



Prior Approval Compliance Statement

87 Southampton Street, Reading, RG1 2QU

Application for Prior Approval pursuant to Class MA of Part 3 of the
Town and Country Planning (General Permitted Development)
(England) Order 2015 (as amended) to allow the change of use from
Office (Class E) to residential (C3) in the form of 1 flat at ground floor
level

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J Butterworth Planning Limited
71-75 Shelton Street
London, WC2H 9JQ
07803 588 479
jeremy@jbutterworthplanning.co.uk

jbutterworthplanning.co.uk

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Prepared By Jeremy Butterworth BSc (Hons) MA MRTPI

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Registered Office: 71-75 Shelton Street, Covent Garden, London, WC2H 9JQ

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1 Introduction and Development Proposals

1.1 Introduction

- 1.1.1 This statement is submitted in support of an application for prior approval pursuant to Class MA of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to allow the part change of use from Class E to residential (C3) in the form of 1 flat at ground floor level (the 'proposed development') at 87 Southampton Street, Reading, RG1 2QU (the 'site').
- 1.1.2 The application is submitted on the basis that the proposed change of use is permitted by Class MA of the 2015 Order. This is discussed in more detail below.
- 1.1.3 The Applicant has submitted an accompanying application for full planning to allow for some external alterations, which has been submitted in advance of this Class MA Prior Approval application (Ref: PL/26/1390) so that the merits of the operational development will be determined before the Council are required to determine the Prior Approval application. Any external amendments required, and the external alterations can be secured by condition to ensure the external works are completed prior to implementation of any Class MA approval.
- 1.1.4 This is discussed in more detail below.

1.2 Proposed Development

- 1.2.1 The proposed development is described as:

Prior Approval pursuant to Class MA of Schedule 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to allow the part change of use from Class E to Class C3 residential forming 1 flat at ground floor level.

- 1.2.2 The proposed dwelling will be as follows:

1. 2 Bed 4 Person @ 77m²

- 1.2.3 Due to the sustainable location of the property, it is intended to be car free. In addition, cycle parking and refuse storage can be provided in spaces at the side of the building at ground floor level. This can be secured and covered and subject to conditions if necessary.

1.3 Supporting Documents

- 1.3.1 The application is accompanied by the following documents in addition to this Statement:
- Application Form
 - CIL Form
 - Site Location Plan

- Daylight Assessment
- Existing Plans
 - A-10-010 Existing Block Plan
 - A-10-011 Existing Floor Plans
 - A-11-010 Existing Sections
 - A-12-010 Existing Front and Rear Elevations
 - A-12-011 Existing Side Elevations
- Proposed Plans
 - A-13-010 Proposed Block Plan
 - A-13-011 Proposed Floor Plans
 - A-14-010 Proposed Sections
 - A-15-010 Proposed Front and Rear Elevations
 - A-15-011 Proposed Side Elevations

2 Site Location, Description and History

2.1 Site Location and Description

- 2.1.1 The application site comprises 87 Southampton Street, a detached building set back from the east side of the street, close to the junction with Crown Street (to the north).
- 2.1.2 The ground and first floor levels are currently occupied offices and the second floor is currently an unoccupied office.
- 2.1.3 The surrounding area is a mix of office and residential uses, together with a high-level car parking space immediately to the east.
- 2.1.4 The site is not a listed building and not located within a conservation area. A number of buildings on the west (opposite) side of Southampton Street at this point are listed.



Site in street scene



Rear of Site

- 2.1.5 The site is easily accessible by sustainable forms of transport and is 1.2km from Reading railway station.
- 2.1.6 In addition, frequent bus routes pass the site towards central Reading.

2.2 Planning History

- 2.2.1 The relevant planning history includes:
- 220204 - Additional storey to provide 1 x 2-bed residential unit above the second floor. Prior Notification under Class AA, Part 20 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (Amended Description) – Approved April 2022

- 221943 - Change of use from Class E (offices) to C3 (dwelling houses) to comprise 3 Residential Flats. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 – refused February 2023

2.2.2 The 2023 refusal under Class MA was refused for the following three reasons:

1. The development subject of this prior notification fails to meet criteria Class MA.2.(2) (f) (provision of adequate natural light) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. The development subject of this prior notification fails to meet criteria Class MA.2.(2) (d) (Impacts of noise from commercial premises on the intended occupiers of the development) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

3. The applicant has failed to sufficiently demonstrate that the building subject to this Prior Approval application was vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval. The proposal therefore fails to meet criteria MA.1(1) (a) (vacancy qualification of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)).

