

Planning Department
Reading Borough Council,
Civic Offices,
Bridge Street,
Reading,
RG1 2LU

My reference:

Your reference:

By Email: plgadmin@reading.gov.uk

11th September 2026

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015, SI 2015/596
APPLICATION FOR DETERMINATION AS TO WHETHER PRIOR APPROVAL IS
REQUIRED: CLASS MA
GROUND FLOOR, 346-348 OXFORD ROAD, READING RG30 1AQ**

1. We submit this letter in support of a current application to the Council on behalf of Irongate Property Asset Management Ltd in respect of this proposal to convert part of the existing ground floor premises at this address (in Class E Use for the purposes of this application) to 2no self-contained flats (Class C3 Use).
2. This application is accompanied by a BRE-compliant Internal Daylight assessment and report, a Noise Assessment and Report along with floor plans, elevations and sections of the existing and proposed building, the existing and proposed site plan/block plan and the location plan of the site.
3. The existing building comprises a 2-storey building with loft space in a mixed-use area and rear single storey extension. The ground floor comprises a furniture shop unit.
4. The property occupies a key frontage to the Oxford Road West District and Local Centre. The property easily accessible to local shops and services and within walking and cycling distance of all district centre amenities, given its central location.
5. The property is situated on A329 Oxford Road, which is a busy public transport route between the central Reading and the west. Frequent bus services serve the site every 7-8 minutes Mon-Fri and Saturday daytimes and every 15-20 minutes evenings & Sundays. The site is located in Zone 2, Primary Core Area, of the Revised Parking Standards and Design SPD. This zone directly surrounds the Central Core and extends to walking distances of 2 kilometres from the centre of Reading.

6. This zone is well served by public transport, with buses continuing either into or out of the Central Core Area via this zone. The site is located in a Residents Permit zone where there are extensive parking controls preventing on-street parking.
7. The area of the site within the red line of this application is within Flood Zone 1.
8. The property is not listed and is not within a conservation area.
9. There is no Article 4 direction currently in force affecting the site's right to Prior Approval under Class MA.
10. "Class MA" permitted development rights came into force on 1st August 2021, and was amended with effect from 5th March 2024 by SI 2024/141 and states the following:

Permitted development

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.

Development not permitted

MA.1 Development is not permitted by Class MA —

(a) ...

(b) 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;

(c) ...

(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;

(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;

(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

(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.*
- (2) The classes mentioned in sub-paragraph (1)(b) are the following classes of the Use Classes Order—*
- (a) the following classes of the Schedule as it had effect before 1st September 2020—*
- (i) Class A1 (shops);*
 - (ii) Class A2 (financial and professional services);*
 - (iii) Class A3 (food and drink);*
 - (iv) Class B1 (business);*
 - (v) Class D1(a) (non-residential institutions – medical or health services);*
 - (vi) Class D1(b) (non-residential institutions – crèche, day nursery or day centre);*
 - (vii) Class D2(e) (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink;*
- (b) on or after 1st September 2020, Class E (commercial, business and service) of Schedule 2*

Conditions

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—*
- (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.*

11. Development under Class MA is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date, and the provisions of paragraph W (prior approval) apply in relation to that application, subject to amendment, including that development may begin after *“the expiry of 56 days following the date on which the application under sub-paragraph (2) was received by the local planning authority without the authority notifying the applicant as to whether prior approval is given or refused”* (GPDO 2015, Schedule 2, Part 3, Class V, Paragraph W(11)(c)).

Description of the Building

12. The property comprises a two storey plus roof end of terrace property on a busy high street with side entrance to parking and accommodation to the rear. Windows are UPVC and double glazed.



13. The rear of the existing ground floor shop extends all the way back to and including the two rear single storey extensions shown in the aerial shot below; partly flat roof and partly pitched roof.



14. Bins are currently stored either to the rear or in the access to the side.



15. There is therefore ample space adjacent to the side or the rear of the proposed flats for additional bin storage and for bicycle storage if need be.

