

DELEGATED APPLICATION REPORT

Ward: Abbey Ward

App Ref: PL/26/0798 Prior approval Part 3 Class MA: Commercial, business and service uses to dwellinghouses

Address: 58 KINGS ROAD, READING

Proposal: Prior Approval under Class MA of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use of the first floor, second floor and loft floors from Class E (Commercial, Business and Service) use to Class C3 (Residential) use to provide 3 no. self-contained flats, together with associated refuse and cycle storage.

Applicant: Euro Link Property Services

Received date: 17/06/2026

Target Decision date: 12/08/2026

Case Officer: Nathalie Weekes

1. SITE DESCRIPTION

58 King's Road is a three a four-storey mid-terraced building located on the southern side of Kings Road within Reading town centre. The building has a ground floor commercial frontage onto King's Road and three upper floors lawfully in office use. The building is currently empty whilst construction works are ongoing. Permission has been granted to build flats to the rear.

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



Figure 1: Application building

Works have commenced on the building.

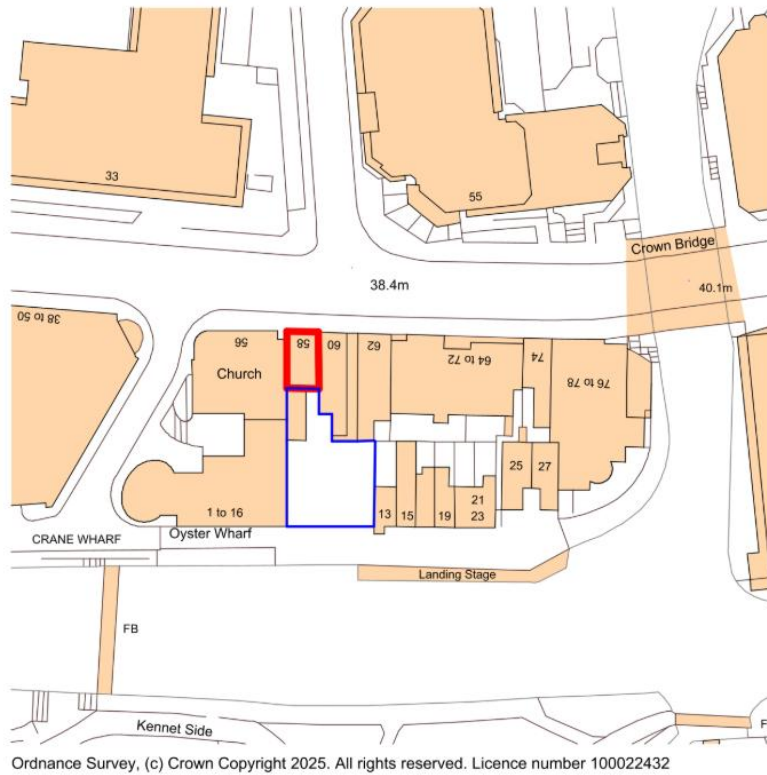
A rear add on extension has been demolished.



Figure 2: 29 April 26 site rear photo



Figure 3: 7 July 2026 site rear photo



1:1250 Location Plan

Figure 4: Location Plan

2. PROPOSAL AND SUPPORTING INFORMATION

Prior Approval under Class MA of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use of the first floor, second floor and loft floors from Class E (Commercial, Business and Service) use to Class C3 (Residential) use to provide 3 no. self-contained flats, together with associated refuse and cycle storage.

The location shows the part of the building that has been submitted for prior approval within the red line. No parking spaces are proposed.

Plans considered

Planning statement

- 9436-100 Location Plan
- 9436-109 Existing- Proposed Side Elevations
- 9436-103 Existing Ground Plan
- 9436-104 Existing First Floor Plan
- 9436-105 Existing Second Floor Plan
- 9436-106 Existing Third Floor Plan
- 9436-107 Existing Roof Floor Plan
- 9436-102 Proposed Site Plan
- 9436-110 Proposed Ground Plan
- 9436-111 Proposed First Floor Plan.

