

DELEGATED APPLICATION REPORT

Ward: Abbey Ward

App Ref: PL/25/0202 Prior approval Part 3 Class MA: Commercial, business and service uses to dwellinghouses

Address: ABBEY GARDENS, 4-6 ABBEY STREET, READING, RG1 3BA

Proposal: Change of use of part of ground, first, second, third, fourth and fifth floors from Class E (offices) to C3 (dwelling houses) to comprise 84x1 bed and 8x2 bed flats. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

Applicant: McGrath Group

Received date: 10/02/2025

Target Decision date: Extension agreed to 4 June 2025

Case Officer: Nathalie Weekes

1. INTRODUCTION

The application site is located on the corner of King's Road and Abbey Street. The entrance to the building is on this corner. There is a terrace set back at a higher level than the footpath along the River Kennet with tiered landscaping to the front at river level, to the sides and on top of the terrace.

The site is a seven storey office block located within the Reading Central Core and the building is in use as Class E offices and falls within the CR1 Definition of Central Reading and the CR10 Tall buildings Cluster (eastern grouping CR10c as per Reading Local Plan 2019. It is within an area of Archaeological Potential, within the boundary of Flood zone 2 and AQMA air quality, in the vicinity of the Abbey Ruins (Scheduled Ancient Monument) and adjacent to the River Kennet.

The building is not listed nor located within a Conservation Area. Significant trees are in close proximity to the building.

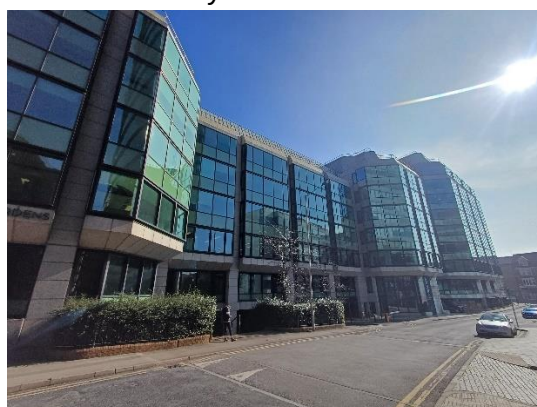
The site falls **outside** of the Article 4 area within Reading, which restricts prior approval changes of use.