Planning and Use History

16. Planning permission was granted on 17th May 2017 for “Conversion of first floor office and vacant rooms to self-contained apartment and internal alterations to existing first floor flat to create relocated bathroom.” LPA reference: PL/17/0187.
17. Similarly, on 9th June 2003, permission was granted for “Change of use of part first floor and second from retail showroom/storage to two x one bedroom flats”. LPA reference: PL/03/0553.
18. On the 7th April 1989, planning permission was granted for “Erection of external fire escape stairs, 3 dormer extensions to second floor and alterations to front elevation.” LPA reference: PL/89/1145.
19. Most recently, planning permission was granted for “Proposed new ground floor side windows and doors and rear windows to rear of existing shop”; LPA reference PL/26/0824.
20. The ground floor premises is featured on the Business Rates list as “shop and premises”:

Shop floor areas			
Description	Area m ² /unit	£ per m ² /unit	Value ?
Ground floor retail zone a	51	£384.75	£19,622
Ground floor retail zone b	35	£192.38	£6,733
Ground floor remaining retail zone	16	£48.10	£770
Ground floor internal storage	27	£38.48	£1,039
Ground floor retail zone c	39	£96.19	£3,751
First floor office	22.2	£24.04	£534
Total	190.2		£32,449

21. Therefore, the use of the whole of the property falls in to Use Class E and has been so for at least 2 years.
22. Since the 5th March 2024, there is no longer a legal requirement under Class MA for the premises comprised in the application to have been vacant for at least 3 months at the time of application.

The Proposals

23. The proposals comprise the following:

- Change of use of the rear of the ground floor from Class E(a) shop and premises to two flats (Use Class C3).

- No dedicated car-parking proposed.
- Use of areas to the side or to the rear of the building for refuse storage and collection.
- No external alterations nor any works of extension or demolition proposed within this application (*N.B. regard is had within this application to a recent permission for external alterations to the building; see further below*).

24. The proposed units would comply with Nationally Described Space Standards and the plans submitted with this letter confirm the same.

25. The following are enclosed:

- Site location plan showing the application site in red outline.
- Site Plan/block plan showing proposed access from the High Street.
- A full set of existing and proposed floor plans, elevations and sections
- Prior Approval Application Form
- Internal daylight report
- Noise assessment and report
- Community Infrastructure Levy Form no.1

In accordance with Condition MA.1

26. Our comments are set out below in respect of each condition.

27. Development is not permitted:

(a) ...

(b) *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 ground floor to the property falls within Class E(a) use class for at least 2 years prior to the date of the application (formerly Class A1 retail shop use).

(c) ...

(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;

None of the above apply.

(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;

None of the above apply.

(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

Not applicable.

(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.

Not applicable.

In accordance with Condition MA.2

28. We require confirmation from the Council that prior approval is not required for the proposed new units in relation to the transport and highways impacts, noise impact of neighbouring commercial uses, contamination risks, flooding risks of the site and with regard to daylight and sunlight. Each of these elements is addressed in the following sections. The other matters listed under Class MA.2(2) do not apply to this application.

Paragraph W of the GPDO 2015 (as amended)

29. The following is provided in accordance with the requirements of paragraph W:

- **Written description of the proposed development**
Change of use Class E(a) shop and premises to provide two self-contained flats over part of the ground floor.
- **Plan indicating the site and showing the proposed development**
Appropriate plans are included with this application. Dimensions and proposed use of each room, the position and dimensions of windows, doors and walls, and the elevations of the dwellinghouses all as shown on the enclosed plans.
- **Statement indicating the net increase in the proposed number of dwellings**
Proposed net number of 2no new dwellings
- **Developer's contact details**
Irongate Property Asset Management Limited,
c/o David Kemp,
DRK Planning Ltd,
215 Alfred Court,
53 Fortune Green Road,
London, NW6 1DF
- **Developer's email address**
All correspondence to be addressed to the following email address:
david@drkplanning.co.uk

Transport and Highways Impact

30. The Site is in a mixed-use area with a host of local facilities available within a short walking distance which allow future residents to travel by sustainable modes and not require a car to access everyday needs.
31. The property is situated on A329 Oxford Road, which is a busy public transport route between the central Reading and the west. Frequent bus services serve the site every 7-8 minutes Mon-Fri and Saturday daytimes and every 15-20 minutes evenings & Sundays. The site is located in Zone 2, Primary Core Area, of the Revised Parking Standards and Design SPD. This zone directly surrounds the Central Core and extends to walking distances of 2 kilometres from the centre of Reading. This zone is well served by public transport, with buses continuing either into or out of the Central Core Area via this zone. The site is located in a Residents Permit zone where there are extensive parking controls preventing on-street parking.
32. With regard to Policies TR1, TR4 and TR5 of the Local Plan and the NPPF 2024, this application site is in an area that can help to promote travel by non-car modes of transport, such as walking, as well as use of the public transport network. With regard to the Council's supplementary policy guidance entitled 'Revised parking standards and design' (October 2011) it would be possible to safely store bicycles to the rear of the existing building, accessed via the existing driveway. This could be secured, via a planning condition, through the provision of secure and covered, and accessible cycle storage for the needs of the proposed development. Whilst the SPD indicates a maximum of one car parking space for each new unit, given the good public transport accessibility of the site and access to local shops and services, no car parking is proposed.
33. In respect of waste bins and recycling collection, sufficient additional space is available to the side and to the rear of the existing building where current bins are stored.
34. Therefore, this proposal should be regarded as acceptable in highways terms.

