

DELEGATED APPLICATION REPORT

Ward: Katesgrove Ward

App Ref: PL/24/1695

Address: 89-91 BASINGSTOKE ROAD, READING, RG2 0HA

Proposal: Change of use of 1st Floor from Class E (offices) to C3 (dwelling houses) to comprise 2 flats.

Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

Applicant: GC Valley Properties Ltd

Received date: 19 December 2024

Target Decision date: 13 February 2025 (agreed extension of time to 21 March 2025)

Case Officer: Anthony Scholes

1. SITE DESCRIPTION

The application site comprises a two-storey building on the eastern side of Basingstoke Road, Reading. Access to the site is via Basingstoke Road, with vehicular access to the southern side of the building. The surrounding area consists of a mix of uses, with more commercial uses to Basingstoke Road, including industrial opposite (other than the car show room directly opposite). The neighbouring property has undergone conversion to residential under a prior approval application.



Figure 1 - Site photo

2. PROPOSAL AND SUPPORTING INFORMATION

Prior approval is sought for the proposed change of use from Commercial, Business and Service (Use Class E) to Dwellinghouses (Use Class C3) for 2 residential units. Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class MA.

The proposal seeks the creation of 2 flats (2-bed x2).

The following plans and supporting information was submitted:

Supporting letter

Drawing No. 2403_PR_300 – West (front) elevation proposed

Drawing No. 2403_EX_301 – South (side) elevation existing

Drawing No. 2403_EX_302 – East (rear) elevation existing

Drawing No. 2403_PR_301 – South (side) elevation proposed

Drawing No. 2403_EX_300 – West (front) elevation existing

Drawing No. 2403_PR_302 – East (rear) elevation proposed

Drawing No. 2403_EX_100 – Ground floor plan existing

Drawing No. 2403_EX_001 – Site location plan

Drawing No. 2403_PR_104_A – Proposed first floor plan

Drawing No. 2403_DT_600 – Schematic window to party wall plan detail

Drawing No. 2403_EX_101 – First floor plan existing

Drawing No. 2403_PR_010 – Site plan proposed

The 'Airtight noisecheck', Noise impact assessment, dated 6th-7th August 2024

The 'Soils limited', Gas risk preliminary investigation report, reference 21540/PIR Rev 1.0

As received 19 December 2024

Drawing No. 2403_PR_106 – Proposed first floor plan

As received 11 February 2025

3. CONSULTATIONS

The following were consulted:

- Waste Operations Consultations
No objection.
- Environmental Protection Consultations
No objection subject to conditions.
- Transport Development Control
No objections.

A site notice was displayed on the site. No comments were received.

4. LEGAL AND PLANNING POLICY CONTEXT

The application has been submitted to determine whether prior approval is required in accordance with Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Class MA involves development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.

Before development can be carried out under Class MA, the developer must submit a Prior Notification to determine if 'Prior Approval' of the Local Planning Authority is required in respect of the following matters:

- (a) transport impacts of the development, particularly to ensure safe site access;
- (b) contamination risks in relation to the building;
- (c) flooding risks in relation to the building;
- (d) impacts of noise from commercial premises on the intended occupiers of the development;
- (e) where—

- (i) the building is located in a conservation area, and
- (ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;
- (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; and
- (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 3 of the National Health Service Act the impact on the local provision of the type of services lost.
- (i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

Class MA requires development to be completed within a period of 3 years starting with the prior approval date. 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 the Local Planning Authority determine that Prior Approval is required, Paragraph W of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) states that the Local Planning Authority should, when determining an application, have regard to the National Planning Policy Framework (NPPF), 'so far as relevant to the subject matter of the prior approval, as if the application were a planning application' (Paragraph W, para 10b).

