

DELEGATED APPLICATION REPORT

Ward: Abbey Ward

App Ref: PL/25/0918 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 the ground floor to seventh floor from Class E (offices) to C3 (dwelling houses) to comprise 53 1x bed and 54 2x 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: 27/06/2025

Target Decision date: 25/08/2025

Case Officer: Nathalie Weekes

1. INTRODUCTION

The application site is located on the corner of King's Road and Abbey Street. The main 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. Prior approval PL25/0202 under Class MA was granted on 23 May 2025 for the change of use of part of the ground to the fifth floor of the remaining central and northern parts of the building to create 92 units.

The site is a basement, lower ground, ground and seven storey (10 floors in total, with a substantial roof level too) office block located within the Reading Central Core. 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 zones 1, 2 & 3 (with the Holy Brook running beneath the building into the River Kennet) and an air quality management area, 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, albeit there are a number of listed buildings and structures closeby. Significant trees are in close proximity to the building (including TPOs). The site falls **outside** of the Article 4 area within Reading, which restricts prior approval changes of use.

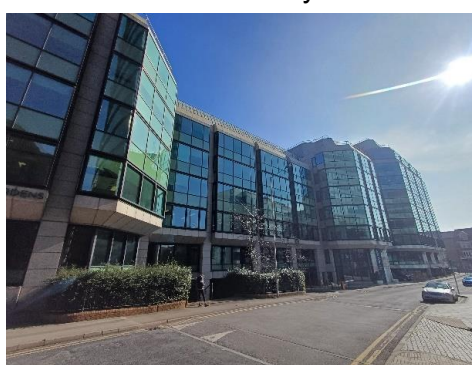
Site photographs showing elevations

View from Kings Road



View from Crown Bridge, Kings Road