Site photographs showing elevations

View from Kings Road



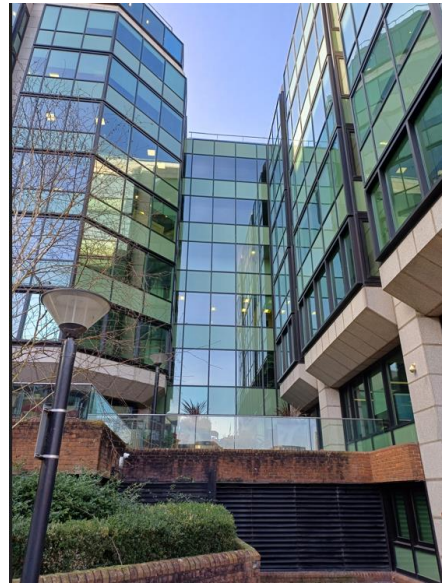
View from Abbey Street



View from Crown Bridge, Kings Road



View from the River Kennet

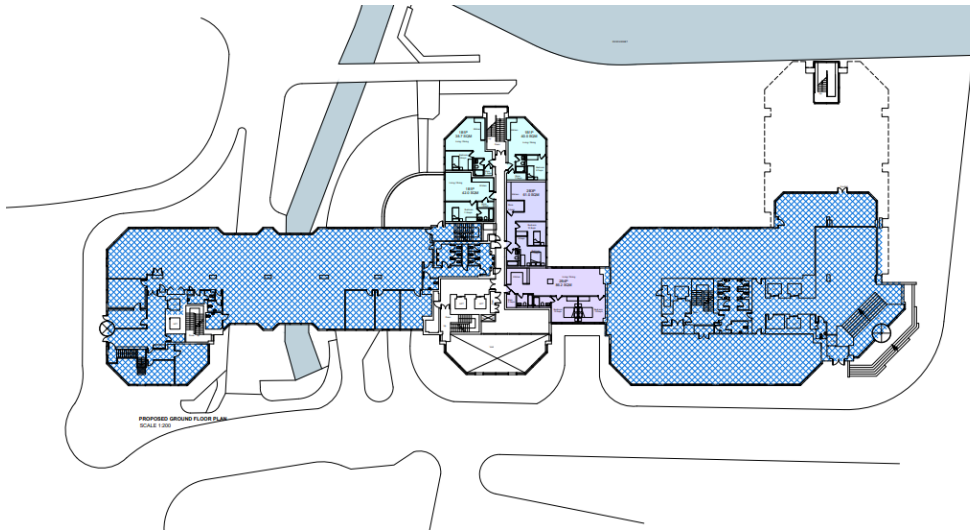


View from Chestnut Walk by Abbey Ruins

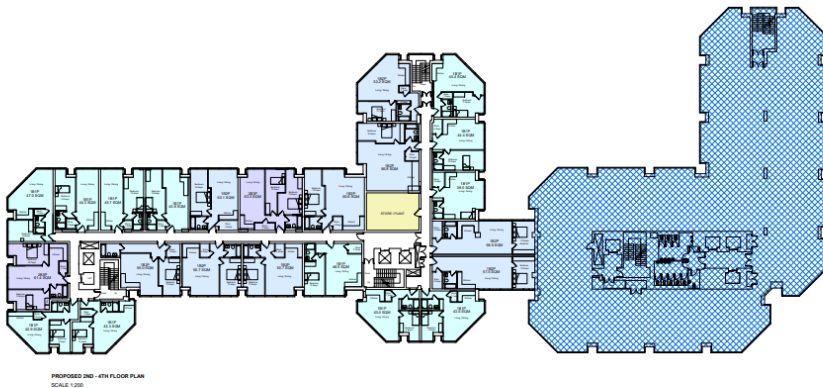


2. PROPOSAL

- 2.1 Prior approval is sought under Class MA Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for the change of use of part of the ground, first, second, third, fourth and fifth floors from Class E (offices) to C3 (dwelling houses) to self-contained residential flats to the northern section of the building. Offices are to be retained to the north beneath the proposed residential units and to the south of the building.



310 P03 Plan of proposed ground floor showing proposed residential units with offices on either side



312 P02 Plan of proposed 2nd to 4th floor with proposed residential units and offices

- 2.2 The applicant specified at the outset of the application that “No external alterations are needed or planned and the work is entirely internal fit out works”.
- 2.3 More specifically, a total of 92 units are proposed comprising 84x1 beds and 8x2 bed units as follows:
- GF - 3x1-beds and 2x2-beds;
 - FF - 9x1 beds;
 - SF - 21x1 beds and 2x2 beds;
 - TF - 21x1 beds and 2x2 beds;
 - Fourth F - 21x1 beds and 2x2 beds; and
 - Fifth F - 9x1 beds.
- 2.4 At ground floor level there is a main entrance on the west (Abbey Street) elevation, with a lobby leading to stairs and a lift. The site plan states that no works are proposed in the ground floor areas around the lobby area.

- 2.5 The submitted site plan specifies that at lower ground floor level, located under the building on the site, that 48 No. Cycle Spaces with associated cycle racks are provided. The site plan also specifies “3 accessible car parking spaces are associated with this application.” The officer site visit established that the provision for the cycle and accessible car parking was available. The Transport Statement specifies that the proposed development will be car-free, with paragraph 4.1.1 stating “The development will be car free, with the exception of 3 accessible spaces, and will be supported by cycle parking and a dedicated refuse store”.
- 2.6 Further information was requested in order to address queries raised in respect of the noise assessment, noise between the floors and the existing retained business use within the building.

3. INFORMATION SUBMITTED

(strikethrough indicates plans and documents which have been superseded)

- Completed application form
- 209_P.01 Existing Lower Ground Floor Plan
- 210_P.01 Existing Ground Floor Plan
- 211_P.01 Existing First Floor Plan
- 212_P.01 Existing 2nd – 4th Floor Plan
- 215_P.01 Existing 5th Floor Plan
- 500_P.01 Existing East and West Elevation
- 501_P.01 Existing North and South Elevation
- ~~309_P.01 Proposed Lower Ground Floor Plan~~
- ~~310_P.01 Proposed Ground Floor Plan~~
- ~~311_P.01 Proposed First Floor Plan~~
- ~~312_P.02 Proposed 2nd – 4th Floor Plan~~
- ~~315_P.01 Proposed 5th Floor Plan~~
- 200_P.01 Site Location Plan
- 24-012-SCH-ACC-GWH 1 Accommodation Schedule, SADA Architecture, 02/05/2025
- ~~28800.NIA.01 Noise Impact Assessment, KP Acoustics, 20/12/2024~~
- 5292/2025 Rev A Flood Risk Assessment, EAS, 08/01/2025
- GWPR6366/DS/December/ 2024 Final Phase I Desk Study, gw geotechnical and environmental consultants
- ROL01535 Daylight Sunlight Assessment, Ansteyhorne, 5/02/2025
- 24553_TS01 Final Transport Statement, Markides Associates, 05/02/2024
- ~~251025 Fire Safety Report, R&A Associates, 10/02/2025~~
- CIL

As received by the Local Planning Authority on 10 February 2025

- ~~251025 Fire Safety Report, R&A Associates, 10/02/2025 (revised)~~

As received by the Local Planning Authority on 17 February 2025

- ~~309_P.03 Proposed Lower Ground Floor Plan~~
- ~~310_P.02 Proposed Ground Floor Plan~~
- 251025 Rev A March Fire Safety Report, R&A Associates, 10/02/2025
- pgo-6688 R&A Associates fire safety letter dated 19 March 2025
- 24553-MA-XX-XX-RP-D-0001 P01 REFUSE VEHICLE TRACKING

As received by the Local Planning Authority on 4 April 2025

- ~~28800.NIA.01.Rev C Noise Impact Assessment report, KP Acoustics, 8 April 2025~~

As received by the Local Planning Authority on 8 April 2025

- 309_P.04 Proposed Lower Ground Floor Plan
- 310_P.03 Proposed Ground Floor Plan
- 311_P.02 Proposed First Floor Plan
- 312_P.02 Proposed 2nd – 4th Floor Plan
- 315_P.02 Proposed 5th Floor Plan