9436-112 Proposed Second Floor Plan
9436-113 Proposed Third Floor Plan
9436-114 Proposed Roof Floor Plan.
9436-108 Existing -Proposed Elevations.
25480-02 BS8233 noise assessment for 58 Kings Road, JOSTEC, 15 October 2025
25480-02, JOSTEC Clarification of the submitted noise report
As received 17 June 2026

Relevant Planning History

- PL/15/1604 - Certificate of Lawfulness for proposed conversion of existing property into 2 flats. Refused, 5th November 2015.
- PL/21/1813 – Proposed erection of a 4-storey building comprising 3 x 2-bed flats and 1 x 1-bed flat. Single storey rear extension, third storey extension with associated internal alterations. Granted, subject to section 106 / legal agreement on 6th October 2022.
- PL/23/1334 - Proposed erection of a 4-storey building comprising 3 x 2-bed flats and 1 x 1-bed flat. Single storey rear extension, third storey extension with associated internal alterations, without complying with condition 1 (time limit), 2 (plans), 3 (materials) and 18 (green roof) of PL/21/1813 for amendments to the side elevation, windows, balcony and roof design. Granted, 29th April 2024, and subject to prior associated S106.
- PL/25/1019 - Application for Approval of Details Reserved by 4 (CMS), 11 (Archaeology), 13 (Hard and soft landscaping), 16 (SAP), 18 (Green roof details), and 19 (Flood resistant materials) of application PL/23/1334. Under consideration, August 2025.
- PL/25/0868 - Change of use of 1st Floor, 2nd Floor and Loft from Class E (offices) to C3 (dwelling houses) to comprise 3 new flats. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Refused 08/08/2025
- PL25/1212 - Change of use of 1st Floor, 2nd Floor and Loft from Class E (offices) to C3 (dwelling houses) to comprise 3 new flats. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Permitted 21/11/2025 (***Case officer comment: this application has been made invalid as demolition works have been undertaken and an area of the building to be converted from office Class E to residential C3 no longer exists.***)
- PL26/0488 Application for a Non-Material Amendment Following a Grant of Planning Permission PL/23/1334 to alter the internal arrangement, layout and fenestration of the approved scheme. Withdrawn 28/05/2026
- PL26/0489 Non-material amendment to prior approval ref. PL/25/1212 to allow for adjustments to the approved layout, comprising the repositioning of the internal staircase Withdrawn 28/05/2026
- PL26/0797 S73 application to ref PL/23/1334 (Proposed erection of a 4-storey building comprising 3 x 2-bed flats and 1 x 1-bed flat. Single storey rear extension, third storey extension with associated internal alterations, without complying with condition 1 (time limit), 2 (plans), 3 (materials) and 18 (green roof) of planning permission ref. PL/21/1813 for amendments to the side elevation, windows, balcony and roof design. Granted with prior associated S106.) - minor external/internal reconfiguration, including adjustments to internal circulation and the repositioning of internal elements such as the lift and staircase, together with associated service alterations. Closed

3. CONSULTATIONS

The following were consulted:

- RBC Environmental Protection - Object to the application, insufficient information has been provided in the noise assessment which fails to demonstrate that there is no unacceptable noise impact from nearby and adjoining commercial uses, including the adjacent church.
- RBC Highways - The site is located within the Reading Central Area and within Reading's primary shopping area. The site is located within Zone 1 of the adopted Parking Standards and Design SPD which 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 also contains the largest proportion of public car parking spaces.

The application consists of the change of use of the first floor, second floor and loft floors from Class E (Commercial, Business and Service) use to Class C3 (Residential) use to provide 3 no. self-contained flats. The retail unit fronting Kings Road is to be retained.

Kings Road is part of the Red Route 'no stopping' corridor. Directly outside the property fronting Kings Road is a loading bay and pay and display bays. The Council's Residential Permit Scheme also operates in the surrounding area, thereby restricting unauthorised on street parking.

Given the location of the loading bay on Kings Road, it is assumed that the existing retail unit will continue to be serviced from this point.

The site is accessible to good public transport links and local shops, any additional parking demand created by this development should not be accommodated on the surrounding roads where there is significant demand for on-street parking; The applicant has stated this is to be a car free development. Given the site's highly sustainable location this can be accepted in this instance. Parking conditions and informative will be applied to prevent any future occupants of the new units from obtaining resident and visitor parking permits for the surrounding residential streets.

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.

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 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.