5. PLANNING HISTORY

PL/24/0571 - Change of use of 1st Floor from Class E (offices) to C3 (dwellinghouses). Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Application withdrawn 10 September 2024

PL/99/2001 – Internally illuminated fascia sign to front elevation and illuminated sign to side elevation. Application permitted 3 June 1999

PL/96/0393 - Erection of two storey retail (ground floor) and office use (upper floor) building. Application permitted 7 May 1996

PL/93/0756 – Signage at front of car park. Application permitted 14 January 1994

PL/93/0755 - Change of use from vacant land to car park and erection of new front wall and gate. (Retrospective). Application permitted 10 February 1994

PL/89/0611 - Demolition of existing office/workshops and storage and erection of 500 sq metres building for B1 use. Application permitted 23 October 1989

6. APPRAISAL

The proposal comprises the change of use of the front part of the ground floor of the building from Class E(a) office floorspace to 2 x Class C3 (dwellinghouse) units. The proposal is to be considered against the criteria and conditions contained within Part 3, of Class MA.1. (1) (a)-(g), of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

In addition, in order to qualify for assessment under Class MA, all applications submitted under this class from 6th April 2021 must comply with Department for Communities and Local Government's Technical Housing Standards – Nationally Described Space Standards, minimum space standards. As the application was received after the 6th April 2021 there is a requirement to comply with these minimum space standards. It can be confirmed that the proposed units comply with these minimum space standards as illustrated in the accompanying plan.

Criteria MA.1.—(1)

(b) Previous use qualification – “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;”

It can be confirmed that the building for which this application relates fell within one or more of the classes specified in subparagraph (2) (b), being Class E use.

(d) Land designation criteria – “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;”

The site does not form part of a site of special scientific interest, listed building nor land within its curtilage, a Scheduled monument or land within its curtilage, safety hazard area, nor military explosive storage area.

(e) Landscape designation criteria – “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;
- (iii) the Broads;
- (iv) a National Park; or
- (v) a World Heritage Site;”

The building is not within any such area.

(f) Agricultural tenancy criteria – “If the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;”

It can be confirmed the site is not occupied under an agricultural tenancy.

(g) Previous use criteria - “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.

It can be confirmed that the site has not been subject to development of a description falling within a Class of this part immediately before 1st August 2021, nor would such development be prevented 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.

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 Council's Transport Team raise no objection to prior approval being given as the change of use is not considered to have a material increase or a material change in the character of traffic in the vicinity of the site (as required by paragraph W(5)(a)) given the scale of the development, the location and extensive parking restrictions in the area.

(b) Contamination risks in relation to the building

No groundworks are required as part of the change of use, the site is located within an area of land gas risk. A desktop risk assessment has been provided. However, as the preliminary risk assessment concludes that further assessment is needed, a condition is recommended to provide a risk assessment, remediation scheme, and implementation prior to commencement of development.

(c) Flooding risks in relation to the building

The site is not located within Flood Zones 2 or 3 and as such the proposals are acceptable in flood risk terms.

(d) Impacts of noise from commercial premises on the intended occupiers of the development

The proposal has provided an acoustic assessment which demonstrates the building will not be impacted by road noise. However, no specific assessment has been provided with regard to commercial premise noise. A pre-commencement condition is recommended to secure a noise mitigation scheme prior to commencement of the development.

(e) where— (i) the building is located in a conservation area, and (ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;

Not applicable as the proposal site is not within a Conservation Area.

(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses

It is considered to be adequate levels of natural light to the proposed dwelling using the existing openings.

(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

The site is not within a designated core employment area or located 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 3 of the National Health Service Act 2006, the impact on the local provision of the type of services lost.

The development does not result in the loss of services provided by a registered nursery, or health centre maintained under the relevant sections.

(i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

The development is not considered to meet the fire risk condition by virtue of the height of the building.

7. CONCLUSION

The development subject of this prior notification is considered to meet the relevant criteria of Class MA of the GPDO. In considering the relevant conditions pursuant to the Prior Approval of this application, the proposal will not give rise to any transport impacts, or flooding risk. It is considered that adequate natural light would be provided in the habitable rooms. The development will not introduce a residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, and does not result in the loss of a designated service.

Subject to conditions relating to contamination, and noise from commercial premises, the scheme is considered acceptable from this perspective and is recommended for approval.

8. RECOMMENDATION

Grant.