

Planning Department
Reading Borough Council
Civic Offices
Bridge Street
Reading
RG1 2LU

5 February 2025

Dear Sir/Madam

ABBAY GARDENS, ABBAY STREET, READING, RG1 3BA

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

Notification for prior approval for a proposed change of use of a building from office use (Class E) to Residential (Class C3)

We write on behalf of our client, Mc Grath Group, to submit an application for Prior Approval in relation to the above property at Abbey Gardens, Abbey Street, Reading, RG1 3BA.

The application is for the change of use of part of the ground to fifth floor from office use (Class E) to residential (Class C3) in accordance with permitted development under Class MA of the General Permitted Development Order (GPDO) (2015) as amended. Car and cycle parking, storage, plant refuse storage and a lobby are located at the lower ground floor level with residential accommodation proposed on the ground to fifth floors.

The Application Submission

The application submission comprises of the following documents and architectural plans:

- Application forms duly completed and signed;
- Existing Lower Ground Floor Plan (ref: 209_P.01);
- Existing Ground Floor Plan (ref: 210_P.01);
- Existing First Floor Plan (ref: 211_P.01);
- Existing 2nd - 4th Floor Plan (ref: 212_P.01);
- Existing 5th Floor Plan (ref: 215_P.01);
- Existing East and West Elevation (ref: 500_P.01);

- Existing North and South Elevation (ref: 501_P.01);
- Proposed Lower Ground Floor Plan (ref: 309_P.01);
- Proposed Ground Floor Plan (ref: 310_P.01);
- Proposed First Floor Plan (ref: 311_P.01);
- Proposed 2nd - 4th Floor Plan (ref: 312_P.02);
- Proposed 5th Floor Plan (ref: 315_P.01);
- Site Location Plan (ref: 200_P.01);
- Value Two Tower Bike Rack Brochure;
- Accommodation Schedule;
- Noise Impact Assessment (ref: 28800.NIA.01);
- Flood Risk Assessment (ref: 5292/2025 Rev A);
- Phase I Desk Study (ref: GWPR6366/DS/December/ 2024);
- Daylight Sunlight Assessment (ref: ROL01535);
- Transport Statement (ref: 24553_TS01);
- Fire Safety Report (to follow under separate cover).

The requisite planning fee of £11,570 will follow under separate cover.

The Site

Abbey Gardens is located in the centre of Reading, close to key amenities, services and excellent public transport links, including less than a 10-minute walk to Reading Train Station and local bus routes.

The area surrounding the property is largely in commercial use but there are residential uses above ground floor in the vicinity. The site is located adjacent to Abbey Ruins and the River Kennet. The property is not statutorily listed nor located within a Conservation Area or a Scheduled Ancient Monument.

Abbey Gardens comprises a 1980s purpose built office building that has been in its entirety within Class E (formerly B1(a)) for a number of years. The building extends up to seven seven-stores with a mansard roof and two car parking levels below. It has a mostly glass window exterior, supported by concrete slabs. It is a multi-tenanted building with main entrances to the 'South Block' from Kings Road, to the 'Middle Block' from the west via Abbey Street and to the 'North Block' opposite Abbots House. Chestnut Walk continues under the building to connect to Abbey Street.



Figure 1: Abbey Gardens (as existing)

Planning History

A desktop search for the planning history has been undertaken on Reading BC website and summarised as follows:

Decision Date	Description of Development and Reference	Decision
19/04/2023	New glazed entrance and external step platform lift (ref PL/23/0211)	Approved
01/03/2021	Removal of 1No. glazed panel and the installation of a new air intake/outlet to match existing (part retrospective)	Approved
27/05/2020	Remove existing glazed panel and replace with new entrance door to terrace area (ref: PL/20/0477)	Approved
10/01/2020	Removal of 2no glazed panels and installation of new Air Intake Louvres to match existing (ref: PL/19/1777)	Approved
10/05/2018	External terrace and decked area (ref: PL/17/2261)	Refused

