

59a Basingstoke Road, RG2 0ER



Statement of Compliance

Change of use from
Commercial, Business and
Service (Use Class E) to
Dwellinghouses (Use Class
C3)

Issue: Planning

Date: May 2022

Ref: 814

Client: Redhatch Property
Management Ltd.



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**Town and Country Planning (General Permitted Development)
Order 2015 Schedule 2, Part 3, Class MA**

**Proposal: f prior approval is required for a proposed:
Change of use from Commercial, Business and Service (Use
Class E)to Dwellinghouses (Use Class C3)**

Site: 59a Basingstoke Road, Reading, RG2 0ER

This application seeks formal confirmation from the council that the change of use of the application site from office (Class E) to residential (C3) constitutes permitted development in accordance with the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 3, Class MA. Class MA of the GPDO permits the change of use from Commercial (E) to Residential (C3).

In accordance with the legislation this application is accompanied by:

- (a) a written description of the proposed development;
- (b) a plan indicating the site and showing the proposed development; and
- (c) the developer's contact address.

In accordance with the condition, this 'Statement of Compliance' has been produced to accompany the application. The Statement sets out how the proposal complies with the legislation and confirms the change of use is acceptable in terms of transport and highways impacts, contamination risk and flooding risk.

This application is supported by the following plans and statements:

- A site location plan showing the site outlined in red and the proposed parking;
- Proposed plans to show the layout of the units following the change of use; and
- This statement setting out how the change of use complies with the legislation in terms of transport and highways, flooding and contamination.

Developers contact details

Redhatch Property Management Limited, 59a Basingstoke Road, Off Surrey Road,
Reading, UK, RG2 0ER

The proposed development

The proposed development comprises the change of use of the existing building from Commercial (E) to Residential (C3).

The existing office building comprises 47.9m²(GIA) of unrestricted office use arranged over two floors with its own dedicated entrance. The premises was previously used by the applicant, but since the start of the COVID crisis the property has not been used. The proposed change of use will comprise of a 1 bedroom (1 person) self-contained residential units.

The existing two storey building is located to the behind No.59, and accessed of a private drive which spurs off Surrey Road. The building is of substantial construction and being a small-scale office building in a sustainable location is very well suited to conversion to residential use. Very few internal alterations are required but these are limited to the removal and insertion of non-load bearing partition walls. The building is well suited to residential conversion and will provide much needed high-quality housing which is a significant benefit.

Bins are currently stored on the shared access road and this will be the case for residential refuse collection.

Compliance with legislation

Schedule 2 (Part 3) Class MA – Office to dwellinghouses sets out a number of criteria that the building test whether the commercial building benefits from the rights to change to residential accommodation. A summary of this criteria is listed below along side a short star

MA.1 Development is not permitted by Class MA if...

(a) unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval;

(b) unless the use of the building fell within one or more of the classes specified in sub-paragraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;

The property has been in commercial use for since 2010, in recent years the applicant has operated his property management company Redhatch Property Management Limited from the application building, demonstrating use as a commercial use Class E.

The property has not been used by Redhatch Property Management Limited since the start of COVID (March 2020). The pandemic introduced a work from home culture, which was found to be as efficient and therefore the need for the office disappeared. Some remnants of the former use remain at the property such as furniture and old files, but this will soon be removed.

(c)if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;

The property has a gross internal area of 47.9m² which is less than 1,500 sqm, and also proposes a 1b 1person dwelling that meets local spatial standards.

(d)if land covered by, or within the curtilage of, the building–

- (i)is or forms part of a site of special scientific interest;
- (ii)is or forms part of a listed building or land within its curtilage;
- (iii)is or forms part of a scheduled monument or land within its curtilage;
- (iv)is or forms part of a safety hazard area; or
- (v)is or forms part of a military explosives storage area;

(e)if the building is within–

- (i)an area of outstanding natural beauty;
- (ii)an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981(1);
- (iii)the Broads;
- (iv)a National Park; or
- (v)a World Heritage Site;

The application site is outside of all these restricted areas and the building is not listed.

(f)if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or

The site is not occupied under an agricultural tenancy.

(g)before 1 August 2022, if–

(i)the proposed development is of a description falling within Class 0 of this Part as that Class had effect immediately before 1st August 2021; and

(ii)the development would not have been permitted under Class 0 immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.

There is no Article 4(1) direction preventing Class 0, preventing development before 1st August 2021.

(2) The classes mentioned in sub-paragraph (1)(b) are the following classes of the Use Classes Order—

(a) the following classes of the Schedule as it had effect before 1st September 2020—

(i) Class A1 (shops);

(ii) Class A2 (financial and professional services);

(iii) Class A3 (food and drink);

(iv) Class B1 (business);

(v) Class D1(a) (non-residential institutions – medical or health services);

(vi) Class D1(b) (non-residential institutions – crèche, day nursery or day centre);

(vii) Class D2(e) (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink;

(b) on or after 1st September 2020, Class E (commercial, business and service) of Schedule 2.

Prior to 1st September 2020 and being allocated Class E, the property would have been classed as Class B1 (Business).

CONDITIONS

MA.2.—(1) Development under Class MA is permitted subject to the following conditions.

(2) Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

(a) transport impacts of the development, particularly to ensure safe site access;

The proposed dwelling has no allocated parking, although Surrey Road is unrestricted and the current office users park on this road. The previous office users normally had two cars, serving the two employees. As the proposal is for a small 1 person dwelling it is reasonable to suggest that the occupant would not have a car and rely on public transport; which is well provided for within the immediate area. Bus services on Basingstoke road regularly run to the town centre and the train station is a 15 minute walk.

(b) contamination risks in relation to the building;

The previous use of the building does not indicate that there should be any contamination. Further, the proposed works to convert to a residential dwelling will not include excavation works.

(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006(2),

the impact on the local provision of the type of services lost.

This property and immediate area is not considered as important for heavier industrial uses or provision of nursery or health services.

(3) An application for prior approval for development under Class MA may not be made before 1 August 2021.

Not applicable – date passed

(4) The provisions of paragraph W (prior approval) of this Part apply in relation to an application under this paragraph as if in the introductory words in sub-paragraph (5), for “and highways impacts of the development” there were substituted “impacts of the development, particularly to ensure safe site access”.

No parking is proposed, so there is no site access safety issue.

(5) Development must be completed within a period of 3 years starting with the prior approval date.

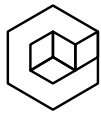
It is understood that this will be a condition of any consent.

(6) Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.”.

If implemented, it is understood that the use class of the building will convert to C3 residential.

Summary

This statement illustrates that the application for Class MA change of use complies with the legislation set out in Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 3. On this basis Reading Borough Council should grant consent for this change of use application.



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