

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	251814
Site Address:	400 Regus House, Thames Valley Park Drive, Wokingham, Earley, RG6 1PT
Expiry Date:	5 December 2025
Site Visit Date:	21 August 2025
Proposal: Prior approval submission for erection of a two storey upwards extension to provide 32no residential units on the 4th and 5th floor with associated plant, car and cycle parking.	

PLANNING CONSTRAINTS/STATUS

Contaminated Land Consultation Zone
Bat Roost Habitat Suitability
Core Employment Areas (Thames Valley Park)
Scale and Location of Development Proposals (Major Development Location of Earley)
Crossrail Safeguarded Route
Great Crested Newt Consultation Zone (Red Zone)
Major Transport Schemes
Nuclear Consultation Zone
Railways
Landscape Character Assessment Area (Sonning Wooded Chalk Slopes)
SSSI Impact Risk Zones (Lodge Wood & Sandford Mill located approximately 3.7km to the east)
PRoW Within WB Consultation Zone (Footpath EARL4 runs to the west of the site)
JCEB Mineral Safeguarding Areas

PLANNING POLICY/LEGISLATION

Town and Country Planning Act 1990 (as amended)

Section 55	Provides that 'development' includes the carrying out of building operations on land, and 'building operations' includes structural alterations or additions to buildings.
Section 57	Planning permission is needed for all development of land.
Section 187a	Enforcement for breach of conditions

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Section 7	Prior approval applications: time periods for decision
Article 3	In conjunction with Schedule 2, Part 20 Class AA grants planning permission for new dwelling houses on detached buildings in commercial or mixed use
Article 4	Provides that the planning authority may give direction to restrict the effect of Article 3

PLANNING HISTORY		
Application No.	Description	Decision & Date
241853	Prior approval submission for erection of a two storey upwards extension to provide 32no residential units on the 4th and 5th floor with associated plant, car and cycle parking.	Refused 24/09/2024
241855	Prior approval submission for change of use of the ground, 1st, 2nd and 3rd floors to 62no residential dwellings (use Class C3)	Approved 20/09/2024
232098	Application for a certificate of lawfulness for the proposed use of an existing office as a taxi office call centre.	Approved 19/10/2023
221595	Application for a certificate of lawfulness for the proposed use of an existing office as a taxi office call centre	Approved 14/07/2022
213073	Application for a certificate of lawfulness for the proposed use of office as a Private Hire Taxi business.	Approved 22/10/2021
221028	Application for a certificate of lawfulness for the proposed use of an existing office as a taxi office call centre.	Approved 07/06/2022
180973	Application for a certificate of lawfulness to use office space as licensed private hire.	Approved 31/05/2018
170855	Full planning application for proposed change of use for 1no. office within office building from B1 use to Sui Generis use (Vehicle Hire Business).	Withdrawn 27/07/2017
143304	Application for a certificate of lawfulness for the proposed use of an office as a Taxi business.	Approved 16/05/2014
100836	Application for a certificate of lawfulness for the use of existing office for a taxi based business.	Refused 16/03/2010
24147	A - Outline application for business park B – Full application for country/riverside park	Approved 24/09/1987
28578	A - Outline application for business park, Information Age Project, Hotel and Local Centre B – Full application for country/riverside park	Approved 22/11/1988
33683	Phase 1 – demolition of existing buildings and redevelopment to provide 55275 sq m of B1 (unrestricted) buildings, railway station	Approved 22/12/0989
44056	Approval of Reserved Matters (siting) on consents 28578 & 33683 for B1 development	Approved 24/04/1995

CONSULTATION RESPONSES

Internal
WBC Building Control – no comments received WBC Environmental Health – no objection subject to conditions WBC Drainage – no objection subject to condition WBC Highways – no objection subject to conditions WBC CIL – development will be CIL-liable WBC Ecology – no objection subject to condition
External
Health and Safety Executive – no objection Environment Agency – no objection subject to conditions

REPRESENTATIONS	
Parish/Town Council	No comments received
Ward Member(s)	No comments received
Neighbours	2 letters of objection received. The following concerns were raised: - Increase in traffic impacting wildlife - Failure to recognise the value of and protect wildlife habitats and vegetation - Proximity to facilities and poor social infrastructure locally - Attractiveness of walking routes - Thames Valley Park is a nature reserve and shouldn't be made into an area with flats <i>(Officer comment: the impact on protected species and habitats has been considered by WBC Ecology Officer who raised no concerns in this regard. The proximity of facilities or quality of walking routes are not matters that can be considered under prior approval process.)</i>

SITE DESCRIPTION

The application site comprises an existing building in office use (Use Class E). The building is three storeys in height, with a flat roof and broadly rectangular in shape, with a parking area located to the south. The site forms part of the wider Thames Valley Business Park, which is designated as a Core Employment Area within the Council's Local Plan .

APPLICATION DESCRIPTION

Prior approval is applied for in respect of the proposed erection of a two storey upward extension to provide 32 no. residential units with associated plant, car and cycle parking.

This application follows a refusal of a previous application for prior approval (241853) of a two storey upward extension to provide 32 no. of residential units with associated plant, car and cycle parking. In addition, prior approval has been granted under Class MA, Part

3, Schedule 2 for the proposed conversion of the ground, first, second and third floors of the building to provide 62 no. residential units (241855). One of the requirements of prior approval under Class AA, Schedule 2, Part 20 is that the building is currently in use as specified within Class AA.(2). Following the site visit, officers confirmed that prior approval 241855 has not been implemented. It should be noted, however, that in the event that prior approval sought by this current application is granted, it would need to be implemented first before prior approval 241855 is implemented to ensure that this criterion is met. Notwithstanding, each application for prior approval needs to be assessed on its own merits and against strict criteria set out in legislation for that Class, which does not allow for cumulative impacts of both applications to be considered here except as set out in legislation.