As received 11 April 2025

- 28800.NIA.01.Rev D Noise Impact Assessment report, KP Acoustics, 17 April 2025
As received by the Local Planning Authority on 17 April 2025

4. POLICY AND LEGAL CONTEXT

- 4.1 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.
- 4.2 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 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

- 4.4 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.
- 4.5 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

- 5.1 Extensive on the site a whole with the most recent as follows:

23/0211/FUL Remove existing glazed panel and replace with new entrance door to terrace area Permitted 19/04/2023

210071/NMA Non-Material Amendment to permitted application 200477 - revise the design from a single door to a single door with side and overhead glazed panels. Permitted 11/02/2012

20/1835/FUL Removal of 1No. glazed panel and the installation of a new air intake/outlet to match existing (part retrospective) Permitted 01/03/2021

200477/FUL Remove existing glazed panel and replace with new entrance door to terrace area Permitted 27/05/2020

191777/FUL Removal of 2no glazed panels and installation of new Air Intake Louvres to match existing. Permitted 10/01/2020

172261/FUL External terrace and decked area, Refused 10/05/2018

121616/CLE Certificate of Lawfulness for proposed new door Permitted 15/08/2012

121582/NMA 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 Permitted 04/10/2012

121139/APC Discharge of condition 4 of planning permission 11/01726/FUL (also known as ref 110658/FUL)

120497/ADV Hoarding marketing wrap and 2 halo illuminated entrance signs Permitted 22/08/2012

111790/FUL Installation of new plant and alterations to the roof to create associated louvre openings 07/02/2012

110658/FUL Remodelling of existing office entrance area and alterations to access to include disabled entrance and lift 04/01/2012

- 5.2 Tree applications
- 121851 3 Maples - crown reduce by 2-2.5m, crown clean and crown lift to 4m – split decision 4/12/2012

6. CONSULTATIONS

- 6.1 **RBC Transport** – The application is supported by a Transport Statement which asserts that the site would provide 3 accessible parking spaces in the basement area, with retention of the existing vehicular and cycle storage access from Abbey Street. Site visits have confirmed that there is existing parking provision under the building, however the proposal is for the development to be car

free with the provision of cycle parking spaces. The primary pedestrian access will be made via the site's frontage on to Abbey Street.

- 6.2 Policy TR5 states that development should provide car parking and cycle parking that is appropriate to the accessibility of locations within the Borough to sustainable transport facilities, particularly public transport. Local parking standards are set out in the RBC, Revised Parking Standards and Design Supplementary Planning Document (SPD) which takes into account the accessibility of the site.
- 6.3 The site is located within the Reading Central Area and within Reading's primary shopping area within Zone 1 of the adopted Parking Standards and Design SPD which is an area at the very heart of Reading Borough, consisting primarily of retail and commercial office developments, with limited residential. This area is well served by rail and bus links and contains the largest proportion of public car parking spaces.
- 6.4 The proposed change of use would comprise 92 x C3 1 and 2 bedroom units across 6 floors while retaining some existing office space. In accordance with the Council's Revised Parking Standards and Design SPD, the development would be required to provide 0.5 parking space per 1 and 2 bedroom unit, in addition to this, visitor parking should also be provided at a ratio of 1 space per 10 units.
- 6.5 The application only proposes to provide 3 disabled parking bays with the remainder of existing parking bays to be retained for the existing offices. Based on the current adopted standards, residential dwellings providing less than 200 spaces, a minimum of 3 accessible spaces or 5% of the total capacity should be provided, therefore based on the 46 spaces, 3 accessible bays would be required, which the applicant is proposing. Parking is located at basement level. Whilst the proposed parking provision is below the Council's requirements, there are extensive parking controls and restrictions surrounding the site ensuring that any overspill will not impact on road safety.
- 6.6 Any planning consent will also impose informatives on the addresses to ensure that the proposed units will not be eligible for parking or permit permits. The applicant has also submitted a Transport statement containing car ownership and trip data to support the lower parking provision. Given the supporting information provided a lower provision can be considered in this instance and there are no Transport objections subject to conditions.
- 6.7 Cycle storage should be provided in accordance with the Borough's Parking Standards and Design SPD, however under GPD we would not comment on this, however it is noted that 48 long stay cycle parking spaces will be provided at basement level in the form of two tier stands.
- 6.8 A bin store is proposed within the basement parking area to provide refuse and recycling storage for the whole development. The proposed layout is acceptable from a Highways perspective but it is recommended that the Council's Waste department determines whether the bin storage is suitable for the number of units proposed.
- 6.9 In summary, the Highway Authority do not have any objections to prior approval being given as the change of use would not have a material impact on the character of the traffic in the vicinity of the site given the extensive parking restrictions and controls in the area. However, I request that any permission granted is subject to the following informative.

113 Parking Permits

The occupiers of the residential units will not be entitled to an on- street car parking Permit. The parking permit conditions above place a requirement that the Council be notified of postal addresses of the residential units before occupation and that the occupiers/transferees to be informed of the

prohibition on entitlement to a car parking permit. There is already a high level of on street car parking in the area and the site is located close to local facilities, with frequent public transport services on nearby roads.