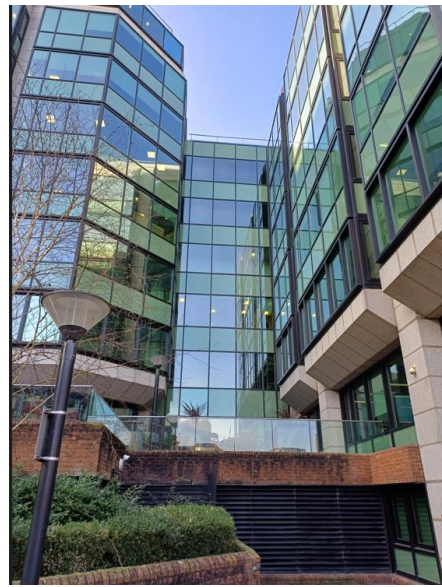
View from Abbey Street



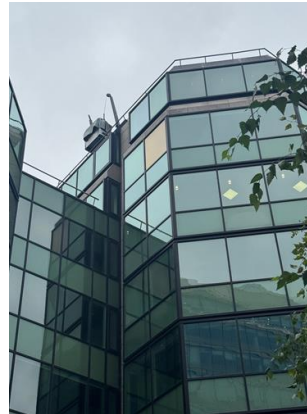
View from the River Kennet



View from Chestnut Walk by Abbey Ruins

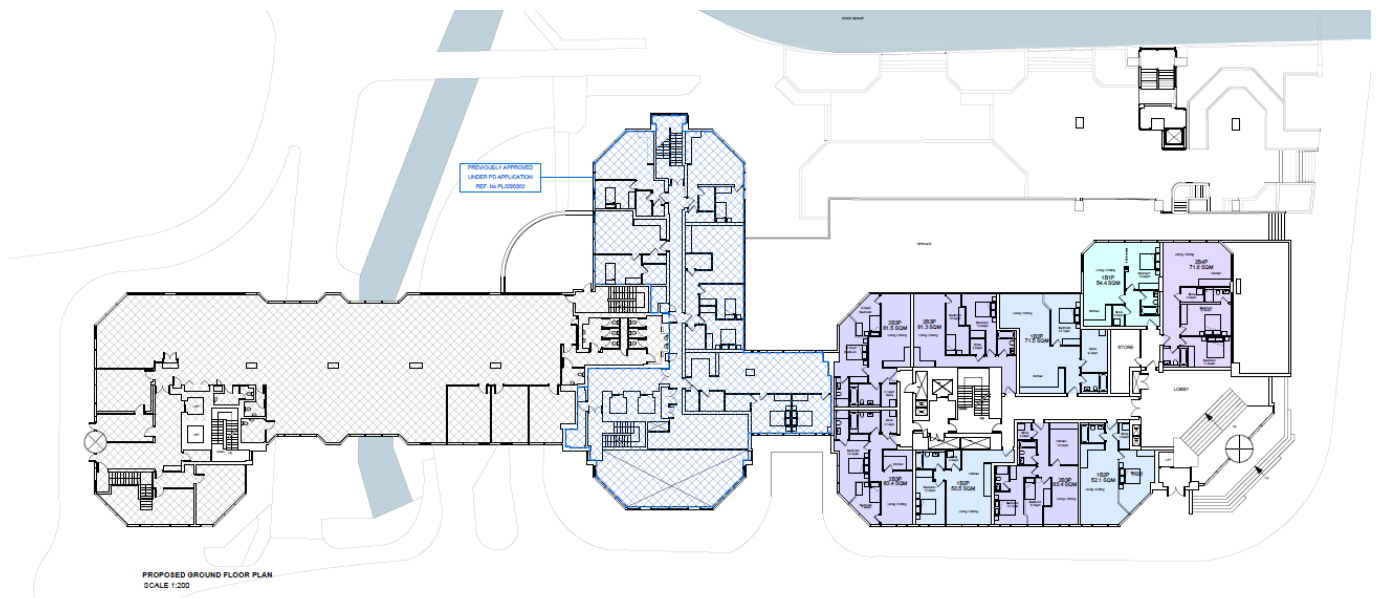


View of the sixth and seventh floors

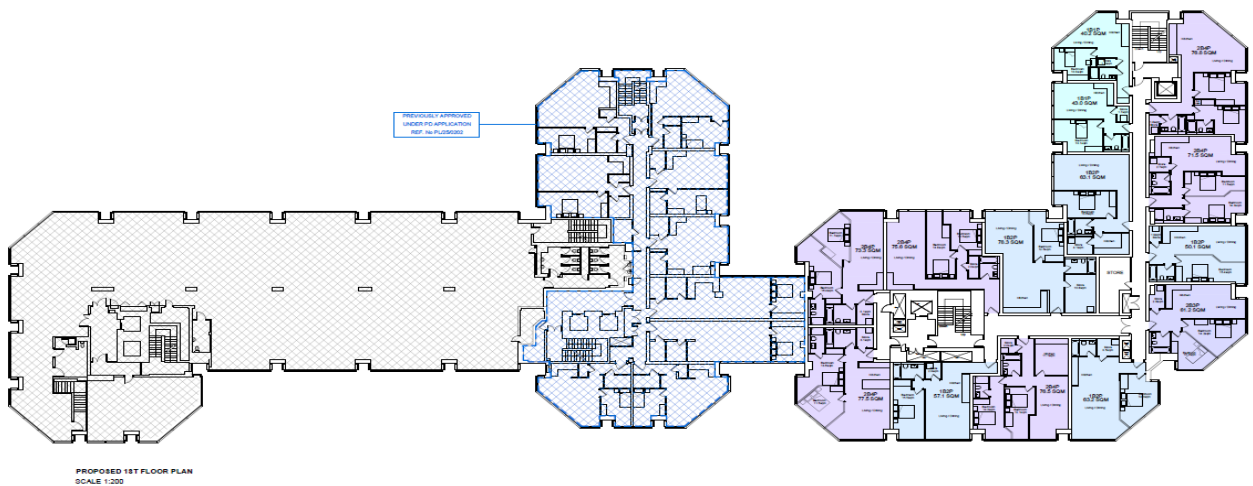


2. PROPOSAL AND SUPPORTING INFORMATION

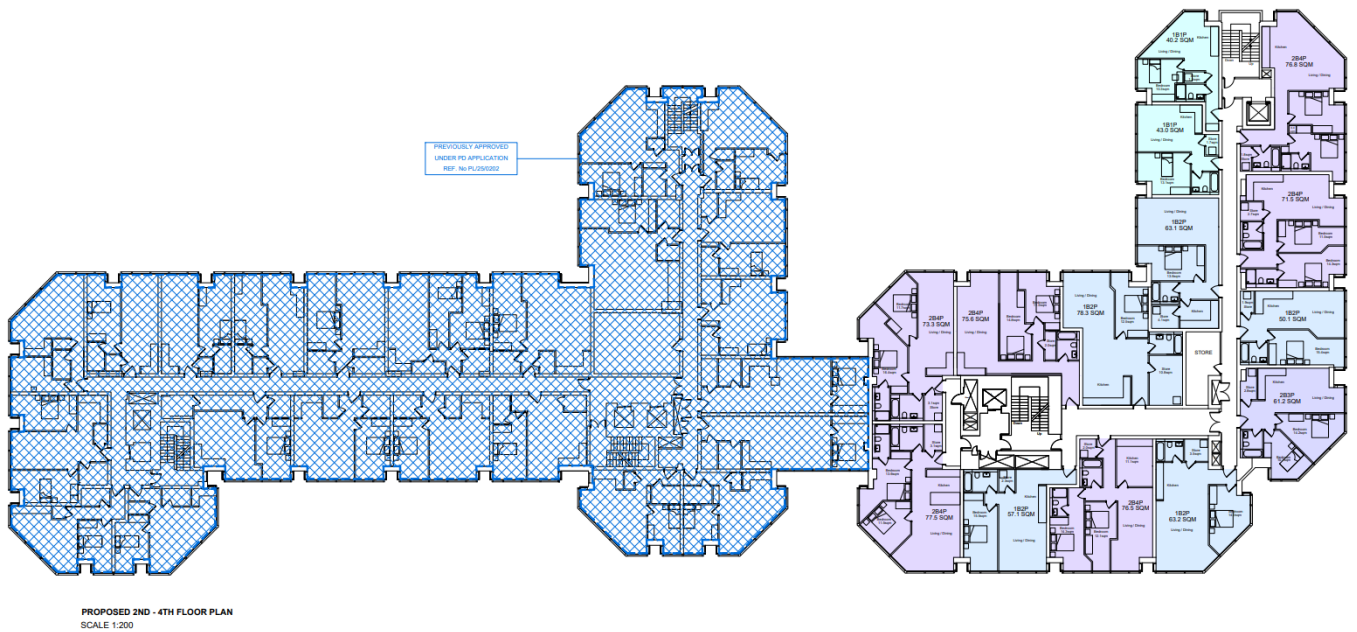
- 2.1 Prior approval is sought under Class MA Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for the change of use of part of the ground, first, second, third, fourth, fifth, sixth and seventh floors from Class E (offices) to C3 (dwelling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



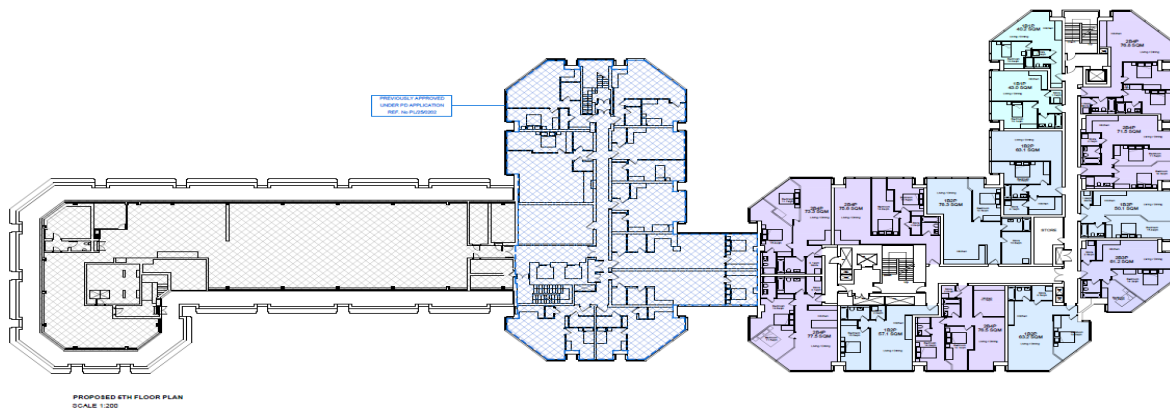
310 P.01 Plan of proposed ground floor showing proposed residential units