PERMITTED DEVELOPMENT

Under the provisions of Article 3(1) and Schedule 2, Part 20, Class AA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) ("GPDO"), planning permission is granted for the development consisting of works for the construction of up to two additional storeys of new dwellinghouses, together with necessary engineering operations, replacement of existing plant on the roof, works for the construction of access and of storage, waste or other ancillary facilities, subject to various conditions and limitations.

In determining applications for prior approval, paragraph B.1(15) of Part 20 of the GPDO requires Local Planning Authority to take into account any representations made to them as a result of any consultation or publicity, and to have regard to the NPPF so far as relevant to the subject matter of the prior approval, as if the application were a planning application.

It needs to be established whether the proposed erection of a two storey upward extension to provide residential units would fall within the parameters of Class AA, Schedule 2, Part 20 of the GPDO. Class AA allows for development consisting of new dwellinghouses on detached buildings in commercial or mixed use. Paragraph B.(18) of Part 20, Schedule 2 allows the Local Planning Authority to grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval (and these provisions apply to Class AA by virtue of paragraph AA.2.(1)). It should be noted that the Town and Country Planning (Pre-commencement Conditions) Regulations 2018 apply only to conditions imposed on a grant of planning permissions as opposed to conditions imposed on prior approval decisions. Therefore, there is no requirement to agree pre-commencement conditions with the applicant as part of prior approval process.

The submitted Planning Supporting Statement dated July 2025 confirms that the building continues to be in office use. This has been verified by officers during a site visit undertaken on 21 August 2025 and by Business Rates Officer on 11 September 2025.

PART AB.1 APPRAISAL

Town and Country Planning Act 1990 (as amended)			Yes	No
1	s.55	Does it constitute development?	✓	
2	s.191	Would it be contrary to an enforcement notice?		✓
3	s.187a Art.3 (4)	Would it be contrary to any condition imposed by any planning permission granted or deemed to be granted?		✓

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)			Yes	No
4	Art.3 (5)	Are the building operations involved in the construction of the original building lawful?	✓	
5	Art.4	Is there an 'Article 4 Direction' in effect for the site?		✓
6	Sch.2 Pt. 20 AA (1)	Does it consist of works for the construction of up to two additional storeys of new dwellinghouses immediately above the topmost storey on a detached building to which sub paragraph (2) applies, together with any or all-- (a) engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses; (b) works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwellinghouses; (c) works for the construction of appropriate and safe access to and egress from the new dwellinghouses and existing premises in the building, including means of escape from fire, via additional external doors or external staircases; (d) works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses?	✓	
7	AA (2)	Is the building used for any purpose within: (a) Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes) or Class B1(a) (offices) of the Schedule to the Use Classes Order, or as a betting office, pay day loan shop or launderette; (b) in a mixed use combining— (i) two or more uses within paragraph (a); or (ii) a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, together with one or more uses within paragraph (a)?	✓	
8	AA.1(a)	Above ground level, is the building less than three storeys in height?		✓
9	AA.1(b)	Was the building constructed before 1 st July 1948 or after 5 th March 2018?		✓
10	AA.1 (c)	On 5 th March 2018, was the building in a use other than: (i) a use or mixed use within paragraph AA(2)(a) or (b); or (ii) a use falling within Class C3 of the Schedule to the Use Classes Order?		✓
11	AA.1 (d)	Would the additional storeys be constructed on a part that is not the principal part of the building?		✓
12	AA.1 (e)	Would the floor to ceiling height of any additional storey, measured internally, exceed the lower of— (i) 3 metres; or (ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing building?		✓
13	AA.1 (f)	Would the new dwellinghouses be anything other than flats?		✓

14	AA.1 (g)	Would the height of the highest part of the roof of the extended building exceed by more than 7 metres the height of the highest part of the roof of the existing building (not including plant, in each case)?		✓
15	AA.1 (h)	Would the height of the highest part of the roof of the extended building (not including plant) be greater than 30 metres?		✓
16	AA.1 (i)	Would development under Class AA(1)(a) include the provision of visible support structures on or attached to the exterior of the building upon completion of the development?		✓
17	AA.1 (j)	Would development under Class AA(1)(a) consist of engineering operations other than works within the existing curtilage of the building to— (i) strengthen existing walls; (ii) strengthen existing foundations; or (iii) install or replace water, drainage, electricity, gas or other services;		✓
18	AA.1 (k)	In the case of Class AA(1)(b) development is there existing plant on the building?	✓	
19	AA.1 (l)	In the case of Class AA(1)(b) development would the height of any replaced or additional plant as measured from the lowest surface of the new roof on the principal part of the extended building exceed the height of any existing plant as measured from the lowest surface of the existing roof on the principal part of the existing building?		✓
20	AA.1 (m)	Would development under Class AA(1)(c) extend beyond the curtilage of the existing building?		✓
21	AA.1 (n)	Would development under Class AA(1)(d)— (i) extend beyond the curtilage of the existing building; (ii) be situated on land forward of a wall forming the principal elevation of the existing building; or (iii) be situated on land forward of a wall fronting a highway and forming a side elevation of the existing building?		✓
22	AA.1 (o)	Would the land or site on which the building is located, be or form part of — (i) article 2(3) land; (ii) a site of special scientific interest; (iii) a listed building or land within its curtilage; (iv) a scheduled monument or land within its curtilage; (v) a safety hazard area; (vi) a military explosives storage area; or (vii) land within 3 kilometres of the perimeter of an aerodrome?		✓

PART AA.2 APPRAISAL

Development under Class AA is permitted subject to the following conditions under part AA.2:

(1) Where any development under Class AA is proposed, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for prior approval of the authority as to:

(a) transport and highways impacts of the development:

Policy Background

The overarching national policy is set out in the National Planning Policy Framework (NPPF), particularly in paragraph 116, which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

The CS Policy CP6 *Managing Travel Demand* seeks to mitigate any adverse effects on the transport network while MDD LP Policy CC07 *Parking* seeks to ensure appropriate levels of off-street parking are achieved.

