

DELEGATED APPLICATION REPORT

SITE ADDRESS: 58 Kings Road, Reading, RG1 3AA

APPLICATION NUMBER: PL/25/0868

PROPOSAL: Change of use of 1st Floor, 2nd Floor and Loft from Class E (offices) to C3 (dwelling houses) to comprise 3 new flats. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

TARGET DATE: 08 August 2025

Introduction

58 King's Road is a three a four-storey mid-terraced building located on the southern side of Kings Road within Reading town centre. The building has a ground floor commercial frontage onto King's Road and three upper floors in office use.

The site and building lies within an Air Quality Management Area (AQMA) but the building and the adjoining buildings are not listed, and the site is not situated within a conservation area nor is it subject of an Article 4 Direction or within a Flood Zone.



Figure 1: Application building

Proposal

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 the first, second the third floor of the building (58 King's Road) to three self-contained flats. The proposed residential internal layout is proposed as follows:

- 1x1-bedroom flat on the first floor (39.1 square metres – GIA)
- 1x2-bedroom flat on the second floor (56.12 square metres – GIA)
- 1x1-bedroom flat on the third floor (loft space) (39.1 square metres – GIA)

The submitted proposed site plan shows an external secure cycle and bin store within the external parking area to the rear of the site. Space for two large commercial size bins are shown and a space for three bicycles in the bike store. These proposed structures are separate from the existing building and require full planning permission. They cannot be considered as part of this prior approval application, which is for a change of use of the existing building.

There is no parking being included in the proposal.



Figure 2: Proposed floor plans.

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
- CIL Form
- Planning Statement
- Location Plan (Ref. 9436-100)
- Existing and Proposed Block Plan (Ref. 9436-101)
- Proposed Site Plan (Ref. 9436 -102)
- Existing Ground Floor Plan (Ref. 9436-103)
- Existing Roof Plan (Ref. 9436-107)
- Existing and Proposed Side Elevations (Ref. 9436-109)
- Proposed Ground Floor Plan (Ref. 9436-110)
- Proposed First Floor Plan (Ref. 9436-111)
- Proposed Second Floor Plan (Ref. 9436-112)
- Proposed Third Floor Plan (Ref. 9436-113)
- Proposed Roof Floor Plan (Ref. 9436-114)

Received by the Local Planning Authority on 13th June 2025.

Policy Context

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

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

- (a) transport impacts of the development, particularly to ensure safe site access;
- (b) contamination risks in relation to the building;
- (c) flooding risks in relation to the building;
- (d) impacts of noise from commercial premises on the intended occupiers of the development;
- (e) where—
 - (i) the building is located in a conservation area, and
 - (ii) the development involves a change of use of the whole or part of the ground floor,the impact of that change of use on the character or sustainability of the conservation area;

- (f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;
- (g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and
- (h) where the development involves the loss of services provided by—
 - (i) a registered nursery, or
 - (ii) a health centre maintained under section 2 or 3 of the National Health Service Act the impact on the local provision of the type of services lost.
- (i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building

Class MA requires development to be completed within a period of 3 years starting with the prior approval date. Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.

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

Planning History

PL/15/1604 - Certificate of Lawfulness for proposed conversion of existing property into 2 flats. Refused, 5th November 2015.

PL/21/1813 – Proposed erection of a 4-storey building comprising 3 x 2-bed flats and 1 x 1-bed flat. Single storey rear extension, third storey extension with associated internal alterations. Granted, subject to section 106 / legal agreement on 6th October 2022.

PL/23/1334 - Proposed erection of a 4-storey building comprising 3 x 2-bed flats and 1 x 1-bed flat. Single storey rear extension, third storey extension with associated internal alterations, without complying with condition 1 (time limit), 2 (plans), 3 (materials) and 18 (green roof) of PL/21/1813 for amendments to the side elevation, windows, balcony and roof design. Granted, 29th April 2024, and subject to prior associated S106.

PL/25/1019 - Application for Approval of Details Reserved by 4 (CMS), 11 (Archaeology), 13 (Hard and soft landscaping), 16 (SAP), 18 (Green roof details), and 19 (Flood resistant materials) of application PL/23/1334. Under consideration, August 2025.

PL/25/0867 - Alterations to the shop front to provide additional door to upper floor areas, provision of rear external staircase for access to rear service area from upper floors. Under consideration, August 2025.

Consultations

RBC Transport – No objection.

RBC Environmental Health – Objection, with the following comments:

“The applicant needs to provide further information on the impact of commercial noise on the proposed flats. Commercial use is to remain on the ground floor therefore they will need to demonstrate that this won't cause loss of amenity to the first floor flat. What is the standard of insulation between the uses? Are there any items of mechanical plant associated with this use or neighbouring uses? Are there commercial uses at first floor and above in adjoining premises?”

RBC Waste Services – No objection.

Publicity

A site notice was displayed at the application site on 09/07/2025. No comments were received.