2.2.3 A further application under Class MA for ‘change of use of 2nd floor from Class E (offices) to C3 (dwelling houses) to comprise 1 flat. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015’ was approved in June 2024 (Ref: 240351).

2.2.4 The permissions have not been implemented.

3 Planning Assessment

3.1 Introduction

3.1.1 The application is submitted under the requirements of Class MA of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 (the 'Order') in relation to the change of use of buildings in Class E use to a use falling within Class C3.

3.1.2 The provisions of Class MA.1 state that development is not permitted by Class MA:

~~a) unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval;~~

This provision was deleted by the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2024

~~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;~~

Subparagraph 2 states that 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.

The planning history shows the use of the premises as an office. Therefore, there has been more than 2 years use as B1(a) use and therefore is appropriate for change of use under Class MA. This was confirmed by the Council in the determination of the previous application.

~~c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;~~

This provision was deleted by the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2024

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 does not have any of the above designations.

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;

The site is not within an AONB or area specified in the Wildlife and Countryside Act.

3.1.3 Paragraph W of the Order requires the application to be accompanied by:

1. Written description of the proposed development
2. A plan indicating the site and proposed development
3. A floor plan indicating the dimensions and proposed use of each room, the position and dimensions of windows, doors and walls, and the elevations of the dwellinghouses
4. A statement specifying the net increase in dwellinghouses proposed by the development
5. Developer's contact address; and
6. Developer's e-mail address if the developer is content to receive communications electronically.

3.1.4 This Statement and the accompanying Application Form provides this information, and the requisite plans are also submitted.

3.1.5 Paragraph W (5) requires local planning authorities on receipt of applications to determine whether the development is likely to result in a material increase or a material change in the character of traffic in the vicinity of the site and if so to consult the relevant highway authority. To assist in this process this Statement includes a section on traffic impacts.

- 3.1.6 Paragraph W (6) requires local planning authorities to consult the Environment Agency where the development is located within an area within Flood Zone 2 or Flood Zone 3; or in an area within Flood Zone 1 which has critical drainage problems and which the Environment Agency has notified the authority for the purpose of paragraph (zc) (ii) in the Table in Schedule 4 to the Procedure Order. To assist in this process this Statement includes a section on flood risk which confirms that the property is located within Flood Zone 1.
- 3.1.7 It is acknowledged in Paragraph W (9) that further information regarding the impacts and risks referred to in J2 (namely transport and highways impacts, contamination and flood risks) can be requested in order to determine the application. The Applicant is committed to respond to any such request, although these are considered unnecessary given the information that is provided.
- 3.1.8 It is also recognised that in determining this application, the LPA shall have regard to the National Planning Policy Framework (NPPF) as if the application were a planning application. Accordingly, and to assist this process a statement on the effect of the Framework is included below.
- 3.1.9 Class MA development is permitted subject to the condition that before beginning the development, the developer shall 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 2006⁵⁷,

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.

3.1.10 This is discussed below in more detail.

3.2 Transport impacts of the development, particularly to ensure safe site access

- 3.2.1 The site is located within a highly sustainable location and is 1.2km from Reading railway station.
- 3.2.2 In addition, frequent bus routes pass the site towards central Reading. Other bus routes pass along Crown Street, Pell Street, London Street and Silver Street.
- 3.2.3 The centre of Reading and other adjoining areas are also easily reachable by cycling.
- 3.2.4 In respect of the highways impact, Local Plan Policy TR5 states that development should provide car parking and cycle parking that is appropriate to the accessibility of locations within the Borough to sustainable transport facilities, particularly public transport.
- 3.2.5 However, it is proposed that the flat will be car free and this was considered to be acceptable by the Council in the determination of the previous application for Prior Approval, in which the Planning Officer's Delegated Report confirmed:

However, Transport Officer have confirmed that given the extensive parking restrictions in operation in the area and the proximity to the town centre and local amenities, a car free development could be considered in this instance.

As the proposed plans do not show parking provision, this is deemed a car free scheme which would be acceptable given as the change of use 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, the location and extensive parking restrictions in the area.