IF3 Highways
I13 Parking Permits

- Environment Agency EA – The EA has no comments to make on this application.
- Waste Operations Consultations – No comments have been provided at the time of writing this report.
- RBC Licencing – The church premises next to the site does not hold a premises licence.

Two site notices were placed at the front and rear of the site. No letters were received in relation to the proposal.



Communications with the agent

The agent was informed verbally that the application would not be acceptable as works had already commenced but they did not agree that this should impact the prior approval application and requested that a decision be issued.

Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

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 beginning development under Class MA, 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; ...
- (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.

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

In addition, to qualify for assessment under Class MA, all applications submitted under this class from 6th April 2021 must comply with Department for Communities and Local Government's Technical Housing Standards – Nationally Described Space Standards, minimum space standards. As the application was received after the 6th April 2021 there is a requirement to comply with these minimum space standards. It can be confirmed that the proposed units comply with these minimum space standards as illustrated in the accompanying plans and the accommodation schedule. All units also include storage / cupboard spaces.

5. APPRAISAL

Class MA requires that "Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required...".

It is clear, under the provisions of the GPDO that an application for prior approval can only be made prior to the development beginning. In visiting the site to place the site notices around the building, it was noted that a significant amount of building work was underway. The rear of the building contained scaffolding, and significant amounts of building material were on site. Internal walls were visible with internal doors removed and holes in the rear elevation of the building. A commencement notice and a CIL payment has been paid for planning application 231334 for - Proposed erection of a 4-storey building comprising 3 x 2-bed flats and 1 x 1-bed flat. Single storey rear extension, third storey extension with associated internal alterations, without complying with condition 1 (time limit), 2 (plans), 3 (materials) and 18 (green roof) of PL/21/1813 for amendments to the side elevation, windows, balcony and roof design. Granted, 29th April 2024, and subject to prior associated S106, with a commencement date of 02/10/2025. The proposal for the main building was to also convert the offices on the upper floors to residential accommodation.



Figure 5: Application PL23/1334 Plan 09521-13 Rev C 3d images

The agent has confirmed that, after works commenced pursuant to planning permission PL23/1334, it was established that the approved rear extension could not be implemented. Consequently, the rear section of the building, which contained part of the former office accommodation was demolished. It has not been possible to regularise or amend the approved scheme through applications PL26/0488¹ and PL26/0797² with the former being withdrawn and the latter being closed due to validation issues and discrepancies between the proposed amendments and the description of development approved under PL23/1334.

As a result, a substantial part of the former office building has been removed and there is currently no approved scheme in place for its replacement. No pre-application advice has been sought in respect of these alterations. The works have created openings within the rear elevation which would present a safety risk to future occupiers of any development proceeding under prior approval. As external alterations cannot form part of a Class MA prior approval application, and no separate planning permission has been granted for these works, the development no longer falls within the scope of permitted development under Class MA. Accordingly, as works have commenced to alter the rear elevation as part of the conversion of the building from Class E (offices) to Class C3 (dwellinghouses), the proposal cannot be regarded as development authorised by a prior approval and therefore fails to comply with the requirements of Class MA.

¹ (*Application for a Non-Material Amendment Following a Grant of Planning Permission PL/23/1334 to alter the internal arrangement, layout and fenestration of the approved scheme.*) Withdrawn 28/05/2026

² (*S73 application to ref PL/23/1334 (Proposed erection of a 4-storey building comprising 3 x 2-bed flats and 1 x 1-bed flat. Single storey rear extension, third storey extension with associated internal alterations, without complying with condition 1 (time limit), 2 (plans), 3 (materials) and 18 (green roof) of planning permission ref. PL/21/1813 for amendments to the side elevation, windows, balcony and roof design. Granted with prior associated S106.)*) Closed

Plans approved under Full application PL23/1334 to build flats at the rear of the shop unit and offices