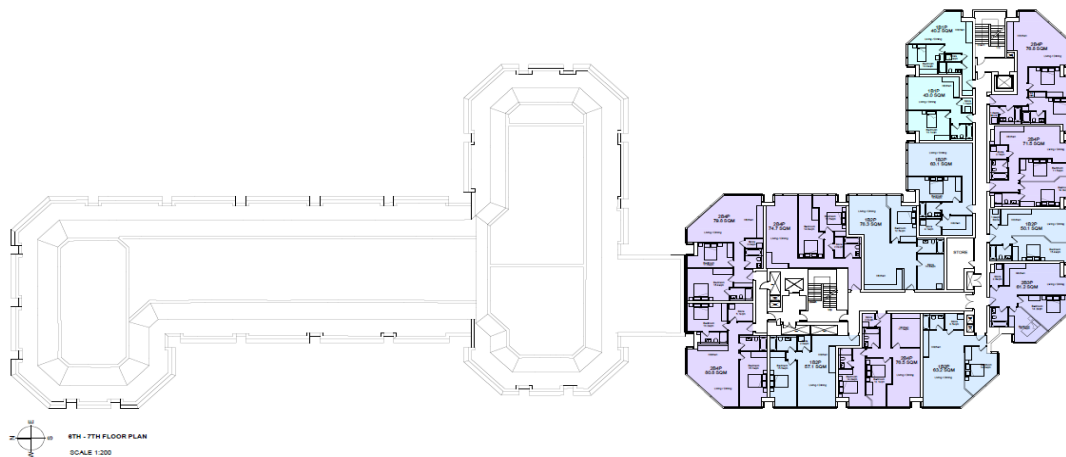
311 P.01 Plan of proposed 1st floor showing proposed residential units



