

## **DELEGATED APPLICATION REPORT**

**SITE ADDRESS:** 81 London Street, Reading, RG1 4QA

**APPLICATION NUMBER:** PL/25/0566

**PROPOSAL:** Change of use of first floor from Class E (commercial) to C3 (dwelling houses) to comprise 2 x 3-bedroom flats. Prior Notification under Class G, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

**CASE OFFICER:** Matthew Harding

**TARGET DATE:** 30/06/2025 (Extension of time)

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### **Introduction**

81 London Street is a three storey Grade II Listed Building red-brick terrace building, built in the early 19<sup>th</sup> Century, fronting onto London Street. The site lies within the central area of Reading, the Area Quality Management Area, the Market Place/London Road Conservation Area and an area of archaeological potential. Also, the site and building lies outside of an area covered by an Article 4 Direction.

To the rear of the site there is a large private carpark extending from the rear elevation of the building to the vehicle access road (East Street). The rear section of the building is a later 20<sup>th</sup> Century three storey addition with a central opening in the middle of the building dividing the original and later addition.



**Figure 1** – Site Location Plan



Figure 2: Application Building – Front Elevation



Figure 3: Application Building – Rear Elevation

## Proposal

Prior approval is sought under Class G of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for the change of use of the first floor of the building to two flats (3-bedroom flats). The proposal does not seek to change the use of the ground or second floor of the building and no external alterations are proposed.

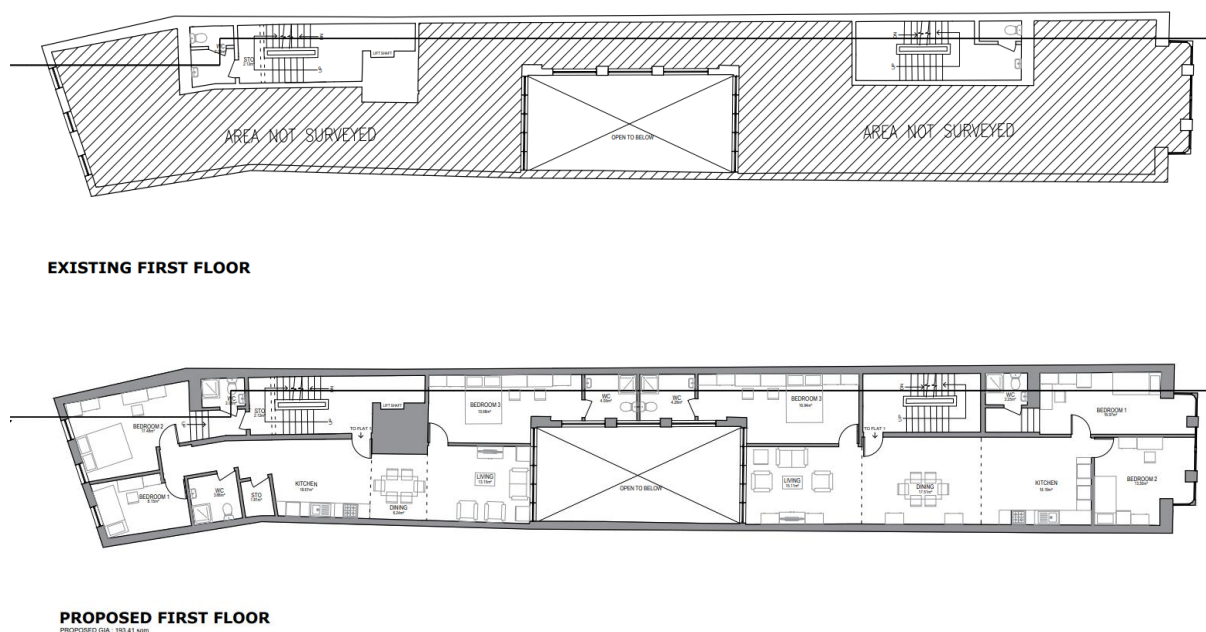


Figure 4: Existing and Proposed First Floor Plan

## Information Submitted

The completed application form, including a written summary of the proposed development and the developer's contact details.

## Drawings and Documents ref.

- Prior Approval Notification Form
- CIL Form
- Design and Access Statement
- Location Plan - Planning Portal Reference: PP-13936013v1
- Existing Ground Floor Plan – EX01
- Existing First Floor Plan – EX02
- Existing Second Floor Plan – EX03
- Proposed Ground Floor Plan – PR01
- Proposed First Floor Plan – PR02
- Proposed Second Floor Plan – PR03

Received by the Local Planning Authority on 11 April 2025

The following additional information was received on 12 June 2025:

- Google Streetview images (various)
- Appointment of Liquidators (notice timeline)
- Screenshot – S&T Lettings Company House

### **Policy & Legal Context**

The application has been submitted to determine whether prior approval is required in accordance with Schedule 2, Part 3, Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Class G 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 mixed use of Class E and up to 2 Class C3 (dwellinghouses).