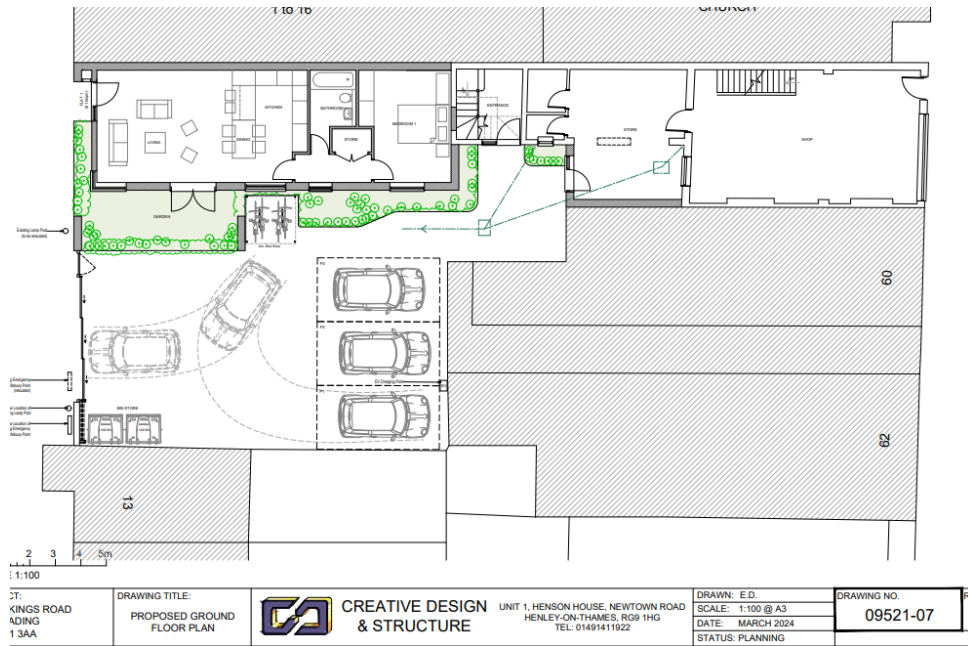


Figure 7: Drawing No: 09521-07 Rev D Proposed ground floor plan– shown connecting to the rear of the existing building