04/10/2012	Non-material change to planning permission 11/01726/FUL for modifying and raising the levels of the planters to the south elevation along Kings Road to include for the existing floor structure below (ref: PL/12/1582)	Approved
04/10/2012	3 Maples - crown reduced by 2-2.5m, crown clean and crown lift to 4m (ref: PL/12/1851)	Split
22/08/2012	Hoarding marketing wrap and 2 halo illuminated entrance signs (ref: PL/12/0497)	Approved
15/08/2012	Certificate of Lawfulness for proposed new door (ref: PL/12/1616)	Approved (Permitted Development)
28/06/2012	Discharge of condition 4 of planning permission 11/01726/FUL (ref: PL/12/1139)	Approved
11/02/2012	Non-Material Amendment to permitted application 200477 - revise the design from a single door to a single door with side and overhead glazed panels.	Approved
07/02/2012	Installation of new plant and alterations to the roof to create associated louvre openings (PL/11/1790)	Approved
04/01/2012	Remodelling of existing office entrance area and alterations to access to include disabled entrance and lift (PL/11/0658)	Approved

Permitted Development Right

Class MA allows for development consisting of a change of use of a building and any land within its curtilage from a use falling within its curtilage from a use falling within Class E to C3 dwellinghouses.

Development is not permitted in certain circumstances:

Reference	Restriction	Comment
MA.1. (1) (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 use of the subject part of the building has been in lawful Class E (or B1(c)) since its construction in the 1980s.

MA.1. (1) (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	None of these restrictions apply. It is noted that the Abbey Ruins Scheduled Monument is adjacent to the site but does not extend to the curtilage of the application building.
MA.1. (1) (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(3); (iii)the Broads; (iv)a National Park; or (v)a World Heritage Site	None of these restrictions apply.
MA.1. (1) (f)	if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained	The site is not occupied under an agricultural tenancy.
MA.1. (1) (g)	before 1 August 2022, if— (i)the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and (ii)the development would not have been permitted under Class O 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.	No relevant because the application is made after August 2022.
MA.1. (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.	The subject part of the building is in lawful Class E Use.

Under MA.2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 3, Class MA states that an application must be made to the Local Planning Authority for a determination as to whether the prior approval of the Authority will be required as to:

- a) transport and highways impacts of the development;
- b) contamination risks on the site;
- c) flooding risks on the site;
- d) impacts of noise from commercial premises on the intended occupiers of the development;
- f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;
- g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses;
- h) where the development involves the loss of services provided by - (i) a registered nursery, or (ii) a health centre maintained under section 2 or section 3 of the National Health Service Act 2006.

Criterion (E), the impact of the change of use on the character or sustainability of the area is not a relevant consideration as the subject building is not located in a conservation area or involves a change of use of the whole or part of the ground floor. Criterion (h) is not relevant either due to the existing building not comprising a nursery or a health centre.

Under The Town and Country Planning (General Permitted Development) (England) (Amendment) Regulations 2020 there is also a requirement for the new dwellinghouses to comply with the nationally described space standards, including a minimum floor to ceiling height of 2.3m (for at least 75% of the dwelling).

Permitted Development Class MA Criteria

Assessment of the proposal against each of the six Permitted Class MA criteria is set out below:

Highways

A Transport Statement prepared by Markides is submitted in support of the application. The property benefits from excellent accessibility, being located within walking distance of Reading Train Station and several local bus stops. As a town centre location, future residents will have convenient access to local services and amenities, reducing the need for car dependency.

Three accessible car parking spaces are proposed for future residents within the existing lower ground floor, with the remainder of parking proposed for the office use. This is in line with the requirements set out in the Revised Parking Standards and Design document (2011). The proposal includes adequate cycle storage (48 spaces) in accordance with the Revised Parking Standards and Design document (2011). A secure cycle storage facility is proposed at the lower ground floor level.

An assessment of the trip generation contained within the Transport Statement concludes that the proposed development will have a positive impact on the existing highway network, with a reduction of vehicle trips to and from the site, when compared to the consented use.

Communal bin storage is located on the lower ground floor level as demonstrated on plan ref: 309_P.01.

Based on the above it is considered that the application is acceptable from a highway's perspective.



Contamination

A Phase 1 Ground Conditions Assessment has been submitted in support of the application. The Assessment recommends that further investigations should be undertaken to confirm that there are no pollutants present on-site. It is considered that requirements for further investigations under a Phase II Assessment can be secured under planning condition, as is common.

