

DELEGATED APPLICATION REPORT

Ward: Battle Ward

App Ref: PL/25/1771 Prior approval Part 3 Class MA: Commercial, business and service uses to dwellinghouses

Address: 3 TIDMARSH STREET, READING, RG30 1HX

Proposal: Change of use from Class E (offices) to C3 (dwelling houses) to comprise 2X one bedroom flats. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

Applicant: Pankaj Raichura

Received date: 10/12/2025

Target Decision date: 04/02/2026

Case Officer: Nathalie Weekes

1. SITE DESCRIPTION

The application site is a single storey building located on the western side of Tidmarsh Street. The surrounding area is residential.

The building has been used by Valpee Printers. The site is not Listed, nor in a Conservation Area.

Planning permission was granted under planning application PL250756 to block the rear elevation windows in the existing commercial unit on 21 October 2025

2. PROPOSAL AND SUPPORTING INFORMATION

Prior approval is sought under Class MA Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 for the change of use from Class E (offices) to C3 (dwelling houses) to comprise 2X one bedroom flats.

Information submitted

976 01/01 Location plan

976 01/00 Block plans as existing

976 01-01 Ground floor and roof as existing

976 04/01 Front and rear elevation as existing

976 04/02 East Courtyard and east elevation as existing

976 04/01 South and West elevation as existing

976 03//10 Ground floor & roof as proposed

976 04/11 Front & rear elevation as proposed

976 04/02 East courtyard & east elevation as proposed

976 04/01 South & west elevation as proposed

976 Statement of compliance, Colony

SES/HR/TS/1#1 Contaminated land risk assessment Phase 1 desk top study - preliminary assessment, Soil Environmental services Ltd, August 2020

Envirocheck mapping (Appendix A1)

250794558_1_1 Envirocheck, Landmarks information group (Appendix B)

23-12343 Noise Impact assessment, Syntegra consulting, 21 December 2023

As received 10 December 2025

Planning History

PL/20/0498/PNN - Notification of Prior Approval for a Change Of Use from Premises in Light Industrial Use (Class B1(c) and any land within its curtilage to Dwelling houses (Class C3). The proposed development comprises the change of use from Light Industrial (B1(c) to Residential (C3), converting 150 sqm of Storage into 4 X 1-bed dwellings. Prior Notification under Class PA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 – Prior Notification Refusal 03/06/2020

PL/21/0511/PNN - Notification of Prior Approval for a Change Of Use from Premises in Light Industrial Use (Class B1(c) and any land within its curtilage to Dwelling houses (Class C3). The proposed development comprises the change of use from Light Industrial (B1(c) to Residential (C3), comprising 4 dwelling units. Prior Notification under Class PA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 – Application Returned 24/05/2021

PL21/1527/PNN Change of use from Class E (workshop) to C3 (dwelling houses) to comprise 3 Flats. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 Refusal 09/11/2021

PL24/0154/PNN Change of use from Class E (offices) to C3 (dwelling houses) to comprise 3 flats. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Withdrawal 27/03/2024

PL24/1254 Change of use of office building from Class E (offices) to C3 (dwelling houses) to comprise 2 dwelling units. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Withdrawal 20/11/2024

PL25/0756/FUL Blocking rear windows to the existing commercial unit Permitted 25/10/2025

3. POLICY CONTEXT

Legal 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).

4. CONSULTATIONS

RBC Transport – Objection

RBC Environmental Health – Objection

Insufficient information or evidence has been provided. The noise assessment suggests sealed windows for the rear but appears they have decided to brick this up instead under a Full planning permission which is good from an acoustic perspective.

For the front façade, it suggests

A typical double-glazing system in a 4/12/6 configuration (or equivalent) will be installed to give a Sound Reduction Index (SRI) of 32 dB Rw.

An alternative means of ventilation will be installed to allow adequate ventilation without the requirement to open windows. Due to the potential for industrial/commercial noise this is advised to be MVHR.

Therefore ventilation inlets will be required, ideally not from the rear which is the noisiest façade.

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.

Also 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.

RBC waste services – Observations provided

Publicity

A site notice was displayed at the application site for the requisite period. The site notice was displayed on 16 December 2025 for the required period. No comments were received.

5. APPRAISAL

The proposal comprises the change of use of the building from Class E(i) 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, 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.

Criteria MA.1.—(1)

(a) Criteria deleted

(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;”

The former use of the site was B1(c) which falls within the B1 use class specified in subparagraph (2) for a continuous period of 2 years.

(c) Criteria deleted

(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;”

(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.

The site has not been subject to development of a description falling with Class of this part immediately before 1st August 2021, nor would such development be prevented 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.