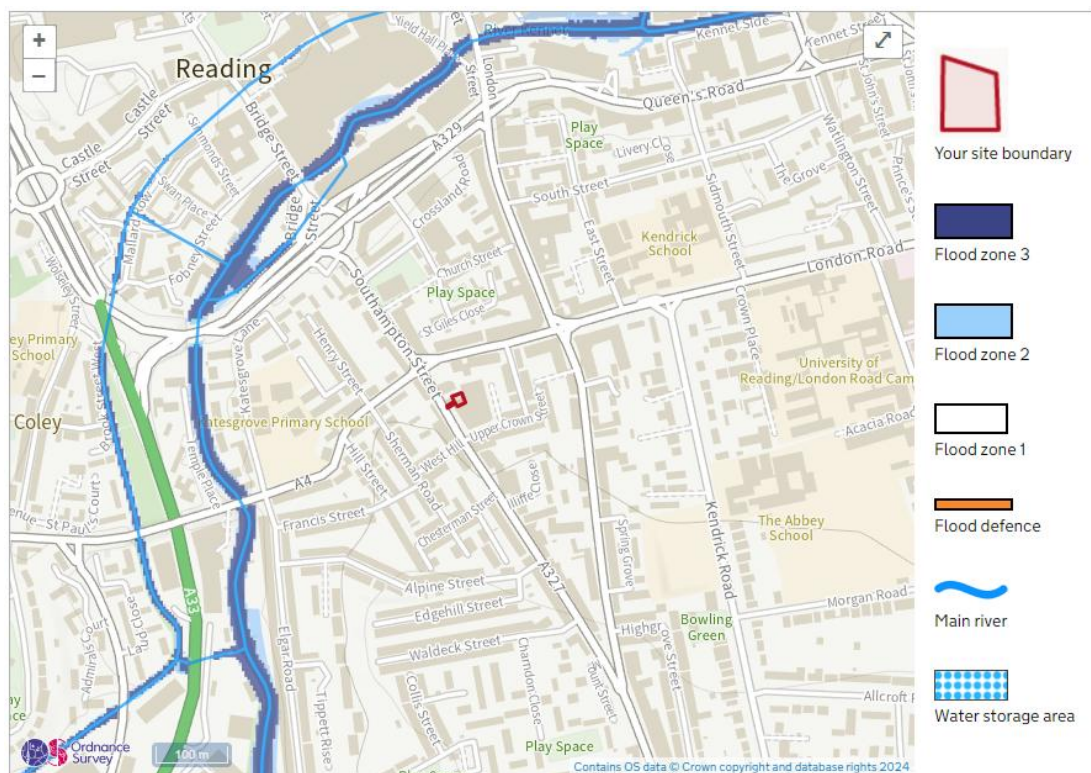
- 3.2.6 Therefore, it would be reasonable for the same conclusion to be reached again for a scheme of only one dwelling.
- 3.2.7 NPPF policy TR6 states that development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety.
- 3.2.8 No such impacts are identified and therefore, in accordance with the NPPF, and the Development Plan the prior approval of the Council is therefore not considered necessary.

3.3 Contamination risks in relation to the building

- 3.3.1 The property is located within a previously developed site. The site is not within an area which is identified as an archaeological priority zone and has only been used for office space.
- 3.3.2 Therefore, although no information relating to the contamination risks associated with the site has been submitted in support of this application, the former use of the building and its location in a developed site is such that it is not anticipated that any risk of contamination would be likely to arise during the course of the works.
- 3.3.3 Due to the scale of the development proposed, the limited operational development required, and the utilisation of existing sewer and water supply facilities the requirement for prior approval for contamination risks associated with the site is considered onerous and unnecessary, given the proposed development is at first floor level.
- 3.3.4 In the determination of the previous application the Planning Officer's Report confirmed that the Environmental Health team did also not raise any concerns over contaminated land.

3.4 Flooding risks in relation to the building

- 3.4.1 The Environment Agency Flood Map (below) confirms that the site lies within Flood Zone 1 where the chance of flooding in any given year is less than 1 in 1000 (0.1%).



- 3.4.2 Residential dwellings are classified as being a More Vulnerable development within Table 2 of the Planning Practice Guidance. More vulnerable developments are acceptable in Flood Zone 1.