6.10 The applicant was informed of the request for an informative to be added to the decision.

6.11 **RBC Environmental Protection** – the initial response raised a series of queries, summarised as:

1. *The noise assessment concludes that commercial noise does not impact on the development, but makes recommendations for improvements to the glazing to protect from transport noise.*
2. *The noise assessment mentions the impact of buildings services noise at one of the assessment positions, can this be confirmed to be from within the existing site and will this be removed?*
3. *Noise from the ground floor use, which is understood to remain in commercial use, has not been considered in the assessment. There are concerns about noise from the proposed commercial use affecting the proposed residents.*

6.12 The applicant provided further information with updated noise assessment information, and the 28800.NIA.01.RevD Noise assessment submitted on 17 April 2025 was considered acceptable and addressed all of the issues raised previously.

6.13 RBC Environmental protection recommends conditions relating to land contamination due to the Phase I desk study, 'GWPR6366/DS/December/ 2024 Final, Phase I Desk Study, gw geotechnical and environmental consultants' submitted concluding that there should be a stage II intrusive investigation including gas monitoring due to the presence of potential risk factors on a high risk site. Conditions to be included are a contaminated land assessment and remediation scheme to be submitted, a remediation, implementation scheme and verification of works undertaken and an unidentified contamination condition.

6.14 **RBC Waste Services** – Originally submitted comments requested that bin stores were indicated and outlined the provision required. The Council's standard household waste collection service is for a fortnightly general waste collection which alternates with a fortnightly recycling collection and food waste is collected weekly.

A block containing 92 flats on the standard collection schedule would require –

- 12 x 1100L general waste bins
- 20 x 1100L recycling bins
- 7 x 240L food waste bins

Please note that all bins would need to be within 10m of the rear of the collection vehicle for them to be safely retrieved by our crews. If the bins fall outside of this distance, there would need to be a site manager/maintenance team on site to be rotate the bins at the time of collection. We would ask the see a formal written refuse strategy confirming how this will be implemented.

Please be aware that if locks are to be fitted to any doors or gates at bin storage areas, these should be either combination or keypad style with a code. Developers and site managers should be aware that the code will be held within our collection records and shared with a number of collection staff to ensure ease of access. Individual patterned, physical keys or security fobs will not be accepted or permitted.

Once a revised site plan was received, Waste Services confirmed no objections to the revised plans illustrating waste and recycling provision and confirmed that they require at least 6 weeks' notice prior to residents moving in to a development to ensure that bins can be purchased, delivered and collections scheduled in with the crews. Final practical queries were raised in respect of whether collection would take place from within the site or from Abbey Street. The applicant confirmed such

details can be dealt with as part of future implementation. Case officer: *it should be noted that waste matters are not one of the criteria for prior approval consideration (as set out in para 4.2 above)*

- 6.15 **Reading Building Control** – Feedback was provided based on fire safety considerations of the initial plans provided and the requirement for the building to be directed to the Building Safety Register (BSR) to ensure compliance with safety building regulations in respect of revisions made following HSE feedback.
- 6.16 **HSE** – The HSE assessed the scope of the application and provided no objections in respect of prior approval requirements relating to fire and safety. However, they confirmed that the applicant would need to confirm certain matters in order to demonstrate that the proposal will meet building control requirements, which go beyond the scope of what is required under the prior approval process. Additional HSE supplementary information is provided in Appendix A which is ‘*advisory and not an objection*’ from the HSE.

The HSE stated as follows:

- “1.1 *The **prior approval application** relates to an existing building, Abbey Gardens, a large office building in Reading. The development consists of three separate blocks (North, Central and South). The work proposed relates to the Central and North blocks only, which are internally connected at all levels.*
- 1.2 *The development has a top-most floor height of 20.35m to the front of the building and 20.85m to the rear. The North and Central blocks have 6 storeys above the ground level (Ground plus L1 to L5), plus a lower ground level. Car and cycle parking, storage, plant refuse with residential accommodation proposed on the ground to fifth floors. (South block comprises lower ground to seventh floor; it does not form part of this application.)*
- 1.3 *The development (North and Central blocks) is served on all storeys by three stairs: one firefighting stair (stair 1 in Central block), and two evacuation stairs (stair 2 in Central block, and stair 3 in North block). The firefighting stair is part of the firefighting shaft which also contains a firefighting lift, an evacuation lift, a smoke ventilated lobby, and a dry riser outlet within the stair. The evacuation stair 3 (North block) has associated two evacuation lifts. Each evacuation stair will be provided with a dry riser main.*
- 1.4 *HSE understands that the proposed development does not affect the existing fire strategy of the building in terms of fire service access. The applicant states: “No changes are proposed to the previously approved vehicle /fire brigade access (and facilities) to the site which is available to all elevations of the building for a fire tender pump appliance.” (Fire Strategy – section titled Fire Fighting Facilities).*
- 1.5 *It will be for the applicant to demonstrate that suitable fire service access and facilities are provided at later regulatory stages.*
- 1.6 *The Fire Safety Strategy document dated 10/02/2025, confirms that the design standard used is BS9991:2024 (‘Fire safety design, management, and use of residential buildings’). Section titled Fire Safety Design Approach of Fire Strategy, states: “The design is required to comply with the functional requirements relating to fire safety in BS9991:2024. In order to achieve this, the fire strategy for this building has been developed using guidance given in BS9991:2024 for the residential areas and ancillary accommodation.” HSE has assessed the application accordingly.*
- 1.7 *Following a review of the information provided in the planning application, HSE is content with the fire safety design as set out in the project description, to the extent it affects land use*

planning considerations. However, HSE has identified matters that the applicant should try to address in advance of later regulatory stages.