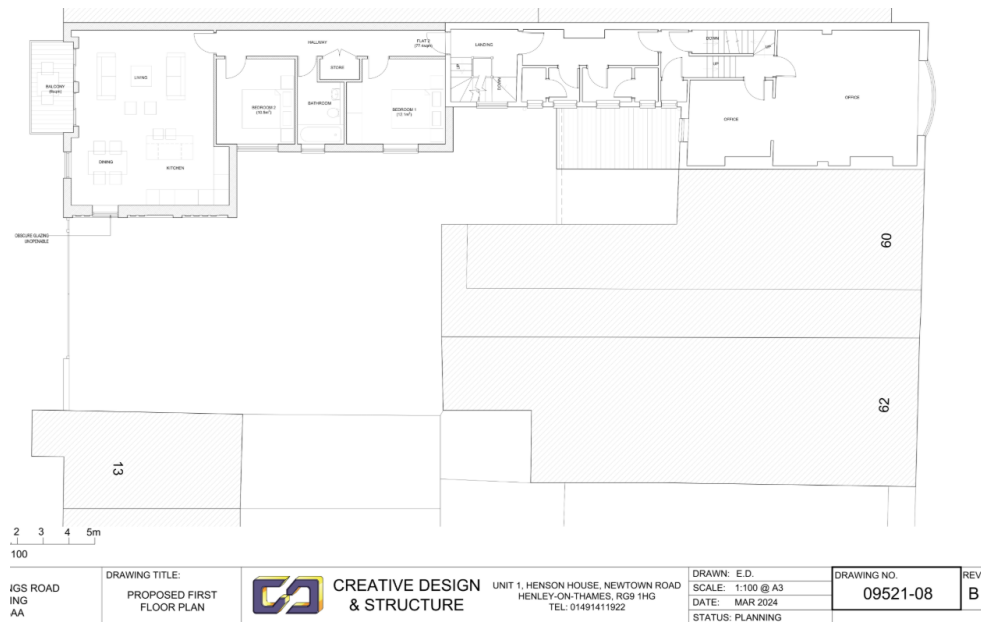


Figure 8: Drawing No: 09521-08 Rev B Proposed first floor

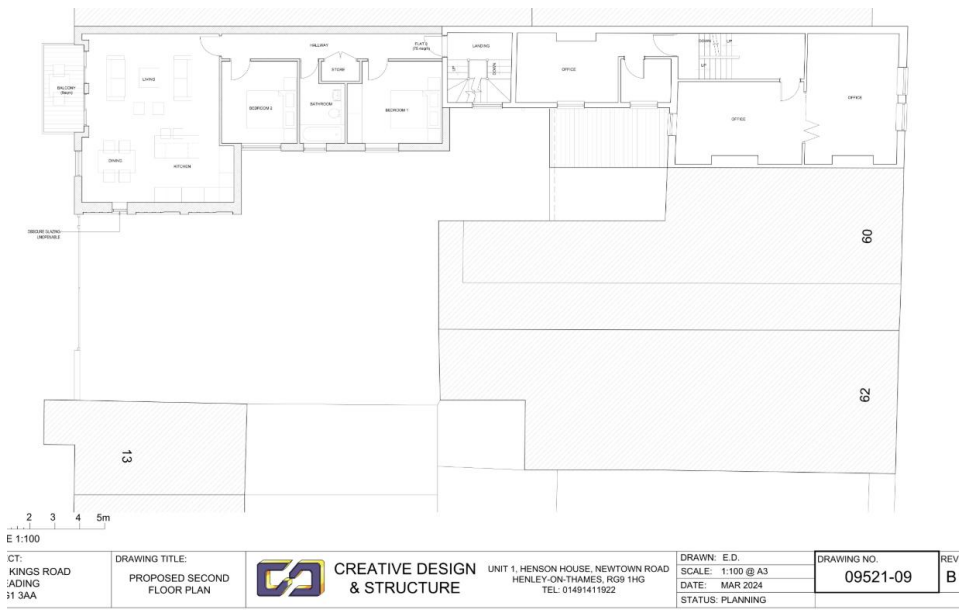


Figure 9: Drawing No: 09521-09 Rev B Proposed second floor

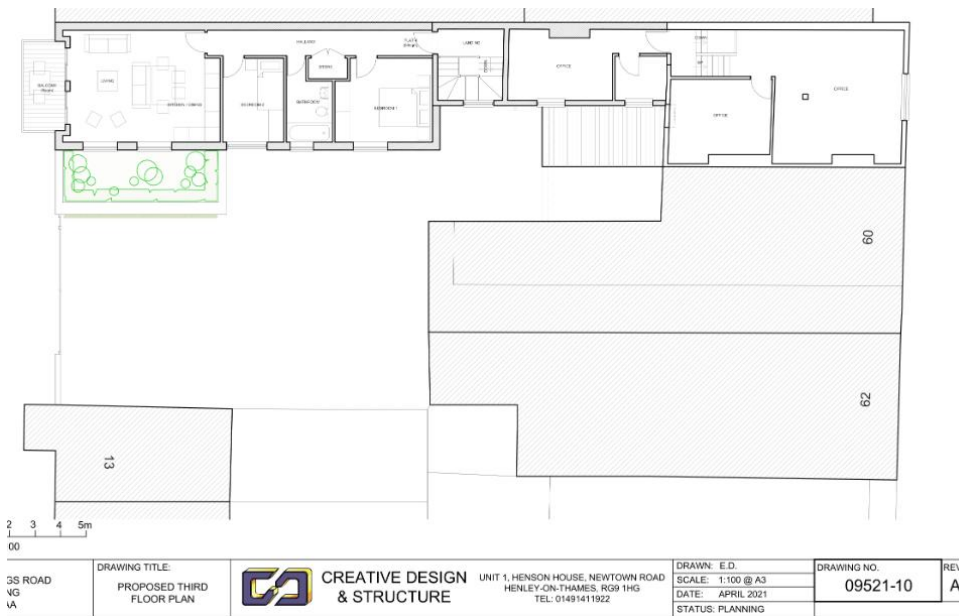


Figure 10: Drawing No: Proposed Third Floor Plan 09521-10 Rev A

Plans submitted for Prior approval application PL25/1212 Prior approval



Figure 11: 9426-108 Existing elevations REV A

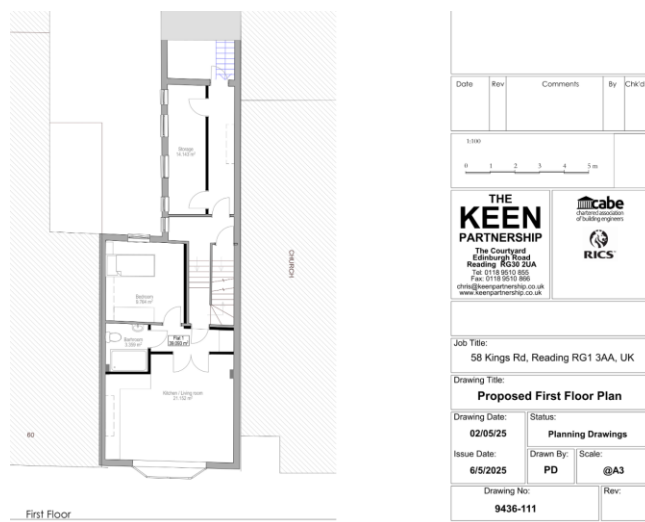


Figure 12: 9436-111 Proposed first floor plan

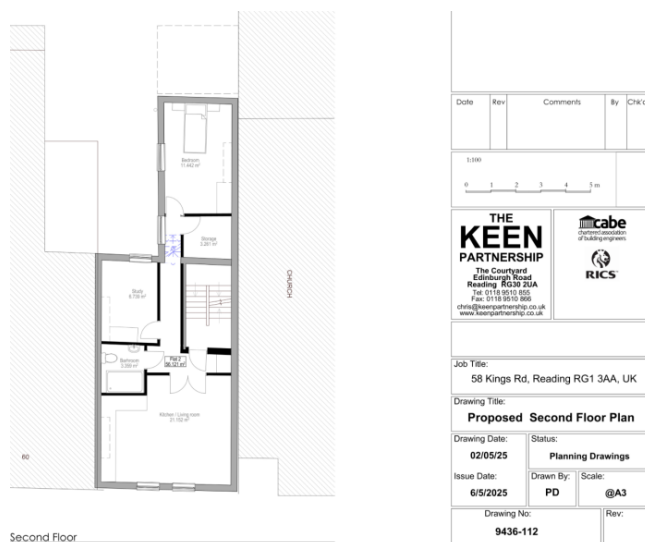


Figure 13: 9436-112 Proposed second floor plan

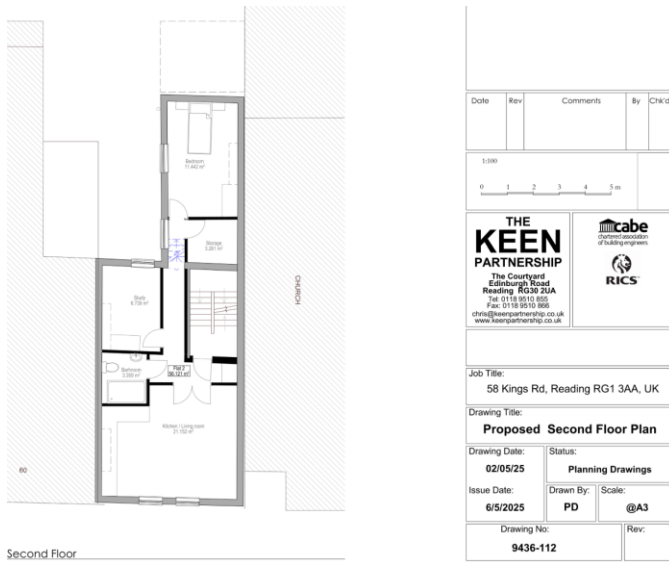


Figure 14: 9436-113 Proposed third floor plan

Plans submitted for planning application PL26/0798

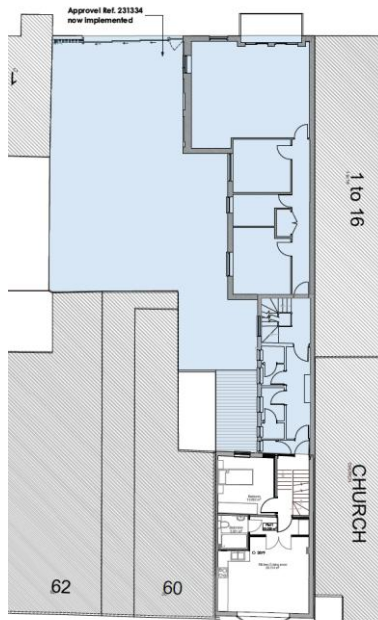


Figure 15: 9436-111 Proposed first floor plan

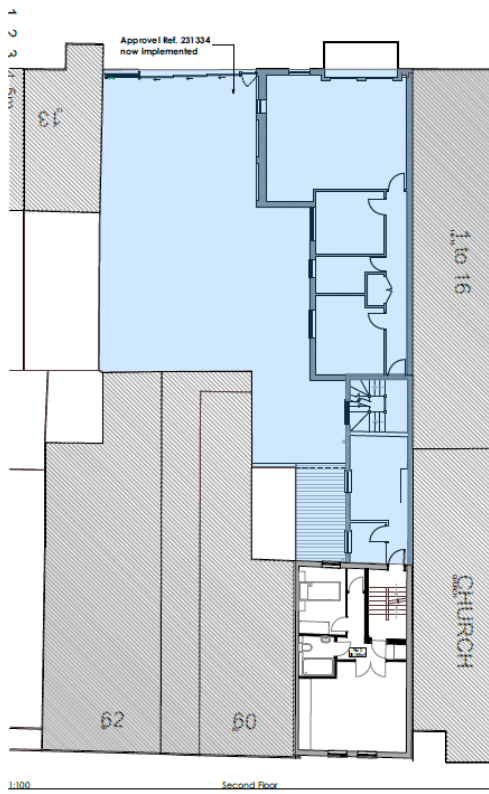


Figure 16: 9436-112 Proposed second floor

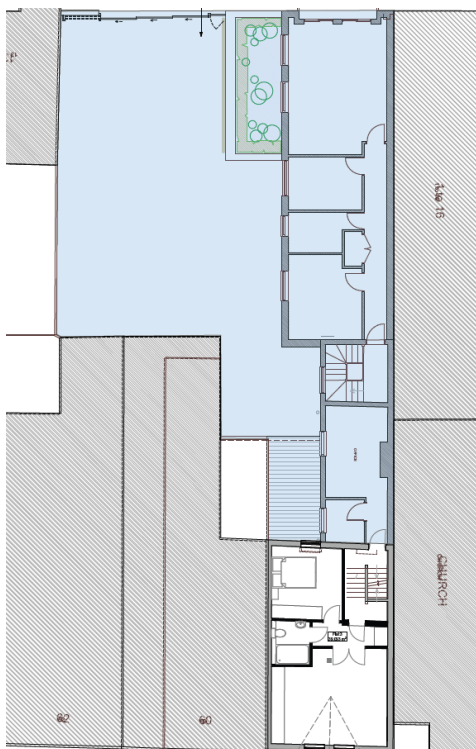