312 P.01 Plan of proposed 2nd to 4th floor showing proposed residential units



315 P.01 Plan of proposed 5th floor showing proposed residential units

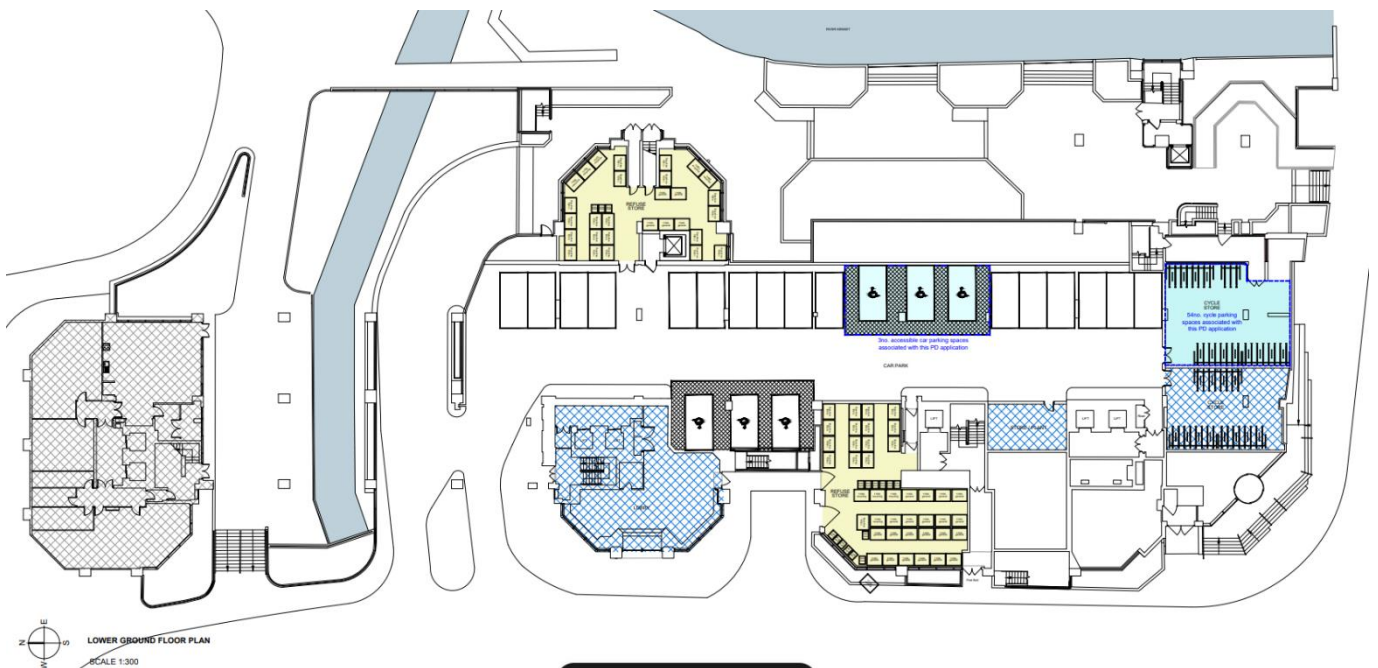


316 P.01 Plan of proposed 6th and 7th floor showing proposed residential units

2.2 More specifically, a total of 107 units comprising 53 x 1 beds and 54 x 2 beds are proposed, as follows:

- GF - 4x1 bed and 5 x 2 bed
- FF – 7 x 1 bed and 7 x 2 bed
- SF - 7 x 1 bed and 7 x 2 bed
- TF - 7 x 1 bed and 7 x 2 bed
- Fourth F - 7 x 1 bed and 7 x 2 bed
- Fifth F - 7 x 1 bed and 7 x 2 bed
- Sixth F - 7 x 1 bed and 7 x 2 bed
- Seventh F - 7 x 1 bed and 7 x 2 bed

- 2.3 No works are proposed in the lobby areas or proposed externally. However, future changes to the external cladding may be required in order to satisfy building requirements and require an additional planning application.
- 2.4 The submitted site plan specifies that at lower ground floor level, located under the building on the site, that 54 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”*.



309 P.04 Proposed Lower Ground Floor Plan

3. INFORMATION SUBMITTED

- Completed application form
- 209 P.01 Existing Lower Ground Floor Plan
- 210 P.01 Existing Ground Floor Plan
- 211 P.01 Existing 1st Floor Plan
- 212 P.01 Existing 2nd to 4th Floor Plan
- 215 P.01 Existing 5th Floor Plan
- 500 P.01 Existing East and West Elevations
- 501 P.01 Existing North and South Elevations
- 308 P.01 Proposed Basement Plan
- 309 P.04 Proposed Lower Ground Floor Plan
- 310 P.01 Proposed Ground Floor Plan
- 311 P.01 Proposed 1st Floor Plan
- 312 P.01 Proposed 2nd – 4th Floor Plan
- 315 P.01 Proposed 5th Floor Plan
- 316 P.01 Proposed 6th- 7th Floor Plan
- 400 P.01 Proposed Section
- CIL form
- hgh Cover letter, 23 June 2025
- ROL01535 Daylight and Sunlight assessment, Ansteyhorne, 23 June 2025
- Fire Safety Strategy cover letter, Ryan & Associates, 3 June 2025
- 251025 Fire Safety Strategy, Ryan & Associates, 10/02/2025
- 5292/2025 FRA – Abbey Gardens Rev C, Final Flood Risk Assessment, EAS, 19 June 2025
- 28800.NIA.01 Noise Impact Assessment Report, KP acoustics, 20/12/2024
- GS-Z12-RKD-A76-ETZ Groundsure Insights Phase I Dest study 04 December 2024
- GS-Y2J-QVW-SD4-93C Groundsure Location Intelligence Phase I Desk Study - 2 04 December 2024
- GWPR6366/DS/June 2025 Final V.2 Groundsure Desk Study - 3
- 24553 TS02 Rev A Transport Statement, Markides Associates, 23 June 2025

As received 30 June 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:

PL/25/1175/FUL - Installation of windows within the roof space of the north and central blocks at Abbey Gardens. Current application submitted, but yet to be validated and registered (currently invalid).

PL/25/1148/PAA - Change of use of part of the 5th (north block) and 6th (middle block) floors from Class E (offices) to Class C3 (dwelling houses) to comprise 14 (1x1, 11x2 & 2x3-bedroom) residential units. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Current prior approval application under consideration.

PL/25/0202/PAA - 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. Permitted 23/05/2025

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

- 1.1. **RBC Transport** – The application is supported by a Transport Statement which asserts that the site would provide 3 accessible parking spaces and lower parking provision in the lower ground floor 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.

