

DELEGATED APPLICATION REPORT

Ward: Katesgrove Ward

App Ref: PL/26/0232 Prior approval Part 3 Class MA: Commercial, business and service uses to dwellinghouses

Address: REGENTS GATE, 25-41 CROWN STREET, READING, RG1 2PQ

Proposal: Change of use of existing building from Class E (offices) to C3 (dwelling houses) to comprise 29 new apartments. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

Applicant: REGENTS GATE READING LTD

Received date: 19/02/2026

Target Decision date: 16/04/2026

Case Officer: Catrin Davies

1. SITE DESCRIPTION

The building is located south of Reading Town Centre at the junction of Crown Street and Newark Street. The property was occupied as offices by Spire Healthcare. The application site is a three storey building with a under croft used for parking.

The site is within an article 4 area, but this restricts the change of use from C3 dwelling to C4 small HMO and not Class MA. The site is within an Air Quality Management Area and an area at risk of surface water flooding.

2. PROPOSAL AND SUPPORTING INFORMATION

Prior approval is sought for the change of use of existing building from Class E (offices) to C3 (dwelling houses) to comprise 29 new apartments. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.
Order 2015 (as amended).

Plans and documents submitted:

- 25/31/-10- Proposed plans received 19th of February 2026
- 25/31/-02- Existing Plan received 19th of February 2026
- 25/31/-01- Site location plan received 19th of February 2026
- 25/31/-03 Existing elevations received 19th of February 2026
- 25/31/-13- Block Plan received 19th of February 2026
- 25/31/-14- Refuse arrangements received 19th of February 2026
- Interior Daylight Assessment prepared by ACCON UK received 19th of February 2026
- Noise impact assessment prepared by Ventan Acoustics received 19th of February 2026
- Scheduled of accommodation received 19th of February 2026
- Flood Risk Assessment prepared by Calibro received 19th of February 2026

3. CONSULTATIONS

The following were consulted:

Transport Development Control

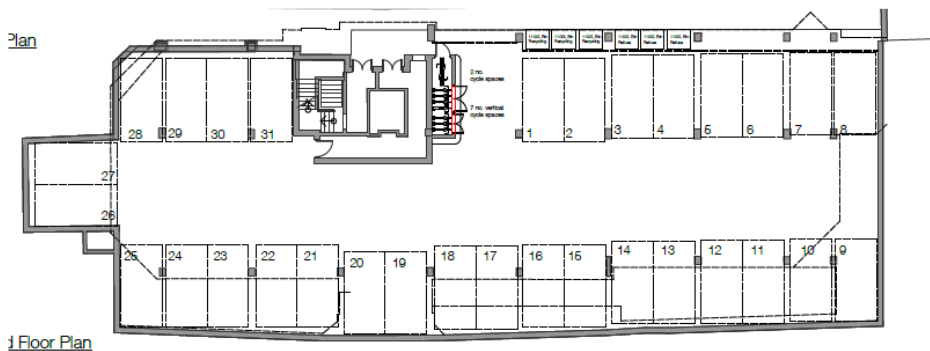
Application is for the COU from Class E (offices to 29 residential flats).

Crown street a classified road and is located within the Zone 2, the primary core area but on the periphery of Zone 1, the central core area, which lies at the heart of Reading Borough, consisting primarily of retail and commercial office developments with good transport hubs. The site is well connected and is within walking distance to the town centre and the Oracle shopping. There is good access to public transport accessibility to public car parks.

The application proposes a change of use from Class E (offices) to 29 residential flats.

In accordance with the Councils current parking standards each 1 and 2 bedroom flat in this zone would require 1 parking space, this therefore equates to 29 off street parking spaces. In addition to this visitor parking is also required at a ratio of 1 space per 10 dwellings. Total provision required for the development is 31.

Proposed plan drawing number 25/31/-10- (below) illustrates 31 existing parking spaces at the lower ground level which is in accordance with the Councils current adopted standards and design SPD.



Crown Street has parking restrictions preventing on-street parking as well as the operation of the Councils residential parking permit scheme in the adjacent streets. Given the extensive parking restrictions in place preventing unauthorised on street parking and the sustainable location of the site, the proposed parking provision can be accepted in this instance. No changes are proposed to the existing access arrangements to the basement level parking area are proposed.

If this application is approved there should be an assumption that any future occupants of the proposed units will not be issued with resident or visitor parking permits, this will ensure that the development does not harm the existing amenities of the neighbouring residential properties by adding to the already high level of on street car parking in the area.

It is noted that vertical cycle stands are proposed within the basement area. The Highway Authority would not normally support the use of vertical cycle stands for residential developments, and the location of the stands may also lead to potential conflicts with vehicles entering and exiting the car park. However, as this proposal falls under GPD, we would not provide detailed comments on this aspect.

The applicant should ensure that the refuse storage provisions comply with the Council's Waste Management Guidance which is available to view online. Bins must not be stored on any part of the public footway.

In principle, Transport has no objections to this application. The site is located in a highly sustainable area, and any unauthorised parking can be effectively managed through the extensive restrictions already in place. The proposed change of use is therefore expected to have a negligible impact on the highway network.

Environmental Protection Consultations

No objection

Environment Agency

No Comment

Public Consultation

Several site notices were displayed on the application site and no letters of representations were received.