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 raised an objection to the application due to the proposed development not offering any off-road parking provision and the surrounding area not being restricted in terms of parking. As such, the scheme would result would increase competition for on street parking on a road that is currently unrestricted resulting in additional pressure for existing residents.

However, Officers acknowledge that the prior approval legislation can only be considered. Given the scheme is a car-free development, is not considered to have a material increase or a material change in the character of traffic in the vicinity of the site (as required by paragraph W(5)(a) given the scale of the development. It is not considered competition for parking in an unrestricted zone is not considered suitable basis to resist prior approval in this instance.

(b) Contamination risks in relation to the building

A Contamination Report was submitted alongside this application following comments raised by the Environmental Health team. The report concluded that:

Further investigations and remedial works are not considered necessary at this site. The underlying soils were largely clean apart from some minor ash inclusions which would never be seen by the new residents.

If however, this small site was ever to be cleared, as a whole or in part, to create a residential garden with open areas of soil where children might play or homegrown produce might be grown, then further

assessment of the PAH compounds would need to be carried out once the soils were exposed after demolition.

Given the proposal only involves a change of use with no intrusive ground work, it is not considered the proposed residents would be at risk from contaminated land, as noted above. This application does not allow for the provision of amenity space. Should, in the future, any groundworks be undertaken or a garden created, the developer or residents should be aware that a further contamination investigation may need to be carried out. Should the proposal have been considered acceptable in all other respects, this would have been included as an informative.

c) Flooding risks in relation to the building

The site is not located within Flood Zones 2 or 3 and as such the proposals are acceptable in flood risk terms.

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

Behind the application site sits a garage and car wash. Within the consultation response from Environmental Health it states that the proposed residents could be exposed to commercial noise from the premises.

The noise assessment provided states 'Due to the potential for adverse to significant adverse impacts at night at the front of the site, it is recommended that an alternative means of ventilation is provided on that façade so that future residents have the choice not to open their windows. It is not recommended, however, that windows are sealed as the noise would not be constant and residents generally prefer to have the choice to open their windows or not. It also noted that no jet washer noise would be present at night.

It is noted that no habitable rooms overlook the rear of the site and therefore it is recommended by Syntegra that the windows are sealed so that residents do not have the choice to open the windows and undermine the significant level of sound insulation required. Sufficient ventilation should be installed to ensure satisfactory internal living standards can be maintained.'

Application PL250756 was granted on 21 October 2025 to block the rear elevation windows in the existing commercial unit. The RBC Environmental protection team have confirmed that this would be good from an acoustic perspective. The noise report proposed sealing windows. No updated noise assessment addendum has been provided to take account of a proposed change to brick up the windows on the rear elevation. Works to brick up the rear windows would need to be actioned prior to or at the time of works being undertaken in connection with a proposed change of use and a condition would be required for Application PL250756 to be implemented prior to use occupation of the building as C3 residential accommodation. Works to brick up the rear windows would need to be actioned prior to or at the time of works being undertaken in connection with a proposed change of use and if the proposal is considered acceptable, a condition would be required for Application PL250756 to be implemented prior to use occupation of the building as C3 residential accommodation.

An alternative means of ventilation is also proposed for noise mitigation works to the front elevations. No changes are allowed to the external elevations for a class MA prior approval and as such the proposed change of use would not be acceptable without the addition of ventilation vents and would not fail to ensure that future residents would be protected from the impacts of noise from the commercial property to the rear of the application site.

It is not considered acceptable to attach a condition requiring an additional planning application for a change to the appearance of the front elevation to be submitted as this is a matter the LPA has to consider and be satisfied with at the time of the application before prior approval is given. An updated noise report would also be required.

As such, it has not been demonstrated that the proposal would be acceptable in terms of noise from commercial premises on the intended occupiers of the development. The proposal therefore fails to accord with condition (d).

(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 and so would not impact the character or sustainability of a Conservation Area.

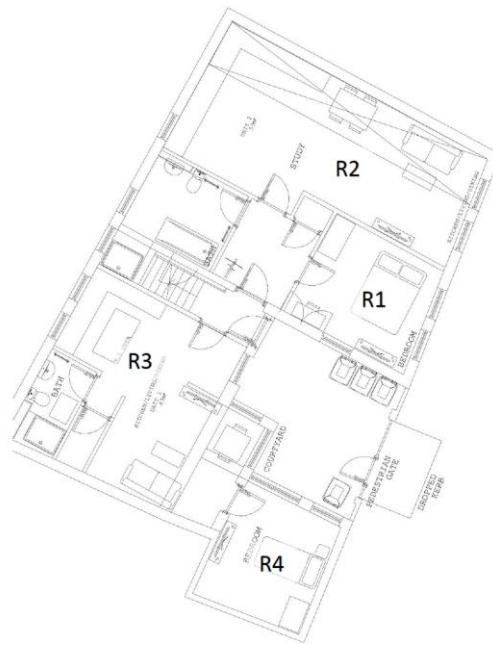
(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses

Statutory Instrument 2020:632 introduces the requirement that consideration is given in respect to the provision of adequate natural light in all habitable rooms.