- 1.2. 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. This 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.
- 1.3. 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; 3 accessible parking spaces will be provided in accordance with RBC's parking guidance which states that for residential units providing less than 200 parking spaces, there should be a minimum of 3 accessible spaces or 5% of the total capacity, whichever is greater.
- 1.4. 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.
- 1.5. There are extensive parking controls and restrictions surrounding the site ensuring that any overspill will not impact on road safety. Any planning consent will also impose conditions/informatives on the addresses to ensure that the proposed units will NOT be eligible for parking or visitor permits.
- 1.6. In the circumstances it is considered that the proposed change of use would not have a material impact on the character of the traffic in the vicinity of the site. Therefore, there are no Transport objections to prior approval being given for the proposed change of use subject to the informative/conditions stated below.
- 1.7. 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 54 long-stay cycle parking spaces will be provided at lower ground floor level in the form of two-tier stands.
- 1.8. In principle Transport do not have any objections to this application the site is in a highly sustainable location and unauthorised parking can be managed via the extensive restrictions in place subject to Parking permit conditions, a highways informative and parking permits informative.
- 1.9. The applicant was informed of the feedback from RBC Transport and request for an informative to be added to the decision.
- 1.10. **RBC Environmental Protection** - There is nothing further required regarding the noise assessment, I note the recommendation to upgrade the windows to protect against traffic noise and this is welcomed. They should also consider their ventilation strategy if they are intending for residents to keep windows closed to protect against the noise.
- 1.11. RBC Environmental protection recommends conditions relating to land contamination due to the Phase I desk study, 'GWPR6366/DS/June 2025, Phase I Desk Study, Groundsure. 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.
- 1.12. **RBC Waste Services** - The Council's standard household waste collection service is for a fortnightly general waste collection, a fortnightly recycling collection and food waste is collected

weekly.

A block containing 107 units on the standard collection schedule would require –

- 13 x 1100L general waste bins
- 23 x 1100L recycling bins
- 8 x 240L food waste bins

- 1.13. It is noted that there are 2 refuse stores displayed in the plan for the lower ground floor showing a total of 44 x 1100L recycling bins, 26 x 1100L recycling bins and 17 x 240L food waste bins.
- 1.14. Developers should also take into consideration upcoming changes to residential waste collection services as per Simpler Recycling requirements in the future. These requirements will increase the amount of material recycled/collected at the kerbside (i.e. addition of glass & soft plastics) and so additional refuse space should be allocated to allow for this. Note: glass can currently only be recycled at local glass bottle banks or the tip.
- 1.15. Please note that there are a number of requirements that must be complied with within the bin store regarding space and access. Please refer to sections 3.3-3.7 on the Council's Waste Management Guidelines.
- 1.16. Waste Services would ask to see a swept path analysis document showing how the larger refuse collection vehicle will enter the site and access both bin stores. Officers note there is a swept path analysis plan for a large car in the transport statement but there is not one for a lorry or refuse collection vehicle. Please see Appendix B ([Waste management guidelines - Reading Borough Council](#)) for our vehicle dimensions to be considered.
- 1.17. 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 RBC crews. It is noted on page 22 of the transport statement that it is proposed that the refuse bins shall be moved from the bin store to the kerbside by the building management on collection. Officers would seek further clarification on where the bins would be dragged to and when, so that we can be sure they would not cause an obstruction. Developers should be aware that waste collections begin at 6am each day and can run up until 4pm. Whilst collection days can be confirmed, exact collection times cannot and bins would need to be presented in advance of the crew attending. As such the building management team would need to be present from 6am and the bins would need to be presented before the crew arrive to ensure prompt and efficient emptying of bins.
- 1.18. 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.
- 1.19. Waste Services require at least 6 weeks' notice prior to residents moving into a development to ensure that bins can be purchased, delivered and collections scheduled in with the crews. *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).*
- 1.20. **HSE** - The above 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 South block only.
- 1.21. The development has a top-most floor height of 31.05m. The South block has 8 storeys above the ground level (Ground plus L1 to L7), a lower ground level, and a basement car park. A car and

cycle parking, storage, plant refuse storage and a lobby are located at the lower ground floor level, with residential accommodation proposed on the ground to seventh floors (North and Central blocks comprise: a shared basement car park, and lower ground to fifth floor; they do not form part of this application).