- 6.17 **Thames Water** – Thames Water requested a condition to require additional information regarding foul drainage due to insufficient information relating to the site and advised,
“There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. the applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

With the information provided, Thames Water has been unable to determine the Foul water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for FOUL WATER drainage, but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission. “No development shall be occupied until confirmation has been provided that either:- 1. Foul water Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. the developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://www.thameswater.co.uk/preplanning).”

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

Water Comments

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. the applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](https://www.thameswater.co.uk/buildingwater).

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames

Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.”

- 6.18 **Environment Agency** – An extension of time was requested for feedback to be provided. Their comments were as follows:

“This site is located within Flood Zones 2 and 3 according to the Flood Map for Planning. This is defined as areas having a medium and high probability of flooding respectively in accordance with Table 1 ‘Flood Risk’ of the Planning Practice Guidance (PPG). A designated main river is within the site.

The proposed development will only meet the National Planning Policy Framework’s requirements in relation to flood risk if the following planning condition is included. Condition The development shall be carried out in accordance with the submitted flood risk assessment (ref FRA- Abbey Gardens, 5292/2025) and the following mitigation measures it details:

- *Finished floor levels shall be set no lower than 38.05 metres above Ordnance Datum (AOD), in accordance with paragraph 4.11 in the FRA.*
- *There shall be no raising of existing ground levels on the site, in accordance with the FRA. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme’s timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.*

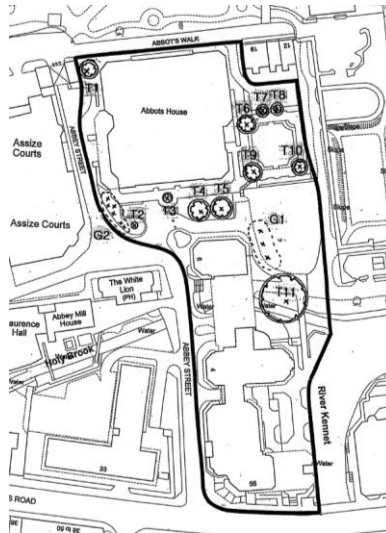
Reason: To reduce the risk of flooding to the proposed development and future occupants. To prevent obstruction to the flow and storage of flood water, which would lead to an increase in flood risk elsewhere, in line with paragraph 181 of the NPPF.

The applicant is advised that the Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- *on or within 8 metres of a main river (16 metres if tidal)*
- *on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)*
- *on or within 16 metres of a sea defence*
- *involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert*
- *in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission.*

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.”

- 6.19 **RBC Natural Environment** – The site is situated in an Air Quality Management Area and in the lowest canopy cover ward in the borough. As such it is a site where tree retention and planting are a high priority.
- 6.20 There are a number of trees protected by TPO 60/05 in the vicinity, of which a group of Silver maple (G1) and a Horse chestnut (T11) are in close proximity (in terms of canopies):



- 6.21 Other non-TPO trees are also present around the site in close proximity to the building. It is a concern that the plans do not acknowledge the landscaping around the site for completeness and to confirm its retention. The type of application is noted and it is assumed that there are no intended works to the external façade of the building – none appears to be noted but confirmation would be welcome. If there was, it would raise some concern in terms of the proximity of tree canopies. The building is surrounded by hard surfacing, as is the landscaping, or within raised /fenced planters hence impact on Root Protection Areas from construction activity should not be a concern.
- 6.22 Normally a conversion to residential would result in a recommendation to include landscaping, however, it is difficult to see how additional landscaping could be added, given the limited space around the building (within the red line) and existing landscaping. Please add an informative: Advice about TPO.d trees and trees in Conservation Areas.
- 6.23 *Case officer note: Following feedback provided from the RBC Natural Environment team, the agent confirmed that following a decision for the Class MA prior approval, it is intended to submit a planning application for alterations to the façade and the applicant would be willing to consider the potential for other landscape improvements. It should be noted that tree and landscaping matters are not one of the criteria for prior approval consideration*

7. PUBLICITY

- 7.1 A site notice was displayed at the application site for the statutory 21-day period. No comments have been received.

8. APPRAISAL

- 8.1 The proposal comprises the change of use of the building from Class E (office) to Class C3 (dwellinghouse) with the proposal 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).
- 8.2 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 plans and the accommodation schedule.

Each of the criteria is discussed below:

Criteria MA.1.—(1)

Part (a) (three month vacancy) was removed from the legislation on 5th March 2024 and is therefore not relevant.

(b) Previous use qualification – “unless the use of the building fell within one or more of the classes specified in subparagraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;”

Complies. It can be confirmed that the use of the building fell within Class E (Commercial, Business & Service) for a continuous period of at least 2 years prior to the date of the application for prior approval. The planning history section above references the remodelling of office uses in 2012. The covering letter states that the building has been in Class E use, (and previously B1c use) from when it was built in the 1980s.

(c) (Floorspace qualification) was removed from the legislation on 5th March 2024 and is therefore not relevant.

