

TOWN & COUNTRY PLANNING ACT 1990

TWO TWO BARAFUNDLE LTD

PLANNING STATEMENT

**MERCHANTS HOUSE
5-9 MERCHANTS PLACE
READING
RG1 1DT**

**Change of use of upper ground, first and second floor from offices (Class E) to
residential (Class C3) (6No. flats)**

Application under Class MA for Prior Approval

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1. INTRODUCTION

- 1.1 This statement is submitted in support of an application under Class MA for prior approval for the following:

'Change of use of upper ground, first and second floor from offices (Class E) to residential (Class C3) (6no. flats)'

- 1.2 The statement is divided into 3 main sections dealing with the following issues:

- Site Description and Planning History
- Assessment under paragraph MA.1
- Prior approval details (conditions)
- Summary and conclusion

- 1.3 In accordance with the procedures for applications for prior approval under Part 3, as set out in Section W.(2) of the Order, the application is accompanied by the following:

Written description of the proposed development: *'Change of use of upper ground, first and second floor from offices (Class E) to residential (Class C3) (6no. flats). Application under Class MA for Prior Approval'*

A plan indicating the site and showing the proposed development: *Included within the application submission documents.*

A statement specifying the net increase in dwellinghouses proposed: *The net increase is 6no. dwellings.*

A floor plan indicating the total floor space of each dwellinghouse, the dimensions and proposed use of each room, the position and dimensions of windows, doors and walls, and the elevations of the dwellinghouses. *Included within the application*

submission documents. It should be noted that the requirements are limited to floor plans and not elevations.

The developer's contact details: Two Two Barafundle Ltd, Station House, 50 North Street, Havant, Hampshire, PO9 1QU. *(please note that all correspondence should be sent to the agent for the application: Davis Planning Ltd, 19 Woodlands Avenue, Wokingham, RG41 3HL – mail@davis-planning.com)*

The developer's email address: *aidydavies@hotmail.com*

Where sub-paragraph (6) requires the Environment Agency (a) to be consulted, a site specific flood risk assessment: *As set out below, the site falls entirely within Flood Zone 1 and is not within a known area with critical drainage problems.*

2 SITE DESCRIPTION AND PLANNING HISTORY

- 2.1 The application site lies within the defined Town Centre and currently comprises of a four storey building containing a ground floor retail use with three additional floors above most recently in use as office space. This application for prior approval relates only to the upper ground, first and second floors of the building. It is understood that the building dates from the early 1980s and appears to have been constructed under planning ref.80/TP/0191 (New retail/office building, approved 17.07.1980). There are no planning conditions on this consent controlling the use of the building. The site is also part of an 'Area of archaeological potential' and the CR11 Proposal Site in the Local Plan (Station/Major Opportunity Area). The site falls outside of any designated areas covered by an Article 4 Direction restricting changes of use.
- 2.2 The surrounding area is mixed in character and appearance, comprising of both commercial and residential uses, reflecting the site's town centre location.
- 2.3 The site is in a highly sustainable area being located within Reading Town Centre and close to Reading Railway Station and local bus services.
- 2.4 The site is within Flood Zone 1 (i.e. low risk).

3 ASSESSMENT UNDER PARAGRAPH MA.1

- 3.1 Paragraph MA.1 sets out the details of development that is not permitted under Class MA. These are set out below together with a response to each confirming that there is no conflict:

(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.

Response: Prior to becoming vacant in 2024 the upper ground, first and second floors of the building (to which the application relates) were in continuous use as offices for a period well in excess of 2 years.

(d) If the 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) 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.*

Response: None of the above applies to the building or its curtilage.

(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;*
- iii) the Broads;*

iv) a National Park; or

v) a World Heritage Site

Response: The building is not within any of the areas set out in i)-v) above.

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

Response: The site not under an agricultural tenancy.

(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.

Response: Whilst the upper ground, first and second floors of the building were previously in an Office use (formerly Class B1(a)), no relevant directions under article 4(1) were in place immediately before 1st August 2021 which would have prevented the change of use of the building under Class O.