- 3.4.3 The development site is at low risk of flooding, which means that the probability of flooding in any given year is between 1 in 1000 (0.1%) and 1 in 100 (1%).
- 3.4.4 Appropriate SuDS features and measures will be incorporated where appropriate within the development to minimise surface water discharges.
- 3.4.5 As such, the proposed development will not increase the risk of flooding elsewhere from surface water sources.
- 3.4.6 There is no evidence of historic flooding of the development site.
- 3.4.7 The development is not at risk from reservoir flooding.
- 3.4.8 Due to the nature of the development within an existing building, the minimal level of operational development required, and its location within an area at low risk of flooding, it is considered that the proposed development can be operated safely in flood risk terms, without increasing flood risk elsewhere and is therefore appropriate development in accordance with the NPPF.
- 3.4.9 Therefore, it is not considered necessary for the Council to require prior approval in relation to flood risk as the development would not conflict with the NPPF or the Technical Guidance in relation to flood risk.

3.5 Impacts of noise from commercial premises on the intended occupiers of the development

- 3.5.1 The change of use of the building from a use in Class E to a use in Class C3 would not result in any impacts of noise from commercial premises on the intended occupiers of the development as the surrounding uses are not noise generating uses.
- 3.5.2 A previous application within the building was accompanied by a Noise Impact Assessment which noted that noise measurements were undertaken along the southern façade of the development site in close proximity to the nearby Air Conditioning Units. A review of the survey results could not fully identify specific operational periods of the AC units and thus it was assumed that they may not have operated during the survey. Therefore, manufacturers' noise data for the units was obtained and a BS4142 Rating noise level assuming all units were operating simultaneously was calculated at the development's façade. The BS4142 Rating Noise Level was utilised to define the requirement of a sound insulation scheme for facades exposed to AC unit noise. It should be noted that the current units in place were deemed to be old and thus may not operate fully, were they to be replaced it is likely they would be replaced with newer lower noise units.
- 3.5.3 It is understood that the nearby a/c units are not operational and have not been used for several years.
- 3.5.4 Nevertheless, noise reduction measures can be secured by condition, if required. Such mitigation measures can include glazing Insulation (secondary glazing), trickle vents and mechanical ventilation.

3.5.5 Provided the sound insulation scheme and recommendations are controlled by condition and retained thereafter the amenity of future residents can be fully protected from surrounding commercial plant noise and all internal criteria should be achieved.

3.5.6 Prior to the commencement of any works or implementation of the sound insulation works the above assessment should be fully approved by the local authority.

3.6 The impact of the change of use on the character or sustainability of the Conservation Area

3.6.1 Class MA states that where the building is located in a conservation area, and the development involves a change of use of the whole or part of the ground floor, an assessment is required on the impact of that change of use on the character or sustainability of the Conservation Area.

3.6.2 The site is not located in a Conservation Area and therefore this is not relevant.

3.7 The provision of adequate natural light in all habitable rooms of the dwellinghouses

3.7.1 The requirements applications submitted under Class O of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) are outlined in Paragraph 0.2(e) which requires determination as to whether the prior approval of the authority will be required as to the provision of adequate natural light in all **habitable rooms** of the dwellinghouses.

3.7.2 Paragraph W (2A) confirms that where the application relates to prior approval as to adequate natural light, the local planning authority must refuse prior approval if adequate natural light is not provided in all the habitable rooms of the dwellinghouses.

3.7.3 Paragraph X confirms that “habitable rooms” means any rooms 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.

3.7.4 In this respect, for the proposed development it is only necessary to provide adequate natural light to the bedrooms and living room. There are no requirements in Class MA or paragraph W for the submission of a daylight / sunlight assessment to determine if adequate daylight is available to the proposed flats.

3.7.5 In this regard, the application is accompanied by a Daylight / Sunlight Assessment.

3.7.6 The Assessment demonstrates that all habitable rooms within the proposed Class MA conversion achieve the recommended Spatial Daylight Autonomy targets set out in BRE 209 (2022) and BS EN 17037. The scheme provides a good standard of internal daylight that is appropriate for residential accommodation.