Flooding

A Flood Risk Assessment has been submitted in support of the application. The site is partially located within Flood Zone 3. The source of flooding is the River Kennet, an EA Main River.

Assessing the 2D flood levels against the topographical survey levels at the site, it can be confirmed that the finished floor levels at the ground floor level remain above even the 0.1%AEP 2D flood level of 37.19mAOD. The top of bank levels recorded along the River Kennet where it flows through the centre of the site is 37.50mAOD, 310mm above the 0.1%AEP 2D flood level. Along the eastern boundary of the site, the lowest recorded top of bank level is 37.49mAOD, 300mm above the 0.1%AEP 2D flood level. It can be concluded that even in the extreme 0.1%AE event, flood flows are likely to remain within the channel.

All entrances into the building are located in Flood Zone 1 and the southern and northern entrances remain outside the modelled surface water flood extent therefore a suitable access and egress route has been demonstrated.

Appropriate mitigation measures have been outlined in the accompanying Flood Risk Assessment which reduces flood risk to future residents. On this basis, the proposals are considered to be acceptable from a Flood Risk perspective.

Noise

A Noise Report prepared by KP Acoustics is submitted in support of the application. The report demonstrates that there should be no unacceptable impacts from noise generated by nearby commercial uses on the intended occupiers of the residential development, satisfying the requirements of Class MA under Permitted Development Rights without the need for mitigation measures.

Measured noise levels allowed a robust glazing specification to be proposed, which could be installed at the discretion of the client, which would provide internal noise levels for all residential environments of the development commensurate to the design range of BS8233:2014.

While mitigation measures have been recommended to protect the proposed habitable spaces from external noise intrusion, it is important to note that these measures are not strictly required under permitted development (PD) rights. However, implementing the suggested upgrades would improve the overall living environment and ensure compliance with the recommended internal noise levels for residential use.



Natural Light

The application is accompanied by an Internal Daylight Report prepared by Anstey Horne. The report demonstrates that the Proposed Development demonstrates a very good level of compliance with the BRE Guidelines, with all habitable rooms achieving and exceeding their respective target illuminance value appropriate for their principal usage over at least 50% of the room area, alongside at most LKDs achieving BRE compliance with sunlight exposure, due to their orientation.

The daylight and sunlight quality in the Proposed Development has been carefully considered by the architectural team, who have had to balance this with the constraints of converting an existing building where in the majority of cases the orientation, size and position of the windows are already fixed with limited scope for adjustment. Room sizes and position being limited by the envelope of the existing building, Anstey Horne have worked closely with the architectural team to maximise the daylight and sunlight to the proposed flats through proposed internal rearrangement. It can therefore be concluded that the adequate light will be provided to all habitable rooms, as per the Class MA requirements.

Fire Safety

In designing the proposals, the applicant has ensured adequate consideration of fire safety, and a Fire Safety Report has been prepared to support the application submission and will follow under separate cover.

Impact on Heavy Industry, Waste Management and/ or Storage

The surrounding area is largely a mix of commercial (Class E) and residential uses. There are no heavy industry, waste management and/or storage and distribution uses within the immediate area. Accordingly, the change of use to residential will not detrimentally impact the carrying on of such uses.

Space Standards

The layout of the proposed units, as shown on the provided drawings will be in line with the nationally described space standards in terms of the area, size of rooms and floor to ceiling height.

Summary

This application seeks prior approval for the change of use from office use (Class E) to residential use (Class C3) to 92 units (1 and 2 bed units) as part of the prior approval application.

For the reasons outlined above this prior approval application should be supported by the Council. The site benefits from Class MA permitted development rights and the proposed development would not result in any negative impact in terms of flood risk, contamination risk, natural light, noise or transport and highways. As such, the proposal is compliant with the requirements of Class MA of the Town and Country Planning (General Permitted Development Order) (as amended).

I trust the enclosed information is sufficient to allow the prompt registration of the application and its determination within the statutory period. However, should you have any queries or require additional information please do not hesitate to contact me.



Yours faithfully

Alfie Yeatman