Trip Generation

The application is accompanied by Transport Statement 24205-TS01 Rev -, which states that the trip generation has been calculated by reference to TRICS data. It concludes that the proposal would result in approximately 8 vehicle movements in the AM peak and 9 vehicle movements in the PM peak. Given the modest increase in traffic generation, it is not considered the proposal would result in severe impacts on highway capacity. Moreover, in the event that Prior Approval 241855 is implemented, there would be a reduction of over 30 vehicle trips in both in AM and PM peaks (when compared with the current trip generation associated with office use, which is 64 and 55 two-way movements in the AM and PM peak hours respectively). It is also acknowledged that the proposal would result in a change in the nature of traffic generated by the proposal from office to residential, of which the latter would be more dispersed across the day in comparison with traffic generated by commuters to/from office. The impacts on highway network have been considered by the WBC Highways Officer, who considered that they would not be unacceptable.

Car Parking

It is proposed that the existing parking provision on-site be utilised to provide parking to serve the occupiers and visitors of the proposed units. There would be provided a total of 45 parking spaces comprising 32 allocated, 6 visitor and 7 unallocated parking spaces, as shown on the submitted Proposed Site Plan PD-004 Rev 2. The WBC Highways Officer has reviewed the proposal and confirmed that the car parking provision would comply with the WBC standards. Given that the car parking would be shared with the existing office use, it is necessary to impose a condition for the submission of parking management plan (Condition 5 refers). A condition is also necessary to ensure that the

proposed parking is made available to future occupiers and visitors and retained as such (Condition 4 refers). Both conditions are reasonably related to the subject matter of prior approval.

The submitted Proposed Site Plan PD-004 Rev 2 shows there would be in total 175 parking spaces, which is a reduction of 4 spaces when compared with the existing parking provision shown (179 parking spaces) in Existing Site Plan PD-002 Rev 1. The proposal would therefore result in 130 parking spaces remaining. The existing office use of the building requires that one vehicle parking space is provided for each 30m² of office floorspace. The existing use comprises 3,755m² of office floorspace, which requires 125 parking spaces. As such, the proposal would not result in reduction of parking provision for office use below Borough standards.

It is noted that Prior Approval under Class MA was granted for conversion of existing office space to 62 residential units (241855). Paragraph 116 of the NPPF requires that proposals are assessed cumulatively in terms of highway impacts taking into account all reasonable future scenarios. It is, therefore, reasonable to assume that Prior Approval 241855 could be implemented in the future (i.e. within three years of the date of the decision notice 20th September 2024). Parking requirements associated with Prior Approval 241855 are 124 allocated and 12 visitor parking spaces (136 spaces altogether). Given that the current proposal would result in only 130 spaces remaining, there would be a shortfall of 6 spaces.

Notwithstanding, it is recognised that the proposed parking provision associated with 241855 assumes that two spaces would be allocated per dwelling for that scheme, whereas the current proposal assumes that only one space would be allocated per dwelling. If the current proposal is implemented first (which it would have to be to benefit from the permitted development rights under class AA), the indicated parking provision of 2 allocated spaces per dwelling under Prior Approval 241855 would not be implementable. Notwithstanding, whilst no parking allocation plan has been submitted under 241855, Conditions 4 and 5 were imposed requiring the applicant to submit details, including the location of bin and cycle stores. Therefore, any future submission of details pursuant to these conditions would require assessment of parking provision in the event that the location of bin and cycle stores would result in a loss of existing parking spaces.

Cycle Parking

It is proposed that a new cycle store is provided to accommodate space for 50 cycles as shown in the Proposed Refuse & Bike Storages Plan PD-510 Rev 1. In addition, 10 visitor cycle spaces are also proposed, as shown in the Proposed Site Plan PD-004 Rev 2. The WBC Highways Officer has reviewed the proposal and confirmed that the car parking provision would comply with the WBC standards. A condition is necessary to ensure that the proposed occupant and visitor cycle parking is made available to future occupiers and visitors and retained as such, and it is reasonably related to the subject matter of this prior approval (Condition 6 refers).

It is noted that the proposed level of cycle parking within the cycle store is in excess of the Borough standards (32 cycle parking spaces). However, the indicated number of cycle parking spaces is insufficient to provide adequate cycle parking for this and scheme approved under 241855. Notwithstanding, the applicant is required to submit details of

cycle store under planning condition of Prior Approval 241855, which is required prior occupation of development to be delivered under Class MA.

Refuse

Refuse store is proposed to be located next to bike store, to the south of the building. Following discussions with the WBC's Cleaner and Greener Officer, the application now demonstrates that there would be sufficient space to accommodate 5 x 1,100l, 2 x 360l and 2 x 240l bins, in line with Council's requirements. A condition is necessary to ensure functionality of the development in terms of waste collection safety and in the interest of highway safety and reasonably related to the subject matter of the prior approval (Condition 7 refers). As it is likely that the applicant may not wish to continue with private collections, swept path analysis for refuse vehicle were requested and subsequently provided; these demonstrate that the refuse collection vehicle can exit the site in forward gear, in the event of waste collection service being provided by the Council.

The refuse store does not have sufficient capacity to incorporate waste receptacles associated with proposals approved under 241855. However, a condition was imposed on that permission requiring these details to be submitted prior to occupation. As such, should 241855 be implemented, the applicant will be required to demonstrate sufficient provision of waste storage for that scheme.