- 3.7.7 The design responds appropriately to the inherent constraints of converting an existing ground floor to residential use. The internal layout maximises available daylight to principal habitable rooms and delivers suitable living conditions for future occupiers. The outcome is acceptable in planning terms.
- 3.7.8 The performance is consistent with BRE and BS EN 17037 guidance and confirms that the proposed layout successfully optimises daylight distribution within the constraints of the existing building
- 3.7.9 The proposed drawings show the window sizes in plan and elevation form. There are 10 windows to the proposed flat which are all 0.9m x 1.5m in size along with a door (subject to a separate consent).
- 3.7.10 2 windows and the glazed door serve the living, dining, kitchen area. Bedroom 1 is served by 4 windows and Bedroom 2 is served by 2 windows.
- 3.7.11 As such, the proposal is acceptable in terms of natural light.

3.8 The impact on intended occupiers of the development of the introduction of residential

- 3.8.1 The surrounding area is mixed use in character, with other residential uses adjacent to the site and also on Southampton Street and above other commercial uses.
- 3.8.2 The area is not considered to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses. Therefore, the proposed conversion to a residential flat would be highly appropriate and not result in any detrimental impacts on any employment or retail locations.
- 3.8.3 The Council did not object on this basis previously for a change of use within the same building.

3.9 The impact on the local provision of the type of services lost

- 3.9.1 Class MA.2(h) states that 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 200657, an assessment of the impact on the local provision of the type of services lost is required.
- 3.9.2 The current use is not a registered nursery or health centre. Therefore MA.2(h) is not relevant in this instance.

3.10 The fire safety impacts on the intended occupants of the building

- 3.10.1 Like the majority of properties on Southampton Street, there is no frontage off-street access for a Fire Appliance which would be expected to use the public highway in emergency situations. This would be the same as the current situation.

- 3.10.2 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.
- 3.10.3 Whilst the development contains a new dwelling, the height of the building is less than 18m and fewer than 7 storeys.
- 3.10.4 Therefore, there are no fire safety impacts which would prevent the granting of planning permission.

3.11 Development Plan and NPPF

- 3.11.1 The Development Plan Proposals Map confirms that the property is within the Conservation Area and within a defined Centre. However, this designation does not preclude an application for prior approval.
- 3.11.2 The National Planning Policy Framework (NPPF) prioritizes sustainable housing delivery, streamlined local plans, and brownfield developments.
- 3.11.3 The NPPF notes in Policy S4 that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.
- 3.11.4 *The development clearly falls into the category of sustainable development providing much needed housing in an area of housing need, on brownfield land and re-using part of an existing building within an existing settlement.*
- 3.11.5 The NPPF seeks to ensure that transport considerations are taken fully into account in the preparation of development plans and the evolution and assessment of development proposals; using a vision-led approach to embed the role that transport infrastructure and choices can play in creating well-designed, sustainable, inclusive and popular places. *The proposal does not constitute a significant development and therefore transport impacts will be minimal. However, the application proposal is in an area which is accessible by public transport and cycling.*
- 3.11.6 The NPPF seeks to promote high quality, healthy, inclusive and sustainable places, through setting clear expectations about design outcomes and the use of relevant tools and processes. *No external changes are proposed or required and therefore the existing appearance will be maintained.*
- 3.11.7 In summary, this statement has considered the proposal in the context of the NPPF and confirms that it is entirely consistent with the Government planning policy.
- 3.11.8 In addition, there are no identified conflicts with the Reading Local Plan.

4 Summary and Conclusion

4.1.1 Having considered the proposed development in relation to the criteria prescribed within the GPDO, it is concluded that:

- Prior approval in relation to transport and highways impact is not required.
- Prior approval in relation to contamination risk of the building is not required.
- Prior approval in relation to flooding risk of the development is not required.
- Prior approval in relation to noise impact is not required or can be controlled by condition to ensure compliance.
- Prior approval in relation to the impact on the Conservation Area is not required.
- The proposed habitable rooms will all receive adequate daylight and therefore prior approval is not required in this regard.
- There is no impact on any employment land and therefore prior approval is not required in this regard.
- There is no impact on any local services therefore prior approval is not required in this regard.
- Prior Approval is not required in respect of fire safety.

4.1.2 In addition:

- the building is not:
 - in a site of special scientific interest;
 - in a safety hazard area;
 - in a military explosives storage area;
 - a listed building; or
 - a scheduled monument.

4.1.3 From the submitted it is concluded that there are no reasons why prior approval cannot be granted and the proposed change of use to C3 can proceed.

Jeremy Butterworth BSc (Hons) MA MRTPI

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