Before development can be carried out under Class G, 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:

- I. contamination risks in relation to the building;
- II. flooding risks in relation to the building;
- III. impacts of noise from commercial premises on the intended occupiers of the development;
- IV. the provision of adequate natural light in all habitable rooms of the dwellinghouses;
- V. arrangements required for the storage and management of domestic waste.

Class G 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 G is to remain in use as the mixed use of commercial and 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 determines 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).

### **Planning History**

PL/12/1508 – Application for a Certificate of Lawfulness for Existing Use of part of ground floor and all of first floor for education use, including ancillary admin functions. Certificate granted, 26 November 2012.

PL/16/0833 – Listed Building Consent for redecoration of shop front and internal alterations at ground floor level. Granted, 27 July 2016.

PL/23/1535 - Change of Use of the third floor from office space to residential, the creation of two 3-bed flats and the removal of existing modern partitions and the addition of new partitions. Under consideration, June 2025.

PL/23/01536 - Listed Building Consent for the removal of existing modern partitions and the addition of new partitions associated with the change of use of the third floor from office to residential. Under consideration, June 2025.

PL/25/0564 - Removal of existing modern partitions and addition of new partitions to facilitate a change of use of the first floor from office space to residential (2 x 3-bed flats). Under consideration, June 2025.

### **Consultations**

Conservation Officer: No objection.

Environmental Protection: Concerns relating to noise and contamination, with condition recommended requiring submission of and approval of LPA relating to a noise assessment / mitigation and informative if any unidentified contamination is found on site.

Environmental and Commercial Services (Waste Team): Bin store for these flats should be located at the rear of the property and the bins would be collected from East Street.

Transport: No comments received

Business Rates: have supplied information on occupancy of the building

### **Publicity**

A site notice was displayed at the application site on 30 April 2025. No comments were received.

## **Appraisal**

The application has been submitted to the Local Planning Authority for a change of use of first floor from Class E (commercial) to C3 (dwelling houses) to comprise 2 x 3-bedroom flats, under Class G, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

However, Officers have reviewed the planning history for the application site and the most recent lawful use of the building relates to an educational use of part and all the first floor of the building. As established by a certificate of lawfulness in November 2012 under application reference 12/1508/CLE (nee PL/12/1508). Therefore, the established lawful use of the ground and first floor of 81 London Street falls under Class F1 (a) of The Town and Country Planning (Use Classes) Order 1987 (as amended).

Officers cannot be satisfied the existing lawful use of the ground floor of the building falls under a Class E (commercial, business or service) use to benefit from the permitted rights as set out within Class G, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Despite this, a review under Class G, Part 3 of Schedule 2 of the GPDO is set out below for completeness.

## **Assessment – Class G**

In order to qualify for assessment under Class G, 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.

The proposed flat would comply with these minimum space standards as illustrated in the accompanying plans.

Criteria G.1.—(1)

Permitted Development Consisting of Change of Use of a Building —

**Criteria G.1.—(1) Permitted Development Consisting of Change of Use of a Building — (a) from a use within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order, to a mixed use for any purpose within that Class and as up to 2 flats;**

Fails. The Council is not satisfied that the lawful use of the building is within Class E (commercial, business and service) of Schedule 2 of the Use Classes Order. The records the Council holds indicate the lawful use of the ground and first floor is that of education, falling under Class F1 (a) of The Town and Country Planning (Use Classes) Order 1987 (as amended).

**(c) from a use within article 3(6)(n) (betting office) or 3(6)(o) (pay day loan shop) of the Use Classes Order, to a mixed use for any purpose within Class E (commercial, business and service) of Schedule 2 to that Order and as up to 2 flats.**

N/A

**(e) from a use falling within article 3(6)(n) (betting office) or 3(6)(o) (pay day loan shop) of the Use Classes Order to a mixed use falling within article 3(6)(n) (betting office) or 3(6)(o) (pay day loan shop) of the Use Classes Order and as up to 2 flats.**

N/A

Conditions G.1— Development permitted by Class G is subject to the following conditions—

- a) some or all of the parts of the building used for a use within, as the case may be, article 3(6)(n) (betting office) or 3(6)(o) (pay day loan shop) of, or Class E of Schedule 2 to, the Use Classes Order is situated on a floor below the lowest part of the building used as a flat;

Fails. The Council is not satisfied that the lawful use of the lowest part of the building is within Class E (commercial, business and service) of Schedule 2 of the Use Classes Order. The records the Council holds indicate the lawful use of the ground and first floor is that of education, falling under Class F1 (a) of The Town and Country Planning (Use Classes) Order 1987 (as amended).

**b) where the development consists of a change of use of any building with a display window at ground floor level, the ground floor must not be used in whole or in part as a flat.**

Complies. The two flats proposed are on the first floor of the building and not the ground floor of the building.