Construction

The proposal would involve construction of additional storeys and ancillary structures, which is likely to result in a level of disruption both to the residents of the wider area and environmental impacts such as noise or dust pollution. Whilst the submission is not accompanied by details of how impacts of construction activities would be mitigated, the WBC Environmental Health Officer has reviewed the proposal and recommended that these details, among other things, are secured for approval under a condition discharge application (Condition 8 refers). Given that no method statement for the construction of proposed development accompanied the application, a condition was recommended by the WBC Highways Officer to secure a submission of a construction method statement (Condition 8 refers). Additionally, to further mitigate the impacts of construction activities, it is necessary to impose a condition restricting hours of construction (Condition 9 refers). Both conditions are reasonably related to the subject matter of this prior approval and are necessary to mitigate the impacts of construction activities.

(b) air traffic and defence asset impacts of the development:

Due to the scale of the development and the location of the site it is not considered any harmful impact would arise with regard to air traffic and defence assets.

(c) contamination risks in relation to the building:

Paragraph 187 of the NPPF requires that proposals remediate and mitigate contaminated land. CS Policy CP1 requires that proposals minimise the emission of pollutants into the wider environment and limit any adverse effects on water quality (including ground water). CS Policy CP3 requires that proposals have no detrimental impact upon geological features.

Section 78A(2) of Part 2A of the Environmental Protection Act 1990(a) states that 'contaminated land' is any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land that:

- (i) significant harm is being caused; or
- (ii) significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused.

The application site is located on potentially contaminated land and lies over a principal bedrock aquifer and secondary A superficial aquifer. The application is accompanied by Contaminated Land Preliminary Risk Assessment P1202-02 R1 V2, which concludes that should groundworks be required, the potential risk to human health will be increased. However, no ground works are proposed, and as such, the potential risk to human risk is low. However, the report recommends that site investigation should be undertaken to enable a quantitative assessment of the associated environmental risk.

The WBC Environmental Health Officer has reviewed the proposal and raised no objections subject to a condition relating to the scheme to deal with contamination found on site to be secured by condition. As contamination risk is a matter specified for consideration under Class AA, (Condition AA.2.(1)(c)), the proposed condition is reasonably related to the subject matter of this prior approval and is necessary to mitigate contamination risks (Condition 10 refers).

The proposed site lies within an area previously used as railway sidings and engineering and other works/factory, which present a medium risk of contamination that could be mobilised during construction to pollute controlled waters.

The Environment Agency has reviewed the proposal and advised that controlled waters are particularly sensitive in this location because the proposed development site is located upon a principal aquifer/secondary aquifer A. The Environment Agency concluded that the submitted information demonstrated that it would be possible to manage the risks posed to controlled waters subject to detailed remediation strategy, verification report and details of the process for reporting unexpected contamination being secured by conditions (Conditions 10-12 refer).

The Environment Agency also advised that the proposed boreholes associated with groundwater/soakage testing and piling using penetrative methods may pose a risk to groundwater quality. Moreover, should infiltration be proposed to manage surface water drainage, this would pose a risk of contamination due to previous use of the site. Therefore, Environment Agency recommended conditions relating to decommissioning of investigative boreholes, restricting piling using penetrative methods and prohibiting infiltration into the ground (Conditions 13-15 refer). As contamination risk is a matter specified for consideration under Class AA, (Condition AA.2.(1)(c)), the proposed conditions are reasonably related to the subject matter of this prior approval and are necessary to mitigate contamination risks.

(d) flooding risks in relation to the building:

Paragraph 170 of the NPPF seeks to avoid inappropriate development in areas at risk of flooding. CS Policy CP1 *Sustainable Development* requires proposals to avoid increasing

(and where possible reduce) risks of or from all forms of flooding (including from groundwater). MDD LP Policy CC09 *Development and Flood Risk* requires all sources of flood risk to be taken into account and development to be guided to areas of lowest flood risk. MDD LP Policy CC10 *Sustainable Drainage*.

The site is within flood zone 1, which means it is at low risk of fluvial flooding. There are localised areas at risk of surface water flooding within the site

The application is accompanied by Flood Risk Assessment & SUDS Report C3277-R1 Rev A, which sets out the proposed drainage strategy. This includes rainwater harvesting via wall-mounted tanks, permeable paving (to replace an area of existing block paving within the car park), underground attenuation tank sized for a 1 in 100 year storm (+45% climate change), restricting runoff to 27.2 l/s via flow control chambers. This represents a significant (90%) betterment from pre-development rates.

The report confirms that there would be no infiltration into the ground and instead, the infiltration from the proposed permeable paving would be into the attenuation tank. A condition restricting drainage systems using infiltration to the ground recommended by the Environment Agency is proposed (see above). The report also includes a long-term SuDS maintenance strategy, which sets out the type and timescales for maintenance of the components of the drainage system.

The WBC Flood Risk & Drainage Officer has reviewed the proposal, together with the accompanying detailed long-term SuDS maintenance strategy, and raised no concerns, subject to condition requiring that the development be carried out in accordance with the submitted SuDS strategy and maintained thereafter in accordance with the submitted management plan (Condition 16 refers). As flood risk is a matter specified for consideration under Class AA, (Condition AA.2.(1)(d)), the proposed condition is reasonably related to the subject matter of this prior approval and is necessary to mitigate flooding risks.

(e) the external appearance of the building, including—

(i) the design and architectural features of —

(aa) the principal elevation; and

(bb) any side elevation that fronts a highway; and

(ii) the impact of any works under sub-paragraph (1)(c) or (d) of Class AA:

The site is located within Thames Valley Business Park, which forms part of Thames Valley Core Employment Area. The building comprises four storeys (and a basement) and mechanical plant on the roof. The proposal seeks to introduce two additional storeys via upward extension. The extension would have a flat roof within which mechanical plant would be accommodated.

The building is located within a business park which comprises buildings in office and commercial use. The existing buildings within the Business Park range between 3 to 4/5 storey (including roof plant) and are of contemporary design, with elevations comprising large areas of glazing and grey cladding and red or buff brickwork. There are no residential units in close proximity – the nearest dwellings lie approximately 140m to the south, beyond a belt of mature vegetation and a railway line. There is a Public Right of Way EARL4 connecting Shepherds House Lane (immediately to the east of the site) with

Thames Valley Park Drive and Thames Footpath beyond. The building has prominent street facing elevations towards PRow and Oracle Parkway.