Figure 17: Proposed third floor plan

The Location plan form PL26/0798 shows the rear element of the original building which has been demolished, as shown above)

The planning statement states 'A Class MA application has been approved relating to this front building ref. PL/25/1212. This approval conflicts with approval Re. PL/21/1813 & 23/1334 in that the MA application utilized the rear section.

This planning consent has now been implemented & it is not possible to implement PL/25/1212. The rear addition has been demolished to make way for the new development which is currently awaiting the piled foundations.

No work has been undertaken within the front building to form the 3 flats, to date the building has been stripped of its finishes & the chimney breasts removed. The stairs are intact. No further works will be carried out to this part until a new MA approval is received.'

'The Red line extends around the front building only now, as the rear addition has been demolished to make way for the new 4 flats which is currently under way. The blue line runs around the rest of the site as it is in the same ownership.

It is proposed that the 3 flats will share the new staircase & lift which is subject to a separate Section 73 application before you.

The existing staircase within the existing building is being left intact.

We would prefer to remove this staircase, I suggest a condition could be added to this approval such that the MA flats must not be occupied until the Approval Ref 23/1334 is complete. We would welcome your thoughts on this as we have achieved similar approvals where new windows were required under a separate planning application in Slough.'

As such, it is clear that on the balance of probabilities by the evidence above that the development has already commenced and therefore the prior approval application has failed to be made before beginning the development.