**c) a flat must not be used otherwise than as a dwelling (whether or not as a sole or main residence)—**

**(i) by a single person or by people living together as a family, or**

Complies. C3 dwellinghouse use proposed.

**(ii) by not more than 6 residents living together as a single household (including a household where care is provided for residents)**

Complies. C3 dwellinghouse use proposed.

**d) Before beginning 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 —**

**(i) contamination risks in relation to the building**

The Council's Environmental Protection Team have reviewed the proposal advising the site lies on the site of an historic slaughterhouse which has the potential to have caused contaminated land. However, as the proposal is for a change of use only with no construction works being carried out to the rear of the site a detailed contamination assessment is not required.

The Environmental Protection Team have recommended an informative relating to any unidentified contamination. As such, there is not considered to be any undue contamination risk in relation to the building.

**(ii) flooding risks in relation to the building;**

The proposal site does not fall within flood zone 2 or 3.

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

The Environmental Protection Officer has raised concerns that the proposed residential use would likely be impacted by noise from the surrounding commercial uses, in terms of noise from mechanical plant and internal noise transfer from the ground and second floor uses of the building.

A noise assessment has not been submitted with the application and, therefore, the proposal fails to demonstrate that future occupiers of the flats would not be adversely impacted by commercial noise. The proposal is not considered to be acceptable in respect of commercial noise matters.

**(iv) the provision of adequate natural light in all habitable rooms of the dwellings;**

The proposed internal layout shows one flat within the front half of the building and the second in the more modern rear section of the building, whereby there is an existing central open atrium space and linked section between the front and rear halves of the building. The proposed internal layout shows two of the three bedrooms serving each of the two flats having windows on the front and rear elevations of the building, with the third bedroom and open plan living, kitchen and dining space being served by a window looking out onto the central atrium space. This is a large window but the light

entering the space is constrained by the limited size of the opening and the built for surrounding it.

No light assessment has been submitted with the proposal and Officers are not satisfied that the windows surrounding the central atrium of the building would provide adequate access to natural light, contrary to criteria G1 d. (iv) of Class G, Part 3 of Schedule 2 of the GPDO.

**v) arrangements required for the storage and management of domestic waste.**

RBC Waste Services advise a bin store would need to be provided for the flats that should be located at the rear of the property and bins collected from East Street, stored on private property for the development and must not be stored on the pavement as they would cause an obstruction.

The application does not provide any information as to how waste would be stored within the flat or how waste would be transferred from the flat to the collection point on the appropriate day.

No dedicated refuse store for the flat is proposed. Without adequately demonstrating arrangements for storage and management of waste there is a risk that bins or waste sacks may be left on the street or in other external areas near the site resulting in harm to the visual amenity of the area as well as potential risk of attracting vermin and odours to the locality surrounding the application site. Therefore, the proposal fails to demonstrate adequate arrangements for the storage and management of domestic waste.

**Conclusion**

Prior Approval is required but refused and not given in respect of the following matters:

- Lawful Class E use
- Commercial noise
- Provision of adequate natural light
- Storage and management of domestic waste Recommendation:

**REFUSE**

Prior Approval for the following reasons:

- 1) The Local Planning Authority is not satisfied that the ground floor of 81 London Street has a lawful use falling within Class E of The Town and Country Planning (Use Classes) Order 1987 (as amended) benefitting from permitted development rights under Class G, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Therefore, the proposed change of use does not benefit from the permitted development rights and full planning permission is required.

- 2) The application fails to adequately demonstrate that future occupiers of the development would not be adversely impacted upon by commercial noise from neighbouring and surrounding buildings, and the ground and upper floors of the building as well as from existing surrounding commercial uses. Therefore, prior approval is refused and not given in respect of the criteria set out in paragraph G.1 (d) (iii) of Class G, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), together with Policies CC8 and EN16 of the Reading Borough Local Plan 2019.
- 3) The application fails to adequately demonstrate that future occupiers of the development would be afforded adequate natural light in all habitable rooms of the proposed flats. Therefore, prior approval is refused and not given in respect of the criteria set out in paragraph G.1 (d) (iv) of Class G, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), together with Policy CC8 of the Reading Borough Local Plan 2019.
- 4) The application fails to demonstrate adequate arrangements for the storage and management of domestic waste. No details of waste storage arrangements for either of the flats is provided, nor are details of how waste would be transferred from the flats to the collection point on the relevant day, or where this collection point is located. The application does not adequately show how waste would be managed so that waste sacks would not be left on the street or in other external areas near the site which would result in harm to the visual amenity of the area, or to show how waste would be managed to prevent attracting vermin and odours to the locality surrounding the application site. Therefore, prior approval is refused and not given in respect of the criteria set out in paragraph G.1 (d) (v) of Class G, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), together with Policy CC5 of the Reading Borough Local Plan 2019.

### Informatives

1. Plans
2. Positive and Proactive