Paragraph 135 of the NPPF sets out that development should be visually attractive, sympathetic to local character and history, establish a strong sense of place and optimise the potential of the site. CS Policy CP3 *General Principles for Development* seeks to secure buildings of high quality design and architectural quality; any extension of built form within Thames Valley Park should respect the existing character of the area and, where increases in height are proposed, have due regard to the skyline and avoid bulky, over-dominant massing.

Case Law *CAB Housing Ltd v Secretary of State for Levelling Up, Housing and Communities & Anor* [2023] EWCA Civ 194 (23 February 2023) concerned determinations pursuant to Class AA, Schedule 2, Part 1 of the GPDO. The court concluded that the control of the external appearance of a dwelling house is not limited to impact on the subject property itself, but also may include impact on neighbouring premises and the locality. Planning Inspectors have applied this same principle to applications submitted under Class AA, Part 20, Schedule 2 of the GPDO, such as appeals APP/P5870/W/22/3306043. In this case, Officers to consider that the external appearance of the building needs to be assessed in relation to the surrounding context and street scene.

In the context of the site and its surroundings as described above, it is appropriate to consider the effect of the external appearance of the building upon the character and appearance of the area (rather than just the external appearance of the building in isolation) as relevant planning considerations.

It is acknowledged that the upward extension would be at a height that would be greater than surrounding buildings. For example, Buildings 410 and 420 (located approximately 30m and 100 to the north-east respectively) are 4 storey in height (including roof plant). Building 540, located approximately 70m to the east, is 5 storey in height (including roof plant). The proposed building would comprise 7 storeys in (including roof plant) with the main bulk of the building, i.e. excluding roof plant, measuring 23.5m; the proposed two-storey element would extend approximately 7m above the existing top storey.

In terms of immediate views, the interrelationship of the building's position, base and the immediate setting is particularly important, as well as the interrelationship with the wider context and the degree to which this interrelationship would change.

Looking at the extension's design in relation to the lower floors, it is acknowledged that it would not represent a direct replica in terms of finish and fenestration size and arrangement. The existing elevations comprise buff brick finish to the rear of the building and grey cladding and large proportion of glazing within front (northern) elevations.

The proposed extension would incorporate floor to ceiling grey aluminium windows set within mid-grey standing seam metal cladding. Whilst the extension is not set in, the proposed materials, the proportion of glazing to cladding within elevations and vertical emphasis achieved through floor to ceiling windows and vertical cladding, would help avoid a top-heavy appearance and achieve a subordinate relationship with the existing

building. The external envelope of the extension would reflect the curved building line, thus being sympathetic and positively responding to the host building.

In terms of immediate views then, the proposed extension would have limited visibility as one approaches the business park from the Shepherds House Lane. Due to its prominent location, however, the building has high visibility from the vehicular access points via Thames Valley Park Drive roundabout and from views of the park gained by those travelling on the train.

The building is located at a roundabout of a Thames Valley Business Park, which is characterised by relatively tall buildings common within a business park. Each of those buildings is clearly discerned as an individual building, mostly due to significant gaps between them. Whilst the proposal would be appreciably taller than any other building within the business park, the gaps between buildings would not be reduced as a result. Moreover, despite the increase in the massing of the building, the proposed design would not change its architectural language in a way that would break the visual relationship with the built form of the business park

The proposal would also be visible from Thames Path to the north, which lies within area identified as valued landscape, given that the increased height of the building would likely extend above the canopy of the trees forming the boundary of the business park with an area of open space to the north. This would be particularly the case in winter months when trees are not in leaf. However, due to its location to the rear of the business park when looking from Thames Path, views of the building would be obscured to some extent by other commercial building located much closer to Thames Path than the application site.

The contribution that a taller building can make to views in terms of its location should also be taken into account. Aligning tall buildings to terminate or frame views can create a strong reference point, allowing greater urban legibility; in this case: the roundabout and the approach when within Thames Valley Business Park. Due to the building's location adjacent to the roundabout, the proposed increase in height is not considered inappropriate; the building, at increased height, would provide a reference point identifying the location of the roundabout and framing the access into the business park from Thames Valley Park Drive.

In conclusion, whilst the building would be appreciably taller than any other building within Thames Valley Business Park, it is not considered that the proposal would result in a building which would be unduly dominant within the street scene.

The proposal also comprises the construction of waste and recycling store and cycle shelter, which would be located within the car parking area. The store and shelter would be combined into one structure with separate accesses, which would measure 15m in width and 6m in depth. It would have a sloping flat roof and measure 2.75m in height at its highest point. The store would comprise timber shiplap cladding and metal doors. It is considered these structures would not represent incongruous built form and would reflect the design of cycle/bin stores already present within the business park. Moreover, the proposed store would be located in the north-east corner of the site and would be partially obscured from public views by 8m high office entrance/lobby and by a belt of vegetation

separating the car park from footway along Shepherds House Lane. As such, the proposal would not have unacceptable impacts on the character of the area.

(f) the provision of adequate natural light in all habitable rooms of the new dwellinghouse:

Paragraph 135 of the NPPF requires that proposals achieve a high standard of amenity for future users. CS Policies CP1 *Sustainable Development* and CP3 *General Principles for Development* seek to achieve attractive and functional schemes.

The application was accompanied by Daylight & Sunlight Assessment MB-VL-P24-3203-02 Rev - ("Light Report Rev -") which outlines the assessment of the expected levels of natural daylight and sunlight within the proposed residential units. The assessment states that it has been carried out in compliance with guidance from Site Layout Planning for Daylight & Sunlight published by BRE ("BRE Standards"). The application is also accompanied by floor plans and elevations showing the proposed windows, in accordance with requirements of Paragraph B.(2)(c) of Part 20, Schedule 2.