Appraisal

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).

In addition, 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. All units also include storage / cupboard spaces.

Unit No.	Nationally Described Space Standards (NPSS)	Proposed Gross Internal Area (m ²)
1 (1 bed)	37 m ²	39.1 m ²
2 (2 bed)	37 m ²	56.1 m ²
3 (1 bed)	37 m ²	39.1 m ²

Criteria MA.1.—(1)

Parts (a) (three-month vacancy) and (c) (Floorspace qualification) were removed from the legislation on 5th March 2024 and so are no longer assessed.

(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.

(d) Land designation criteria – “If land covered by, or within the curtilage of, the building —

- (i) is or forms part of a site of special scientific interest;***
- (ii) is or forms part of a listed building or land within its curtilage;***
- (iii) is or forms part of a scheduled monument or land within its curtilage;***
- (iv) is or forms part of a safety hazard area; or***
- (v) is or forms part of a military explosives storage area;”***

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

(e) Landscape designation criteria – “if the building is within—

- (i) an area of outstanding natural beauty;***
- (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981;***
- (iii) the Broads;***
- (iv) a National Park; or***
- (v) a World Heritage Site;”***

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;”

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

(g) Previous use criteria - “before 1 August 2022, if—

- (i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and***
- (ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.***

Complies.

Conditions

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;
- (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.

- (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.

Assessment of MA.2.—(1)

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

The Council's Transport Team raise no objection to prior approval being given as the proposal would not have a material impact on the character of the traffic in the vicinity of the site given the extensive parking restrictions in the area.

(b) Contamination risks in relation to the building

The application site is not located on land known to be contaminated and no concerns have been raised by the Council's Environmental Protection Team.

(c) Flooding risks in relation to the building

The application building, 58 Kings Road, is not located within Flood Zones 2 or 3, however approximately half of the rear carpark land, accessed from Crane Wharf is in Flood Zone 2, with

the River Kennet on the other side of Crane Wharf. A proposed bin and cycle store is located in the existing rear carpark, adjacent to 13 Crane Wharf. These are new structures that are separate from the existing building and require full planning permission. They are not for consideration as part of this change of use prior approval application,

In terms of the existing building, as it lies outside flood zones 2 and 3. No objection is raised to the proposal on flood risk grounds.

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

Paragraph MA.2(d) of Class MA of the GPDO requires the LPAs assessment relating to impacts of noise from any commercial premises on the intended occupants of the new dwellinghouse, which follows a similar requirement of Policy CC8 of the Reading Borough Local Plan 2019.

The site lies within Reading town centre within an area of predominately commercial and some residential uses. Some level of noise is expected within a town centre location. RBC Environmental Protection Officers have reviewed the proposal and have raised concerns that insufficient information has been provided in support of the proposal to demonstrate commercial noise would not have an unacceptable adverse impact on the amenities of those future occupants of the building.

Officers are not satisfied without further supporting information that the proposed creation of new residential units would not result in significant noise impacts on the intended occupiers of the dwellinghouses, contrary to the requirements under Paragraph MA.2(d) of Class MA of the GPDO, Policy CC8 of the Reading Borough Local Plan and the advice contained within the NPPF (paragraph 198).

(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;

The site is not located within a conservation area.

(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.

All rooms used for sleeping or living within the proposed development would be served by good sized windows. It appears the head high within the proposed top (third) floor roof space is limited to an extent by the existing mansard roof form. However, there is a large dormer window on the

front elevation and good-sized window on the rear elevation serving the proposed bedroom. The head heights are not considered to be severely restricted to adversely inhibit the occupation of this space. As such, Officers are satisfied the proposed change of use would enable adequate natural daylight in all habitable rooms of the proposed flats.

In addition to the habitable rooms shown on the proposed floor plans, there is a storage room on the first floor to the rear of proposed first floor flat, accessed via a corridor leading to a staircase to the rear of the property. This is a narrow, small room measuring some 14 square metres that is divorced from the proposed first floor flat accommodation. This space, because of the rooms narrow nature and positioning away from the proposed first floor flat would not be suitable as primary habitable accommodation.

Similarly, there is a storage room within the proposed second floor flat. This is a small room measuring 3.2 square metres in size and has no external windows serving it. Again, this room is not suitable for primary habitable accommodation.

(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.

A Fire Statement would be required if the development involves the development of an existing 'relevant building'. These new criteria applies 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 building does not meet these criteria and therefore a Fire Statement is not required.

Recommendation:

Prior Approval is REQUIRED and REFUSED, for the following reason:

- 1) Without information to demonstrate otherwise, the Local Planning Authority is not satisfied the proposed development would not result in significant noise impacts on the intended occupiers of the proposed dwellinghouses, contrary to the requirements under Paragraph MA.2(d) of Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Policy CC8 of the Reading Borough Local Plan and the advice contained within the NPPF (paragraph 198).