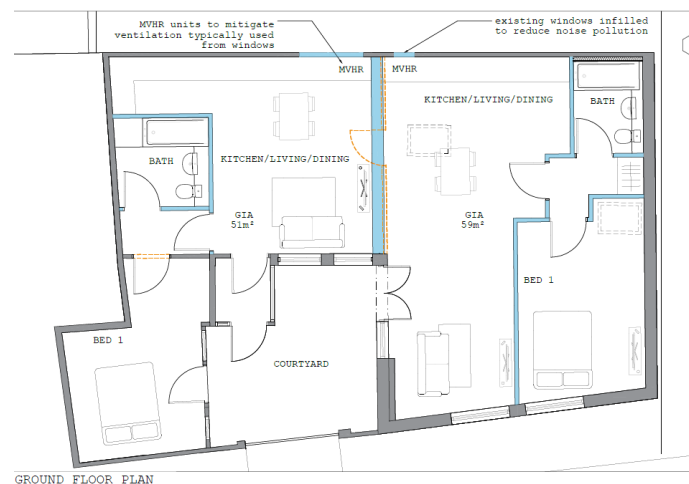
As a starting point, where the application relates to prior approval as to adequate natural light, the LPA must refuse prior approval if adequate natural light is not provided in all the habitable rooms of the dwellinghouses (paragraph W (2A)). This is not a matter for the LPA's discretion, as refusal is mandatory in such circumstances. The LPA's discretion under paragraph W(3) to refuse an application where the proposed development does not comply with any of the relevant conditions, limitations or restrictions applicable to the development permitted is removed in respect to the provision of adequate light in the case of Class MA, in view of the absolute requirement to refuse the application where adequate natural light is not provided in such a case.

The above assessment requires examination of the detailed floor plans and any relevant supporting evidence. A judgement must be reached based on the information submitted as to whether appropriate levels of light can be achieved for rooms used for sleeping or living. This excludes bathrooms, service rooms, corridor, laundry rooms and hallways.

The proposed floor plans on the daylight assessment submitted with this application relates to a different proposal, including an additional portion of residential accommodation on first floor. This appears to have been prepared in support of a separate application. The daylight/sunlight assessment also does not relate to the proposal, as it includes additional openings and windows on the rear elevation of the dwellings which do not exist. This prior approval application can only consider and give prior approval for the change of use and not operational development. The internal daylight and sunlight report still has windows to the rear elevation included and does not match the existing or proposed plans.



Plan from the daylight and sunlight report, Syntegra consulting



976 03/10 Ground floor plan as proposed

As such, the applicant has not demonstrated that sufficient light would be provided to habitable rooms based on the existing and proposed configuration of the site. An update to the daylight and sunlight report is required.

In addition to the above, the plans show roof lights to the roof of the building. It is unclear if these are relied upon to provide light. However, it would also appear that these roof lights are blocked up. As such, there is no light provided through, them, and similar to the above new opening cannot be considered as part of this prior approval application. Information provided contains conflicting information and it has not been demonstrated that the building could provide an adequate level of natural light to habitable rooms based on the configuration of the existing site. In addition, the minimal number of windows provided on the eastern elevation of the building only, and to attempt to provide daylight to reasonably deep flats is considered to result in an oppressive environment and poor level of daylight/sunlight, particularly in the afternoon. It is noted that the requirements of Class MA do not relate to compliance with BRE standards, and allow the LPA to consider whether flats are provided with 'adequate natural light for all rooms'. It is

clear from the proposal plans that the flats would not be provided with adequate natural light. Therefore, the proposal fails to comply with criteria (f).

(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'. This 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.

Whilst the development contains 3 new dwellings, the height of the building is less than 18m and fewer than 7 storeys.

6. CONCLUSION

The development subject of this prior notification fails to meet criteria (d) and (f) of Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). There are discrepancies on the plans and documents provided, addendums are required for the noise report and the daylight and sunlight report. No changes to the external elevations are permitted as part of a prior approval application.

Recommendation:

Prior Approval is required and **REFUSED**

Reason for refusal – Noise and light

Informatives:

1) Drawings/ Documents considered

2) Option to withdraw