(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 10

(v) is or forms part of a military explosives storage area;”

Complies: The site does not form part of a site of special scientific interest, listed building nor land within its curtilage (the Reading Abbey ruins to the north are listed, but the application site boundary is outside the curtilage of the listed building), 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;”

Complies: It can be confirmed the site is not within a landscape designation criteria.

(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;”

Complies: 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 s been cancelled in accordance with the provisions of Schedule 3.

Complies – the site is outside the article 4 area within Reading Borough.

Conditions

Assessment of MA.2. – (1):

MA.2.—(1) Confirms that development under Class MA is permitted subject to the condition that before beginning the development, 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, as per the comments at section 6 above, are content with the proposals, subject to an informative which effectively advises future occupiers that they will not be automatically entitled to an on-street car parking permit. This will be duly included.

(b) contamination risks in relation to the building;

The applicant submitted a land contamination study GWPR6366/DS/December/ 2024 Final, Phase I Desk Study, by gw geotechnical and environmental consultants. RBC Environmental Protection Officers recommended contaminated land conditions as the desk study concluded that there should be a stage II intrusive investigation including gas monitoring, due to the presence of potential risk factors. The Contaminated land conditions were agreed with the agent by email on 04/04/2025. They will be duly included.

(c) flooding risks in relation to the building;

This site is located within Flood Zones 2 and 3 according to the Flood Map for Planning. This is defined as areas having a medium and high probability of flooding respectively in accordance with Table 1 'Flood Risk' of the Planning Practice Guidance (PPG). A designated main river is within the site.

A Flood Risk Assessment has been submitted and reviewed by the Environment Agency with no objections subject to a condition in relation to flooding. This will be duly included.

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

RBC Environmental Protection Officers have reviewed the noise assessment and associated details submitted with the application, as described at section 6 above. As per this correspondence, following clarifications and additional details being submitted, and subject to condition that development is to be implemented in accordance with the noise assessment 28800.NIA.01.Rev D Noise Impact Assessment report, KP Accoustics, 17 April 2025 submitted, the proposals are considered appropriate in protecting the intended occupiers of the proposals.

(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;

Complies: The building is not located within a Conservation area.

It is acknowledged that the building is sited across from The Abbey Ruins, however no external changes are proposed and the main entrance is on the other side of Abbey Gardens on Abbey Street and it is considered that the proposals would have no negative impact on the character or sustainability of the Abbey Ruins.

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

Statutory Instrument 2020:632 introduces the requirement that consideration is given in respect to the provision of adequate natural light in all habitable rooms. This requires examination of the detailed floor plans and a judgement to be exercised as to whether appropriate levels of light can be achieved to rooms used for sleeping or living. This excludes bathrooms, service rooms, corridor, laundry rooms and hallways.

The residential units are located on every floor from ground floor level to fifth floor level and no external alterations are proposed. Based on the officer site visit on 05/03/2025 and an assessment of the plans, it is evident that the vast majority of habitable rooms will benefit from suitable access to natural light, given the size of the existing clear glazed windows and the configuration of the proposed units.

On balance, it is considered that the applicant has sufficiently demonstrated that adequate natural light in all habitable rooms of the dwellinghouses will be provided. The ROL01535 Daylight Sunlight Assessment, Ansteyhorne, 5/02/2025 has been completed in line with BRE guidelines, whilst floor layouts have been designed to enable daylight and sunlight into the main living areas. Although some flats will have more access to sunlight than others, the large windows provide natural light into the building on the basis of the context witnessed on site. On balance the information submitted by the applicant is considered sufficient in the context of the regulations, as although it is evident that natural sunlight would fall short of the guideline values in 6 living/kitchen/diners and one studio, it would be difficult to substantiate that this is not 'adequate' due to achieving 'very good' compliance of target illuminance values for habitable rooms.

(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 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 and the provisions of paragraph W (prior approval) apply in relation to that application.

A Fire Statement has been provided for the existing 'relevant building'. These new criteria apply to a building which satisfies the height condition in paragraph (3) of the Procedure Order and contains— (a) two or more dwellings; or (b) educational accommodation. Paragraph (3) states the height condition is that— (a) the building is 18 metres or more in height; or (b) the building contains 7 or more storeys.

The HSE and RBC building control have no objections to the proposal in accordance with the requirements of the Class MA prior approval. It should, however, be noted that there are a number

of issues relating to fire safety and building control that will need to be addressed with the Building Safety Regulator (BSR). The building will need to be registered with the BSR on occupation. Amended plans have been submitted to overcome the issues raised in supplementary information provided by the HSE.

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

The application was received on 10 February 2025, so complies.

- (4) *The provisions of paragraph W (prior approval) of this Part apply in relation to an application under this paragraph***

Complies

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

Will be secured via condition 1

- (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.]***

Will be secured via condition 2.

RECOMMENDATION:

Prior Approval is REQUIRED and GIVEN, subject to conditions:

Conditions

1. This development under Class MA is permitted subject to it being completed within a period of 3 years starting with the prior approval date on this decision notice.