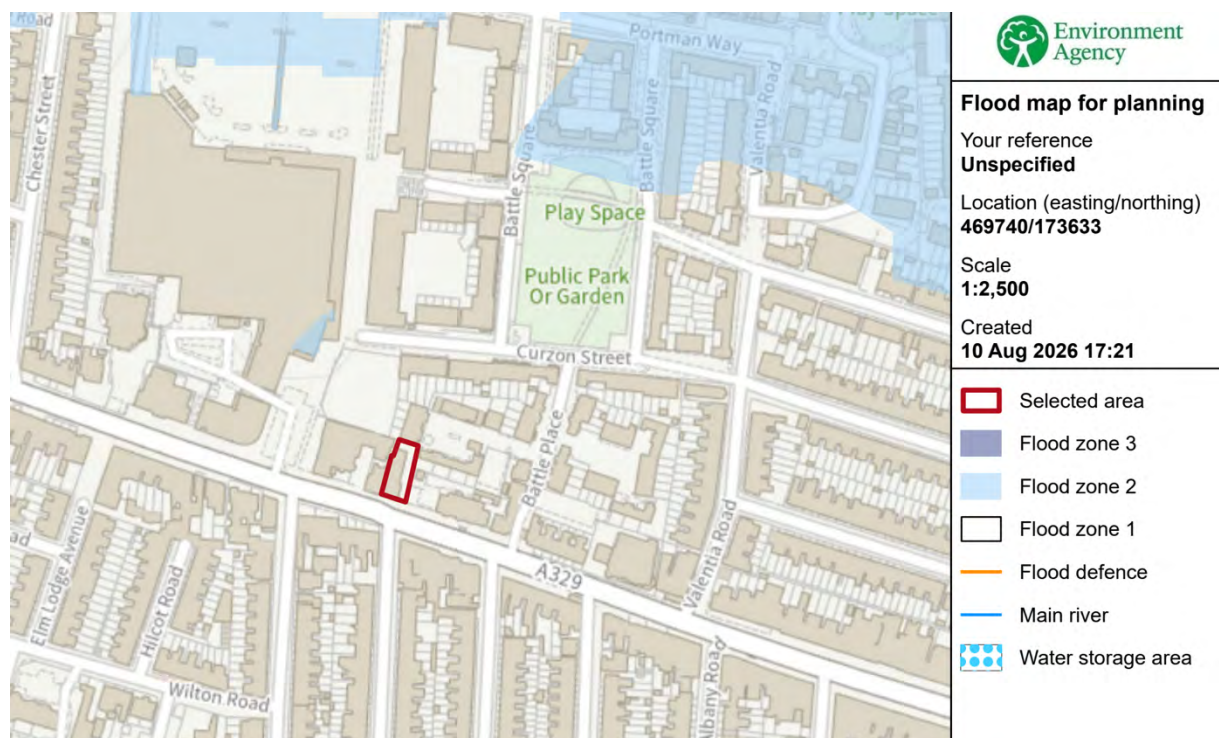
Noise Impact

35. We have had regard to the neighbouring uses and the position of the existing building relative to these uses. The site is subject to noise exposure from distant road traffic on Oxford Road, as well as noise from patrons utilizing the rear garden of the adjacent public house (The White Eagle).
36. We have submitted a Noise Assessment and Report which is in line with the Noise Policy Statement for England (NPSE). This assessment aims to prevent "significant adverse impacts on health and quality of life" for future residents. To achieve this, the report draws upon noise exposure guidelines from the World Health Organization (WHO) and the recommended internal noise levels specified in BS 8233:2014, "Guidance on sound insulation and noise reduction for buildings."
37. Consequently, it has been determined that noise mitigation measures will be necessary to shield future occupants from the prevalent ambient noise. Provided that these mitigation measures are diligently implemented to achieve the targeted internal noise levels, future residents of the proposed development will be adequately protected from the dominant external noise sources. Key mitigation strategies identified include the installation of appropriate acoustic glazing and the incorporation of acoustic trickle ventilation.