Nationally Described Space Standards The proposed development states that all flats would meet the minimum floor space requirements for the size of dwelling as per the Nationally Described Space Standards. However on the first floor the layout requires an occupant to exit into the communal stairwell in order to access the bedroom and therefore the arrangement is unlikely to function as a self-contained dwelling, *Class MA states 'MA. 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.'* In this instance Flat 1 would not provide a self-contained, standalone and independent planning unit as the layout requires use of the communal hallway. In addition the proposed plans for the third floor do not identify or illustrate any areas of reduced head height within the roof space to be able to accurately assess the usable floorspace and overall size of the third floor unit.

Though the application has failed the first step, to be made before beginning the development, the remainder of the matters under Class MA are provided for completeness.

MA.1 (1) Development is not permitted by Class MA –

Note: (a) and (c) removed in updates to GPDO

(b) unless the use of the building fell within one or more of the classes specified in sub-paragraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;

The building is considered to fall lawfully within Class E.

(d) 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 is not covered by, or within the curtilage of any of the designations contained within (d).

(e) 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;

The site is not within any of the designations contained within (e).

(f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or

The site is not occupied under an agricultural tenancy.

(g) 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 development does not meet any of the above to make the development 'not permitted' by MA.1 (1) (g).

MA.2 – (1) Development under Class MA is permitted subject to the following conditions

(2) Before beginning development under Class MA, 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—

As above, the development has commenced and therefore would fail MA.2 (1)(2).

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

The development is not considered to have unacceptable transport impacts, and would ensure safe site access. No parking is proposed.

(b) contamination risks in relation to the building;

There is not considered to be a contamination risk in relation to the development.

(c) flooding risks in relation to the building;

The application building, 58 Kings Road, is not located within Flood Zones 2 or 3, however approximately half of the rear carpark land, accessed from Crane Wharf is in Flood Zone 2, with the River Kennet on the other side of Crane Wharf. In terms of the existing building, as it lies outside flood zones 2 and 3.

A proposed bin and cycle store is located in the existing rear carpark, adjacent to 13 Crane Wharf. These are new structures that are separate from the existing building and require full planning permission. They are not for consideration as part of this change of use prior approval application. No objection is raised to the proposal on flood risk grounds.

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

From the perspective of noise, no reference is made to the church adjacent to the development.

A BS8233 assessment for 58 Kings Road - 25480-02 Noise Impact Assessment has been prepared and submitted in support of this application, which suggests that the noise from the existing commercial uses in the area should not have an adverse impact on the amenity or health of future occupiers of the dwellinghouses. The Council's Environmental Protection Team have reviewed the proposal and have made the following observations. An objection has been raised in the absence of the noise assessment demonstrating that there is no unacceptable noise impact from nearby and adjoining commercial uses. In para 2.0.2 the report identifies that the site is bounded by a church but does not provide any information regarding the times that services are held or confirm whether the sound level metres were placed at location when the church was in use.

Based on the above, although it would appear that the noise report has failed to demonstrate that there would not be unacceptable impacts on the development from the nearby church, the church is not considered to be a commercial premises. The noise assessment is therefore considered acceptable in this instance.

(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 building is not located within a Conservation Area.

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

This proposal relies on north-facing windows, although a rear extension is being built on the south side of the site, windows will be provided to habitable rooms and the development is considered to be acceptable to provide sufficient natural light to all habitable rooms in the dwellings.

(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 Reading Borough Local Plan 2019 'Proposals Maps' identify Core Employment Areas. These are considered to meet the above definition as important for the listed uses. The application site is not within or proximate to a Core Employment Area. As such, the proposal is not considered to be impacted by such uses/areas.

(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 any of the above requirements of (h).

(i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building

The building does not meet the fire risk condition.

6. CONCLUSION

Whilst the prior approval application is made in a similar form to a previously approved scheme (PL25/1212) for Change of use of 1st Floor, 2nd Floor and Loft from Class E (offices) to C3 (dwelling houses) to comprise 3 new flats under Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, the development has commenced as noted during the case officer's site visit. As such, the development is unable to benefit from 'prior approval' as per The Town and Country Planning (General Permitted Development) Order 2015 (as amended). In addition, the proposal fails to provide adequate Class C3 Dwellinghouses. Therefore, the prior approval of the LPA would be required, and is refused.

7. RECOMMENDATION

Prior approval required and refused.