REASON: To comply with the requirement of paragraph MA.2.—(5) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. The development hereby permitted shall ONLY be carried out in accordance with the following approved plans and documents:

- 200_P.01 Site Location Plan
- 24-012-SCH-ACC-GWH 1 Accommodation Schedule, SADA Architecture, 02/05/2025
- 5292/2025 Rev A Flood Risk Assessment, EAS, 08/01/2025
- GWPR6366/DS/December/ 2024 Final Phase I Desk Study, gw geotechnical and environmental consultants
- ROL01535 Daylight Sunlight Assessment, Ansteyhorne, 5/02/2025
- 24553_TS01 Final Transport Statement, Markides Associates, 05/02/2024
- CIL

As received by the Local Planning Authority on 10 February 2025

- 251025 Rev A March Fire Safety Report, R&A Associates, 10/02/2025
- pgo-6688 R&A Associates fire safety letter dated 19 March 2025
- 24553-MA-XX-XX-RP-D-0001 P01 REFUSE VEHICLE TRACKING

As received by the Local Planning Authority on 4 April 2025

- 309_P.04 Proposed Lower Ground Floor Plan
- 310_P.03 Proposed Ground Floor Plan
- 311_P.02 Proposed First Floor Plan
- 312_P.02 Proposed 2nd – 4th Floor Plan
- 315_P.02 Proposed 5th Floor Plan

As received 11 April 2025

- 28800.NIA.01.Rev D Noise Impact Assessment report, KP Acoustics, 17 April 2025

As received by the Local Planning Authority on 17 April 2025

REASON: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

3. The glazing, ventilation and any other mitigation specified shall be installed in accordance with the specifications recommended within the Noise Assessment submitted with the application 28800.NIA.01.Rev D Noise Impact Assessment report, KP Acoustics, 17 April 2025 as received by the Local Planning Authority on 17 April 2025.

REASON: In order to protect the amenity of future occupants of the proposed development in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

4. The development shall be carried out in accordance with the submitted flood risk assessment (ref FRA- Abbey Gardens, 5292/2025) and the following mitigation measures it details:
 - Finished floor levels shall be set no lower than 38.05 metres above Ordnance Datum (AOD), in accordance with paragraph 4.11 in the FRA.
 - There shall be no raising of existing ground levels on the site, in accordance with the FRA.These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

REASON: To reduce the risk of flooding to the proposed development and future occupants. To prevent obstruction to the flow and storage of flood water, which would lead to an increase in flood risk elsewhere, in line with paragraph 181 of the NPPF.

5. No development shall be occupied until confirmation has been provided that either:
 1. Foul water capacity exists off site to serve the development **or**
 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, **or**
 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

Confirmation along with any necessary mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of development.

The development shall thereafter be carried out in accordance with the approved details.

REASON: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents and to ensure that the development does not have an adverse impact on the public sewerage network and that adequate foul water drainage provisions are in place, in accordance with Local Plan Policy EN16 and the requirements of Thames Water.

6. No development shall commence on site including demolition and any preparatory works until an assessment of the nature and extent of contamination has been submitted to and been approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

REASON: These details are required due to insufficient information being contained within this submission and to ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy EN16 of the Reading local Plan 2019.

7. No development shall commence on site including demolition and any preparatory works until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and been approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: These details are required due to insufficient information being contained within this submission and to ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy EN16 of the Reading local Plan 2019.

8. The approved remediation scheme under Condition 7 shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) shall be submitted to and approved by the Local Planning Authority before construction above foundation level.

REASON: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy EN16 of the Reading local Plan 2019.

9. In the event that contamination is found at any time when carrying out the approved development not previously identified, development shall be halted on that part of the site the contamination reported in writing to the Local Planning Authority.

An assessment of the nature and extent of contamination shall be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, shall be submitted in writing to the Local Planning Authority for its written approval.

The measures in the approved remediation scheme shall be implemented in accordance with the approved timetable. Halted works shall not be re-commenced until the measures identified in the approved remediation scheme have been completed and a validation report has been submitted to and been approved in writing by the Local Planning Authority.

REASON: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy EN16 of the Reading local Plan 2019.

Informatives

1. The proposal meets the relevant criteria set out in Class MA.
2. The applicant is advised that this decision represents the determination of the Local Planning Authority in respect of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) as to whether Prior Approval is required in respect of the change of use only. Class MA does NOT afford any permitted development rights for external works which affect the exterior of the building in order to implement the change of use.
3. There is a widespread problem in Reading with rats as the rats are being encouraged by poor waste storage which provides them with a food source. Where developments involve shared bin storage areas, there is a greater risk of rats being able to access the waste due to holes being chewed in the base of the large wheelie bins or due to occupants or passers not putting waste inside bins, or bins being overfilled. It is therefore important for the bin store to be vermin proof to prevent rats accessing the waste and for the correct waste bin capacity to be provided so that waste is not deposited outside of bins.
4. The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic. Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.
5. The occupiers of the residential unit(s) will not be automatically entitled to an on-street car parking permit. Current and new occupiers should be informed of this and be advised to find out more about parking permits on the Council's website. There is already a high level of on street car parking in the area and the site is located close to local facilities, with frequent public transport services on nearby roads.
6. Your attention is drawn to the possible requirement for submission of a Building Regulations application for the proposed development. Please contact RBC Building Control on Building.control@reading.gov.uk OR telephone 0118 9372449 9.00am to 1.00pm Monday to Friday.
7. In addition, please also be mindful of the following fire safety regulations, which appear to apply in this instance too: <https://www.gov.uk/government/publications/fire-safety-england-regulations-2022-fire-door-guidance/fire-safety-england-regulations-2022-fire-door-guidance> and the requirement to register the building with the BSR.

8. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.”
9. You are advised that no tree works are approved by virtue of this consent. Any works to trees subject to a Tree Preservation Order will require submission of a tree works application or Section 211 Notice respectively.

10. Environment Agency

Advice to Applicant - Other Consents

As you are aware we also have a regulatory role in issuing legally required consents, permits or licences for various activities. We have not assessed whether consent will be required under our regulatory role and therefore this letter does not indicate that permission will be given by the Environment Agency as a regulatory body.

The applicant should contact 03708 506 506 or consult our website to establish if consent will be required for the works they are proposing. Please see www.gov.uk/guidance/check-if-you-need-an-environmental-permit.

Appendices

Appendix A

HSE Supplementary information

The following information does not contribute to HSE's substantive response and should not be used for the purposes of decision making by the local planning authority.

Communication between two different occupancies (residential and commercial)

- 2.1 The Proposed Ground Floor Plan drawing shows that stair 3 (North block) connects with the commercial part of the building/floor (the existing office use). Also, the evacuation lifts associated to stair 3, serve the ground and level 1, which remain in commercial/office use, and levels 2 to 4, which are in residential use. Therefore, two different occupancies (residential and commercial) connect/communicate, and share means of escape (stair3 / lifts associated).
- 2.2 BS9991:2024, clause 16.2 (Automatic fire detection and fire alarm systems for mixed-use residential buildings), states: *"Where any part of a mixed-use residential building is expected to have non-residential occupancy groups, the part(s) of the building containing those occupancy groups should be separated from the residential part(s) by fire resisting construction and should have independent escape routes, with the exception of certain small buildings (see Clause 12)."*
- 2.3 BS9991:2024, clause 12 (Stairs within mixed-use residential developments), states: *"b) In buildings having more than three storeys above ground level: 1) all stairs serving dwellings not ancillary to the main use of the building should not communicate with any other occupancy in that building."*
- 2.4 BS9991:2024, clause 4.4 (Mixed-use residential buildings incorporating non-residential use), states: *"The means of escape strategy for the residential parts of the building should not be based upon them being evacuated simultaneously with the non-residential parts, and the **escape routes should be independent.**"*
- 2.5 Therefore, the occupancy groups should be separated by fire-resisting construction **and have independent escape routes**. Also, stairs serving dwellings, which are not ancillary to the main use of the building, **should not communicate** with any other occupancy in that building.
- 2.6 Design changes necessary to remove the connection/communication between residential and commercial parts of the building, and to provide separated means of escape may affect land use planning considerations such as the design, layout, and appearance of the development if the issue cannot be resolved with only internal alterations. It will be for the applicant to demonstrate compliance at later regulatory stages and seek advice from the LPA about the materiality of any design changes proposed.

External wall system

- 2.7. The Fire Safety Strategy states: *"All walls will be assessed for compliance with external fire spread and appropriate cavity barriers will be provided if required. External walls are existing and are of concrete construction."* The fire safety regulations require a minimum fire performance classification termed 'Class A2-s1, d0 or A1 or better'. (Table 9, BS9991:2024).
- 2.8. HSE highlights the requirements of building regulations relating to material changes of use of a building. It is understood that the proposed development, being an increase in the number of dwellings, would be within the definition of a material change of use. It will be for the applicant to demonstrate compliance with such requirements, including requirements relating to external walls of relevant buildings, at subsequent regulatory stages.

Smoke Ventilation and Computational Fluid Dynamic (CFD) modelling analyse

- 2.9 *It is noted that in Introduction, the Fire Safety Strategy document, states: “It is proposed to provide natural ventilation however if required mechanical ventilation can be provided to the common corridors and this will be demonstrated by **CFD analysis** its efficacy which will be agreed with the BSR as part of this process.”*
- 2.10 If the CFD analysis does not support the design in the planning application, this may affect land use planning considerations such as the layout and appearance of the development. It will be for the applicant to demonstrate compliance at later regulatory stages.

Hydrants

- 2.11 There is no information within planning application regarding the water supply for firefighting operations, for the scale of proposed development.
- 2.12 BS9991:2024, clause 47.2 (Location and access to external water supply), states: *“Hydrants should be located in positions that are near to building entry points (including entry points to firefighting shafts containing fire mains) and fire appliance parking positions, as follows: a) For buildings provided with dry fire mains, hydrants should be provided within 90 m of dry fire main inlets. The provision of water mains and hydrants should be in accordance with BS 9990.”*
- 2.13 Without confirmation that there is a suitable water supply, the development might be relying on a disused water main or faulty hydrant. Resolving this issue may affect land use planning considerations such as the landscaping around the development, should additional hydrant installations be required. This will be subject to later regulatory consideration.

Building Safety Regulator

- 2.14 HSE advises that all higher risk buildings are now required to be registered with the Building Safety Regulator (‘BSR’) on occupation. Further information can be found at Applying to register a high-rise residential building - GOV.UK . From April 2024 the BSR started the process of inviting accountable persons to submit a safety case for their registered buildings.