The BRE Standards outline the principles required to meet good natural lighting in homes, which comprises both daylighting and sunlighting. The Light Report deals with each one in turn.

Daylight

Daylight is defined as combined skylight and sunlight. The BRE Standards recommend that one of the two methods of calculating daylight provision: illuminance method or daylight factor method.

The illuminance levels recommended in the UK National Annex are 100lux in bedrooms, 150lux in living rooms and 200lux in kitchens. These are median illuminances to be achieved over 50% of the assessment grid for at least half of the daylight hours.

The Light Report Rev - stated that assessment of daylight has been undertaken using the Vertical Sky Component ("VSC") check only, which, as clarified within the Light Report, measures the illuminance of a [window] surface as opposed to level of light that is transmitted through an opening.

The assessment then went on to outline the minimum level of daylight a space should achieve in accordance with the BRE Standards (2022). However, the Light Report Rev - stated that no illuminance check has been undertaken.

Officers considered that this contradicted the BRE Standards, which require that levels of daylight within a space are assessed, and that this exercise is undertaken via the illuminance or daylight factor methods.

The applicant has subsequently submitted an updated Light Report ("Light Report Rev A"), which outlined the results of an additional illuminance check as requested by officers. The report confirmed that each bedroom and kitchen/living room were assessed against the recommended median illuminance levels and each achieved the recommended median illuminances over 50% of the assessment grid. Therefore, it has been

demonstrated that adequate levels of daylight would be achieved in 100% of bedrooms and kitchen/living rooms.

Sunlight

To quantify the access to sunlight, the BRE Standard refers to BS EN 17037, which recommends that a space should receive a minimum of 1.5 hours of direct sunlight on a selected date between 1st February and 21st March with cloudless conditions. It is suggested that 21st March (equinox) be used. The medium level of recommendation is three hours and the high level of recommendation four hours. For dwellings, at least one habitable room, preferably a main living room, should meet at least the minimum criterion.

The submitted Light Report Rev - made references to APSH which is used in the BRE Guidance (2022) to assess the access to sunlight both for existing dwellings and nearby non-domestic buildings rather than the access to sunlight to new dwellings.

The BRE Guidance (2022) explicitly states that the above criterion applies to rooms of all orientations. As such, an assessment should include rooms facing north also.

The Light Report only assessed windows facing south, east and west. Moreover, the assessment is based on whether at least one window would receive a minimum of 25% annual probably sunlight hours, including at least 5% during the winter months between 21st September and 21st of March. This method, as explained, is not one recommended for assessment of levels of sunlight to new properties.

The submitted sunlight assessment was, therefore, inadequate. To address officers' concerns, the applicant submitted a revised Light Report Rev A which assessed the access to sunlight in line with BRE Standard. The Light Report Rev A contains a sunlight exposure analysis which has been undertaken in respect of all windows; it demonstrates that out of 32 apartments, 16 would meet the BRE Standards in that at least one habitable room would receive at least 1.5 hours of direct sunlight on 21st March. Whilst this means only 50% units would comply with BRE Standards, it is recognised that due to the orientation of the building all the proposed units that could feasibly meet the access to sunlight requirements comply.

Conclusion

The existing building form represents a constraint in this proposal. A rigid application of the BRE *sunlight* standard would effectively sterilise the northern part of the new floors, preventing an efficient use of the site. This could lead to alternative, poorer design outcomes, such as the creation of deep, narrow, single-aspect units, which would provide unacceptable living conditions.

In this context, paragraph 130(c) of the NPPF sets out that “*when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living conditions)*”.

It is considered that a flexible approach, as outlined in paragraph 130(c) of the NPPF, should be applied in this instance. The proposal makes efficient use of an existing building

to deliver new homes. While 16 units will not meet the *sunlight* standard, this is an unavoidable consequence of the existing host building's form and orientation. The submitted Light Report Rev A demonstrates that all units would receive adequate *daylight*. Therefore, taking a flexible approach as advised by the NPPF, it is concluded that the failure of the north-facing units to meet *sunlight* standards would not inhibit the scheme from providing acceptable living conditions overall. The overall provision of natural light, when balanced against the site-specific constraints and the benefits of making efficient use of the site, is considered adequate. Therefore, Condition AA.2(f) of Schedule 2, Part 20, Class AA is considered to have been met in this instance.

(g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light:

Paragraph 135 of the NPPF requires that proposals achieve a high standard of amenity for existing users. CS Policy CP3 *General Principles for Development* requires proposals to avoid detriment to the amenities of adjoining land users.

With regard to the existing building, the properties would be constructed directly above existing commercial units, within an area occupied by commercial buildings. Moreover, the nearest residential units along Shepherd's House Lane are located approximately 130m to the south, beyond railway line and dense belt of vegetation. As such, no overlooking, loss of privacy or loss of light could occur.

(h) impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses:

Paragraph 187 of the NPPF requires that planning decisions should contribute to and enhance the natural and local environment by preventing new development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. CS Policy CP1 *Sustainable Development* requires proposals to avoid areas where pollution (including noise) may impact upon the amenity of future occupiers. MDD LP Policy CC06 *Noise* requires proposals to demonstrate how they have addressed noise impacts in line with Appendix 1 of the MDD LP.

It is accepted there would be some noise from the existing commercial premises on the lower floors and from commercial units in the surrounding area. Moreover, there are no industrial units located in close proximity to the site.

The application is accompanied by Noise Impact Assessment AC20099.01.01 Rev 1, which confirms that attended noise monitoring was undertaken between hours of 11.00am and 2.00pm and 00.30am and 03.00 am. This has been reviewed by the WBC Environmental Health Officer, who requested that a full noise assessment was submitted and that it ensured that all noise-generating activities were considered, along with suitable mitigation measures.