- 1.22. The development (South block) is served on all storeys by two firefighting stairs. Each firefighting stair is part of a firefighting shaft which also contains: a dual-purpose firefighting/evacuation lift, a smoke ventilated lobby, and a dry riser outlet within the stair.
- 1.23. 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)
- 1.24. It will be for the applicant to demonstrate that suitable fire service access and facilities are provided at later regulatory stages.
- 1.25. 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.
- 1.26. 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.
- 1.27. 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 at subsequent regulatory stages.
- 1.28. 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.”
- 1.29. 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.
- 1.30. **Thames Water** - Thames Water (TW) has reviewed this H4 consultation. The developer may require a build over agreement, as TW believe the proposed development could be within 3 metres of a public sewer (of which, the internal diameter is less than or equal to 150mm). There are no mapped public sewers in the vicinity, however following the private sewer transfer in October 2011, it is likely that houses of this type and location will have unmapped public sewers within their boundary.
- 1.31. TW therefore strongly recommend your client employs a professional to conduct a survey within

their property to ascertain if any shared pipework is present. If there is, then please do contact TW again to discuss the next steps. For more information on locating sewers and drains, watch the TW video. Watch the TW guide to the Private Sewer Transfer – note this only applied to existing drains and sewers that existed and were operational in 2011, not any new sewers or drains built since that time. Please also advise the developer, if applicable, that Thames Water do not permit driven piles within 15m of a public sewer.

- 1.32. Thames Water – Development planning Waste Comments: 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.

- 1.33. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail: devcon.team@thameswater.co.uk) prior to the planning application approval.

- 1.34. With the information provided Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for SURFACE 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. Surface 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 Surface 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 flooding and/or potential pollution incidents.

- 1.35. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail: devcon.team@thameswater.co.uk) prior to the planning application approval.
- 1.36. Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.
- 1.37. Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such TW have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.
- 1.38. Public sewers are crossing or close to your development. Build over agreements are required for any building works within 3 metres of a public sewer and, or within 1 metre of a public lateral drain. This is to prevent damage to the sewer network and ensures we have suitable and safe access to carry out maintenance and repairs. Please refer to the TW guide on working near or diverting TW pipes: <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Please ensure to apply to determine if a build over agreement will be granted.
- 1.39. Water Comments: The proposed development is located within 5m of a strategic water main. Thames Water do NOT permit the building over or construction within 5m, of strategic water mains. Thames Water request that the following condition be added to any planning permission.

No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.

- 1.40. Please read the TW guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near TW pipes

or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. [Email: developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk).

- 1.41. Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. 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:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. 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.

Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

- 1.42. 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). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail: devcon.team@thameswater.co.uk) prior to the planning application approval. Supplementary Comments:

- 1.43. Thames Water advise that a drainage strategy should contain the points of connection to the public sewerage system as well as the anticipated flows (including flow calculation method) into the proposed connection points. This data can then be used to determine the impact of the proposed development on the existing sewer system. If the drainage strategy is not acceptable Thames Water will request that an impact study be undertaken.

- 1.44. **Environment Agency** - Thank you for consulting us on this application, on 7 July 2025. The EA have reviewed the submitted documents in line with their planning remit, including: Flood Risk Assessment - Abbey Gardens, 5292/2025, Rev C and Phase 1 Desk Study- June 2025 - GWPR6366- Ground and Water.

- 1.45. This site is located within flood zone 3 according to the Flood Map for Planning. This is defined as areas having a high probability of flooding in accordance with Table 1 'Flood Risk' of the Planning Practice Guidance (PPG). The designated main River Kennet is within the site. The development location is positioned on a Principal Aquifer (Seaford and Newhaven Chalk), a Secondary A aquifer (Taplow Gravels) and is directly adjacent to the River Kennet, with a history of contaminative uses both on site and within the local area.

- 1.46. Environment Agency position - The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk and groundwater and contaminated land if the following planning conditions are included.

Condition 1

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 1 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 National Planning Policy Framework.

Condition 2

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason 2 To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 187 of the National Planning Policy Framework.