38. By diligently implementing the recommended acoustic building envelope specifications—which include targeted acoustic glazing configurations, appropriately rated trickle ventilation, and solid acoustic entrance doors with perimeter seals—the proposed dwellings will readily achieve the internal ambient noise criteria set out in British Standard BS 8233:2014 and the World Health Organization (WHO) Guidelines for Community Noise.
39. Furthermore, the assessment demonstrates that the proposed development complies with the stringent night-time noise limits stipulated in Approved Document O (Overheating) when relying on partially open windows for overheating mitigation. Noise levels affecting the external amenity areas also fall within the recommended 50 – 55 dB LAeq guideline range.
40. Accordingly, the proposal would meet an acceptable level of amenity with regard to noise for future residential occupiers of this development.

Flood risk assessment

41. The site as set out within the Location Plan and Site/ block plan is in Flood Zone 1 and within an area of low risk from surface water flooding:



42. Therefore, the proposed change of use presents an acceptable level of risk in flood terms.

Contamination assessment

43. The last known use of the premises was as a shop and therefore there is no known contamination risk to the proposals, especially as the proposals relate only to a change of use and there would be no breaking of ground or soil in connection with the proposals.

Adequate Natural Light



44. We have received a daylight report in respect of these proposals from T16 Design Limited, as the GPDO requires “adequate natural light” to the habitable rooms proposed. This report confirms that there would be adequate natural light to the new units, with regard to BRE Daylight Guidance.
45. The Council recently granted planning permission for: **“Proposed new ground floor side windows and doors and rear windows to rear of existing shop”**; LPA reference **PL/26/0824**. The assessment of the current Class MA scheme for daylight purposes has been based on the window positions and sizes as approved through that consent, albeit that this Class MA application does not in itself include external changes, only internal change of use.
46. We have sought an opinion from experienced planning Counsel and they have confirmed to us that prior approval for a change of use under Class MA can be granted subject to a planning condition requiring the completion of operational works granted under a separate and specific application for planning permission (e.g. prior to occupation of the development) in order to ensure that the new units deliver the adequate level of natural light that the new works will facilitate to the change of use.
47. A similar approach was endorsed by The Planning Inspectorate in respect of an appeal that was allowed on 20th December 2022 subject to planning conditions for “partial change of use of the basement and ground floor from retail (Use Class E) into 2x residential units (Use Class C3) at the rear with retained retail use at the front”; PINS reference APP/V5570/W/22/3292885 at 185 Caledonian Road, London N1 0SL. This appeal was allowed with conditions, one of which was the following:

“The use hereby permitted shall not commence until the rooflights to the ground floor level and fenestration to the rear elevation of the ground floor and basement/lower ground floor levels of the building as shown on the plans submitted with the application and granted planning permission by the Local Planning Authority on 18 January 2022 as part of development with the application ref P2021/3133/FUL have been installed in accordance with the approved details. The rooflights and fenestration shall thereafter be retained.”

48. In particular, the Inspector rightly opined in this case as follows at paragraphs 18 and 20:

18. The findings of the DSA are based on external alterations to No 185 that would see fenestration provided to the rear of the building at lower ground floor level; and the enlargement and removal of bars from fenestration to the rear of the building and installation of rooflights to the ground floor. Although these alterations are shown on the submitted plans, I appreciate that the permitted development right at Class MA relates only to the change of use of a building and any land within its curtilage, and does not include provision for any associated building operations. However, since the Council determined the application, planning permission has been granted under application ref P2021/3133/FUL for development which includes the alterations to fenestration and installation of rooflights relied on within the DSA and shown on the submitted plans (‘the Permission’).

20. The Council has commented that it would not have powers to force and/or enforce the implementation of the planning permission including the Permission alterations. However, paragraph W(13) of the GPDO provides that prior approval may be granted subject to conditions reasonably related to the subject matter of the approval. I consider that an appropriately worded condition could in this case reasonably require the Permission alterations to fenestration and rooflights that are relied on by the DSA to be completed, in effect providing for adequate natural light before any prior approval took effect. I am satisfied that such a condition would be reasonably related to the subject matter of the prior approval. In addition, the Council's evidence does not explain the basis for its statement that using a condition would be contrary to the prior approval determination of assessing the current plans and condition of the application building, and I can see no firm reason that imposing such a condition would result in tension or conflict with the provisions of Class MA.

49. All of the habitable rooms will receive fully-compliant levels of daylight with regard to the approved windows granted under application reference PL/26/0824.

50. Therefore, the proposed change of use would provide adequate levels of natural light to all habitable rooms.

Conclusions

51. The proposed change of use of the rear of the ground floor of this property to two apartments presents no contamination, noise, flood risk or natural light concerns.

52. Therefore, we ask that this application should be granted subject to such planning conditions as the Council considers appropriate.

Yours faithfully,

David Kemp BSc(Hons) PGDL MRICS Barrister*
Director
DRK Planning Ltd
(*non-practising member)