Following this, the Applicant submitted the Noise Impact Assessment AC20099.01.02 Rev 2 ("NIA"), which confirms that unattended 24-hour noise survey was undertaken. The results of the survey (undertaken in accordance with BS 7445-2:2003) show average daytime and nighttime sound levels as 59 dB $L_{Aeq,T}$ and 56 dB $L_{Aeq,T}$ respectively. The typical maximum sound levels were 78 dB $L_{Amax,T}$ and 74 dB $L_{Amax,T}$ respectively.

The BS 8233:2014 sets out the desirable internal ambient noise levels for living room to be 35 dB L_{Aeq} and for dining room to be 40 dB L_{Aeq} daytime; the noise levels for bedroom are recommended not to exceed 35 dB L_{Aeq} daytime and 30 dB L_{Aeq} at night.

In order to achieve acceptable levels of noise, the NIA proposes that bedrooms and living rooms are fitted with glazing system with acoustic rating of 35 dB R_w and 32 dB R_w respectively. The NIA goes on to state that hit and miss trickle vents would be required to satisfy ventilation requirements of the Building Regulations Approved Document F. This implies that windows would be non-opening to ensure the acoustic performance of the façade is not lost when windows are open.

The WBC's Environmental Health Officer has reviewed the proposal and raised no objection, subject to detailed drawings and specifications of external walls, glazing and ventilation systems (demonstrating compliance with BS8233:2014 standard) being first submitted for approval (Condition 17 refers). A further condition is proposed to verify that adequate internal noise levels were achieved (Condition 18 refers). Given that windows would need to be non-opening to achieve the required noise levels within the dwellings, ventilation strategy will be required to ensure adequate thermal comfort and air quality can be achieved. A condition requiring this is proposed (Condition 19 refers).

The proposed conditions are reasonably related to the subject matter of this prior approval and are necessary to ensure acceptable internal noise levels are achieved without impacting the thermal comfort or air quality.

(i) impacts of the introduction of, or an increase in, a residential use of premises in the area on the carrying on of any trade, business or other use of land in the area:

The introduction of residential use is not considered to reduce the ability of any surrounding commercial uses to carry on trading or use their business. Moreover, as already considered above, the minimum parking requirements for the existing office use would be retained.

(j) whether, because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012 issued by the Secretary of State

The proposed development is not located within the view of a Protected Vista.

(k) where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building;

Whilst the extended building would measure above 18m, the existing building does not, when taking into account guidance as to how to measure the existing building (see below). In summary, the height of a building is to be measured from ground level to the top floor surface of the top storey of the building (ignoring any storey which is a roof-top machinery or plant area or consists exclusively of machinery or plant rooms).

When measuring the height on the basis of the above, the existing building does not have a height of 18m. Therefore, details of fire safety of external wall construction of existing building are not required.

and

(l) where the development meets the fire risk condition (see paragraph C(3) of this Part), the fire safety impacts on the intended occupants of the building

Paragraph C(3) of Part 20, Schedule 2 states that:

“In Part 20, development meets the fire risk condition if the development relates to a building which will—

- (a) contain two or more dwellinghouses; and*
- (b) satisfy the height condition in paragraph (3), read with paragraph (7), of article 9A (fire statements) of the Town and Country Planning (Development Management Procedure) (England) Order 2015”*

Paragraph (3) and Paragraph (7) of Article 9A (Fire Statements) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 state that:

“(3) The height condition is that—

- (a) the building is 18 metres or more in height; or*
- (b) the building contains 7 or more storeys.”*

“(7) For the purpose of paragraph (3)—

- (a) the height of a building is to be measured from ground level to the top floor surface of the top storey of the building (ignoring any storey which is a roof-top machinery or plant area or consists exclusively of machinery or plant rooms);*
- (b) when determining the number of storeys a building has—*
 - (i) any storey which is below ground level is to be ignored; and*
 - (ii) any mezzanine floor is a storey if its internal floor area is at least 50% of the internal floor area of the largest storey in the building which is not below ground level”*

The extended building would meet the fire risk condition as it would measure 22.65m in height. Therefore, the provisions of paragraph (l) apply and the applicant is required to apply to the local planning authority for prior approval as to the fire safety impacts on the intended occupants of the building.

The application is accompanied by the Fire Safety Strategy AF-5331 Issue 03, which confirms it has been prepared on the basis that the existing building will be maintained as office use and plantroom (the latter relates to the basement level). Each use (i.e. the existing office use and the proposed residential accommodation) would function independently in terms of both evacuation and fire service access. It is proposed there would be two firefighting shafts provided and one protected stairwell within the residential part of the building. The proposal has been reviewed by the Health and Safety Executive, who raised no objections to the proposal. As such, it has been demonstrated that there would be no unacceptable impacts in terms of fire safety of the intended occupants of the building.

And the provisions of paragraph B (prior approval) of this part:

B(2) The application must be accompanied by—

(a) a written description of the proposed development, which, in relation to development proposed under any of Classes A to AD, must include details of any dwellinghouse and other works proposed under paragraph A(a) to (d), AA(1)(a) to (d), AB(3)(a) to (d), AC(2)(a) to (c), or AD(2)(a) to (c) (as the case may be):

A written description is contained in the application form and supporting statement along with the relevant plans.

(b) a plan which is drawn to an identified scale and shows the direction of North indicating the site and showing the proposed development:

This has been submitted.

(c) floor plans which are drawn to an identified scale and show the direction of North indicating the dimensions and proposed use of each room, the position and dimensions of windows, doors and walls, and the existing and proposed elevations of the building:

This has been submitted.

(d) a written statement specifying the number of new dwellinghouses proposed by the development that is additional to the number of dwellinghouses in the building immediately prior to development (that is, additional to any dwellinghouses in the existing building):

This is set out in the supporting information.