- 1.47. Environmental permit - advice to applicant - 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
- 1.48. 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.
- 1.49. 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.
- 1.50. **RBC Natural Environment** - Given the nature of the application, there are no objections. As per comments given for PL/25/0202, please attach Informative I15 due to the presence of TPO trees adjacent to the building:

I15

You are advised that no tree works are approved by virtue of this consent. Any works to trees subject to a Tree Preservation Order or to Conservation Area status will require submission of a

tree works application or Section 211 Notice respectively.

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 – albeit officers consider it more likely to be Class B1a, rather than B1c) 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, a Scheduled monument or land within its curtilage (the nearby Reading Abbey ruins to the north are, but the application site boundary is outside the curtilage of the scheduled monument), 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/June 2025 Final V.2 Groundsure Desk Study - 3, Phase 1 Desk Study. 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 20/08/2025. 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 conditions in relation to flooding and potential contamination. These will be dully 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 and subject to condition that development is to be implemented in accordance with the noise assessment 28800.NIA.01 Noise Impact Assessment Report, KP acoustics, 20/12/2024 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 setting 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 seventh floor level and no external alterations are proposed. Based on the officer site visit on 09/07/2025 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 and Sunlight assessment, Ansteyhorne, 23 June 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 for default 200 lux target in 3 living/kitchen/diners and one 1bed&1person unit, 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 has 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.

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

The application was received on 30 June 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.

Other matters

A series of conditions have been recommended by various consultees (see section 6 above). However, given the scope of the prior approval considerations, it is not appropriate to include all of those which were recommended. Only those which can be included are referenced below, with informatives also included. Furthermore, the applicant has been advised of all consultation responses prior to the issuing of the decision and specified agreement to the conditions included (via email on 20/08/2025).

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:
 - 308 P.01 Proposed Basement Plan
 - 309 P.04 Proposed Lower Ground Floor Plan
 - 310 P.01 Proposed Ground Floor Plan
 - 311 P.01 Proposed 1st Floor Plan
 - 312 P.01 Proposed 2nd – 4th Floor Plan
 - 315 P.01 Proposed 5th Floor Plan
 - 316 P.01 Proposed 6th- 7th Floor Plan
 - 400 P.01 Proposed Section
 - hgh Cover letter, 23 June 2025
 - ROL01535 Daylight and Sunlight assessment, Ansteyhorne, 23 June 2025
 - Fire Safety Strategy cover letter, Ryan & Associates, 3 June 2025
 - 251025 Fire Safety Strategy, Ryan & Associates, 10/02/2025
 - 5292/2025 FRA – Abbey Gardens Rev C, Final Flood Risk Assessment, EAS, 19 June 2025
 - 28800.NIA.01 Noise Impact Assessment Report, KP acoustics, 20/12/2024
 - GS-Z12-RKD-A76-ETZ Groundsure Insights Phase I Dest study 04 December 2024
 - GS-Y2J-QVW-SD4-93C Groundsure Location Intelligence Phase I Desk Study - 2 04 December 2024
 - GWPR6366/DS/June 2025 Final V.2 Groundsure Desk Study - 3
 - 24553 TS02 Rev A Transport Statement, Markides Associates, 23 June 2025

As received 30 June 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 Noise Impact Assessment Report, KP acoustics, 20/12/2024 as received by the Local Planning Authority on 30 June 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 National Planning Policy Framework and Policy EN18 of the Reading Borough Local Plan 2019.

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 Policy EN16 of the Reading Borough Local Plan 2019 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 Borough 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 Borough 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 Borough Local Plan 2019 and to ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 187 of the National Planning Policy Framework.

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. A Building Regulations application may be required for the proposed development. Please go to our website for more advice.
<https://www.reading.gov.uk/planning-and-building-control/building-control/apply-for-building-control/>
You can also find advice and submit an application using the Planning Portal.
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 has made a series of recommendations in relation to matters such as surface water drainage, potential damage to subsurface potable water infrastructure and the existing water network infrastructure. These comments have been fed into the agent for the applicant via email on 20/08/2025 and you are advised to liaise with Thames Water and where appropriate follow the guidance provided.
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.

Appendix A

HSE Supplementary Information

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 at subsequent regulatory stages.

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."*

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.

Material change of use

Smoke Ventilation and Computational Fluid Dynamic (CFD) modelling Health and Safety Executive

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.

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)

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.

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.

External wall system

Building Safety Regulator