4 PRIOR APPROVAL DETAILS

4.1 Paragraph MA.2 sets out the criteria under which Class MA applications can only be considered against. These are set out below:

- 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;
- 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; and

- i) Where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building. **(A full Fire Safety Strategy accompanies the application)**

- a) Transport impacts of the development, particularly to ensure safe site access

4.2 The development would be car-free which is entirely appropriate within this highly sustainable town centre location and would not give rise to any adverse transport impacts. The existing office and retail use are not provided with any on-site parking.

4.3 The submitted plans confirm that provision has been made for cycle parking (at a ratio of 1 spaces per flat).

4.4 Prior approval is therefore not required in relation to the transport impacts of the proposal.

- b) Contamination risks in relation to the building

4.5 The site has been used for many years as a retail unit (on the lower ground floor) and offices (on the upper ground, first and second floors). The building has not therefore, been used for any previous uses likely to have generated any sources of contamination. Equally, adjoining land uses do not appear to have included any earlier industrial uses or other uses likely to have generated any material contamination sources. In any event, the proposed residential use is within the upper floors of the building and no external amenity space at ground level is proposed. Prior approval is therefore not required in relation to the contamination impacts on the proposal.

c) Flooding risks in relation to the building

- 4.6 The site falls within Flood Zone 1 which has the lowest probability of flooding. Prior approval is therefore not required in relation to the flooding impacts of the proposal.

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

- 4.7 The site is generally surrounded by offices or residential uses. There is a café/restaurant opposite the site, however this is a small, low-key use and is unlikely to result in any adverse noise impacts to intended occupiers of the development.
- 4.8 The development will therefore not be affected by noise from commercial premises in the vicinity of the site.

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;

- 4.9 The site is not located within a Conservation Area.

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

- 4.10 All habitable rooms are provided with a window providing sufficient natural light (see submitted drawings). Prior approval is therefore not required under this paragraph.

g) The impact on intended occupiers of the development of the introduction of a 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;

4.11 The building is not located within an area that is important for general or heavy industry, waste management, storage and distribution, or a mix of such uses. Prior approval is therefore not required under this paragraph.

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;

4.12 The proposal would not result in the loss of a registered nursery or a health centre and therefore prior approval is not required under this paragraph.

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

4.13 Paragraph MA.3 states that Development meets the fire risk condition referred to in paragraph MA2(2)(i) if the development relates to a building which will-

(a) Contain two or more dwellinghouses; and

(b) Satisfy the height condition in paragraph (3), read with paragraph (7), of article 9A (fire statements) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

4.14 The application provides for six dwellinghouses. The interpretation of the fire risk condition applies to buildings which are 18m or more in height or where it contains 7 or more storeys. The building is well below both of these thresholds and

complies with (a) and (b) as set out above. Therefore, a fire safety impact is not required.

4.15 In respect to paragraph 3(9A) of the Order which states as follows:

Schedule 2 does not grant permission for, or authorise any development of, any new dwellinghouse-

(a) Where the gross internal floor area is less than 37 square metres in size; or

(b) That does not comply with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015.

4.16 All of the proposed dwellings met and exceed these standards. Flats 1, 2, 3 and 5 are 1b 1p and Flats 4 and 6 are 1b 2p.

5 SUMMARY AND CONCLUSIONS

5.1 The proposal is for a change of use from offices to residential under Class MA of the GPDO as a Prior Approval application. It should be approved for the following reasons:

- i) The application is accompanied by all of the information sought under Section W;
- ii) The change of use does not conflict with any of the criteria set out under Paragraph MA.1 of Class MA;
- iii) The proposal is acceptable on all of the grounds under which the application can be assessed: transport impacts, contamination, flooding, noise from commercial premises, character and sustainability of the conservation area, the provision of natural light to habitable rooms, impact on intended occupiers from nearby uses, its effect on local services (nurseries and health care) and fire safety.
- iv) It is considered that the change of use complies with the criteria and conditions set out in Class MA of the GPDO and that Prior Approval is not required for this proposal.
- v) All of the dwellings meet and exceed the Nationally Described Space Standards (2015).