4. LEGAL AND PLANNING 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).

5. APPRAISAL

The proposal comprises the change of use of the building from Class E (commercial) 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.**

Following review of the application, it has been determined that prior approval is required due to the potential impacts regarding points, a), b), c), d) and f).

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;”

It can be confirmed that the building for which this application relate fell within one or more of the classes specified in subparagraph (2) (b), being Class E use as confirmed via lawful development certificate (see planning history above).

(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;”

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.

Not applicable to proposal.

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

Crown street a classified road and is located within the Zone 2, the primary core area but on the periphery of Zone 1, the central core area, which lies at the heart of Reading Borough, consisting primarily of retail and commercial office developments with good transport hubs. The site is well connected and is within walking distance to the town centre and the Oracle shopping. There is good access to public transport accessibility to public car parks.

The application proposes a change of use from Class E (offices) to 29 residential flats.

In accordance with the Councils current parking standards each 1 and 2 bedroom flat in this zone would require 1 parking space, this therefore equates to 29 off street parking spaces. In addition to this visitor parking is also required at a ratio of 1 space per 10 dwellings. Total provision required for the development is 31.

Proposed plan drawing number 25/31/-10- (below) illustrates 31 existing parking spaces at the lower ground level which is in accordance with the Council's current adopted standards and design SPD.

Crown Street has parking restrictions preventing on-street parking as well as the operation of the Council's residential parking permit scheme in the adjacent streets. Given the extensive parking restrictions in place preventing unauthorised on street parking and the sustainable location of the site, the proposed parking provision can be accepted in this instance. No changes are proposed to the existing access arrangements to the basement level parking area are proposed.

To ensure the proposal does not harm the existing amenities of the neighbouring residential properties by adding to the already high level of on street car parking in the area a condition will be included any future occupants of the proposed units will not be issued with resident or visitor parking permits.

RBC Highways have been consulted and raised no objection subject to conditions.

(b) Contamination risks in relation to the building

The application site is not situated on land known to be at risk of contamination and the proposal is for a change of use only, with no physical alterations to the external elevations of the building or groundwork sought. The Council's Environmental Protection Officer has raised no concern in this respect.

(c) Flooding risks in relation to the building

The site is located within Flood Zone 1. However, it is within an area that is at risk of surface water flooding. Residential dwellings are considered to be a 'more vulnerable use'. The proposed development would result in the creation of 29 flats and therefore would increase the number of households at risk within areas of flood risk. A Flood Risk Assessment has been submitted with the application.

The submitted FRA has made an assumption regarding safe access and egress the report states "safe access and egress along Crown Street to the building would be possible even during future extreme flood conditions" this has not been supported by any evidence as such it has not been proven safe access and egress is achievable from the site. It is also important to state that the report has not given any velocity information there needs to be certainty that all future residents (included those with disabilities or young children) are able to exit the site safely.

The report goes on to state that the residential building is elevated above the flood level, it is unclear as such if the applicant is proposing a 'stay put' approach. A 'stay put' approach is not supported by the Council as flood events last for several days/weeks and puts additional pressure on emergency services where residents could be cut off from key infrastructure. Early evacuation also not be relied upon as this relies on individual decision making which could also put additional pressure on emergency services.

Furthermore, the proposal has not incorporated any flood resistant and resilient measures, proposed/given details of the SuDS at the site or given or confirmed that during a flood event that any residual risk can be safely managed.

Whilst the dwellings themselves may not be at risk, being at the upper floors, access to and from them during times of flood may be problematic. It is not clear how access to and from could be undertaken from within areas liable to flooding.

The proposal failed to demonstrate that future residents would be safe from flood risk, which is contrary to Policy EN18 of the Reading Local Plan and the NPPF. Prior approval is required and should be refused on this basis.

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

The provisions of Class MA, Part 3 of Schedule 2 of the Order allows for consideration of impact of noise from commercial premises on the intended occupiers of the development only. The interpretation of Class MA defines 'commercial premises' to mean 'any premises normally used for the purpose of any commercial or industrial undertaking which existed on the date of application under paragraph MA.2(1) and includes premises licensed under the Licensing Act 2003 (1) or any other place of public entertainment'. The applicant has submitted a noise report which didn't identify any commercial noise concerns that would impact the change of use. It is acknowledged that the site is adjacent to the highway which will cause noise pollution however under this legislation only commercial noise can be taken into consideration. No objection from Environmental Protection officer.

(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

The provisions of Class MA, Part 3 of Schedule 2 of the Order requires consideration of the provision of adequate natural light in all habitable rooms of the dwellinghouses. The interpretation of Class MA defines a habitable room is as 'any room used or intended to be used for sleeping or living which are not solely used for cooking purposes, but does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms. An Internal Daylight Report has been submitted with the application which concludes that all habitable rooms would meet the target recommendations for daylight amenity. Therefore, the scheme is considered to provide adequate natural light to all habitable rooms.

(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 would 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.

Whilst the development contains 10 dwellings, the height of the building is less than 18m and fewer than 7 storeys. Therefore, a Fire Statement is not required.

6. CONCLUSION

There are no objections to the development on the grounds of transport and highways, contamination, noise or natural light. However, the application introduces more vulnerable use in a site at risk of surface water flooding and it has not demonstrated that future residents would be safe from flood risk therefore prior approval is required and refused in accordance with Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development (England) Order 2015 (as amended).