing an extremely poor quality of accommodation in entirely inappropriate locations. Those developers who provide an appropriate, high quality development can continue to do so by making a planning application.</p> <p><u>Asset Management</u></p> <p>The Council does not share the view that commercial floorspace would only be converted to residential when the demand for commercial floorspace reduces. The evidence so far has been that most office buildings converted to residential in Reading had some form of office occupation before being converted, and therefore did not to pay Community Infrastructure Levy. Some commercial values fall below residential values, as seen in the Evidence Document, but this nevertheless represents important floorspace, including for small and growing businesses.</p> <p>The effect of the direction would, by design, reduce some flexibility for landowners, but the Council’s view is that this flexibility should not be prioritised over the wholly unacceptable forms of harm identified in the Evidence Document. With a planning application required, the up-to-date policies in the Local Plan should provide sufficient certainty for landowners about what would be acceptable.</p> <p><u>Conclusion</u></p> <p>It is not agreed that the direction should not be confirmed. The prior approval process does not give sufficient tools to resist development that causes the wholly unacceptable adverse impacts identified, which is why this direction is necessary.</p>
--	---

Name	Representation	Council Response
	<p>The existing permitted development rights system provides certainty and flexibility for landowners to assist in the future planning of assets. This is in line with Paragraph 82 of the National Planning Policy Framework which identifies that planning policies should “be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.” The continued flexibility allows landowners to respond quickly and effectively to changing demand, ensuring assets can be fully utilised according to changing needs. In comparison, an increase in uncertainty can impact on future investment decisions for such assets. The proposed Article 4 Direction reduces this flexibility, which could stifle economic growth and risks the creation of derelict sites, should demand for the commercial use of these assets reduce in the future. The current permitted development rights reduce this risk significantly.</p> <p>USS considers that sites, such as Aquis House, present attractive and sustainable opportunities for future residential development should the demand for employment floor space reduce in the future. The Site is a good example of a sustainable town centre location that would be well suited for residential redevelopment. The Site would also be suitable for a mixture of residential and commercial uses.</p> <p>Due to the complexities involved in asset management and to ensure that its assets retain the ability to respond to an ever-changing economic climate, USS urges the Council to reconsider confirming the Article 4 as proposed to not restrict management of its asset in the future. USS considers that the most efficient way to manage this is through the flexibility of the current permitted development rights and not through the implementation of the proposed Article 4 Direction.</p> <p><u>Conclusion</u></p> <p>In summary, USS objects to the proposed restrictions of permitted development rights and requests that the Council does not confirm the Article 4 as proposed. Residential uses are often acceptable alongside other town centres uses and the Council should instead use the prior approval process to prevent conversions that would be unacceptable, allowing acceptable conversions to provide much needed housing in the area.</p>	