(e) a list of all addresses of the flats within the existing block of flats any flats and any other premises in the existing building;

This has been submitted.

(f) the developer's contact address;

This has been submitted.

(g) the developer's email address if the developer is content to receive communications electronically; and

This has been submitted.

(h) where sub-paragraph (6) requires the Environment Agency to be consulted, a site-specific flood risk assessment, together with any fee required to be paid

A Flood Risk Assessment has been submitted and the Environment Agency consulted. The correct fee has been paid.

B(3) The local planning authority may refuse an application where, in the opinion of the authority—

- (a) the proposed development does not comply with, or*
- (b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions, limitations or restrictions specified in this Part as being applicable to the development in question.*

The application has been accompanied by sufficient information and complies with conditions, limitations and restrictions specified in Part 20, Schedule 2.

(4) Sub-paragraphs (5) to (10) and (12) do not apply where a local planning authority refuses an application under sub-paragraph (3) and for the purposes of section 78 (appeals) of the Act such a refusal is to be treated as a refusal of an application for approval.

This is noted.

(5) Where the application relates to prior approval as to transport and highways impacts of the development, on receipt of the application where in the opinion of the local planning authority 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, the local planning authority must consult—

- (a) where the increase or change relates to traffic entering or leaving a trunk road, the highway authority for the trunk road;*
- (b) the local highway authority, where the increase or change relates to traffic entering or leaving a classified road or proposed highway, except where the local planning authority is the local highway authority; and*
- (c) the operator of the network which includes or consists of the railway in question, and the Secretary of State for Transport, where the increase or change relates to traffic using a level crossing over a railway.*

The traffic from the application site would be distributed onto London Road (east and west) and A3290 (which becomes A329(M)). The highway authority for London Road (west) is Reading Borough Council, for London Road (east) and A3290 is Wokingham Borough Council and for A329(M) is National Highways.

The application is accompanied by Transport Statement 24205-TS01 Rev -, which states that the trip generation has been calculated by reference to TRICS data. It concludes that the proposal would result in approximately 8 vehicle movements in the AM peak and 9 vehicle movements in the PM peak. The traffic utilising London Road, A329 and A329(M) is not solely associated with commercial uses at Thames Valley Business Park given the existing residential uses present along London Road (both east and west). It is not considered that the proposal would result in a material increase or a material change in the character of traffic, both due to the modest increase in the trip rates and the existing character of traffic, which comprises traffic associated with a wide range of uses, including residential. Therefore, there is no requirement to consult Reading Borough Council or National Highways.

(6) Where the application relates to prior approval as to the flooding risks on the site, on receipt of the application, the local planning authority must consult the Environment Agency where the development is—

(a) in an area within Flood Zone 2 or Flood Zone 3; or

(b) in an area within Flood Zone 1 which has critical drainage problems and which has been notified to the local planning authority by the Environment Agency for the purpose of paragraph (zc)(ii) in the Table in Schedule 4 to the Procedure Order.

The application site lies within Flood Zone 1 and does not fall within an area of a critical drainage problem. Notwithstanding, the Environment Agency has been consulted on the proposal.

(7) Where the application relates to prior approval as to the impact on air traffic or defence assets, the local planning authority must consult any relevant operators of aerodromes, technical sites or defence assets and where appropriate the Civil Aviation Authority and the Secretary of State for Defence.

The application site within Aerodrome Safeguarding area for Heathrow, which requires consultation for proposals for works exceeding 150m. The proposed extension would measure 19.6m and as such, does not meet the trigger for consultation. The application does not relate to prior approval as to the impact on air traffic or defence assets.

(8) Where an aerodrome, technical site or defence asset is identified on a safeguarding map provided to the local planning authority, the local planning authority must not grant prior approval contrary to the advice of the operator of the aerodrome, technical site or defence asset, the Civil Aviation Authority or the Secretary of State for Defence.

This is noted, but not applicable in this instance.

(9) Where the application relates to prior approval as to 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.

This is noted, but not applicable in this instance.

(10) Where the application relates to prior approval as to the impact on protected views, the local planning authority must consult Historic England, the Mayor of London and any local planning authorities identified in the Directions Relating to Protected Vistas dated 15th March 2012 issued by the Secretary of State.

This is noted, but not applicable in this instance.

(10A) Where the application relates to a prior approval as to the impact of the development on heritage and archaeology, the local planning authority must so far as they consider reasonably practicable consult any bodies that they consider to have heritage and archaeological expertise relevant to their functions under Part 3 of the Act and this Order.

This is noted, but not applicable in this instance.

(11) The local planning authority must notify the consultees referred to in sub-paragraphs (5), (6), (7), (10) and (10A) specifying the date by which they must respond, being not less than 21 days from the date the notice is given.

Where appropriate, the correct consultation has been carried out.

- (12) The local planning authority must give notice of the proposed development—*
- (a) by site display in at least one place on or near the land to which the application relates for not less than 21 days of a notice which—*
 - (i) describes the proposed development;*
 - (ii) provides the address of the proposed development; and*
 - (iii) specifies the date by which representations are to be received by the local planning authority;*
 - (b) unless the proposed development falls within Class ZA, by serving a notice in that form on all owners and occupiers of the flats within existing block of flats any flats and any other premises within the existing building; and*
 - (c) by serving a notice in that form on any adjoining owner or occupier.*

A site notice has been put on up 21 August 2025 allowing a 21 day period for consultation. Consultation owners, occupiers and adjoining owners or occupiers has been undertaken on 30 July 2025.

(13) When computing the number of days in sub-paragraphs (11) and (12)(a), any day which is a public holiday must be disregarded.

This is noted.

- (14) The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application, which may include—*
- (a) assessments of impacts or risks;*
 - (b) statements setting out how impacts or risks are to be mitigated, having regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in February 2019; or*
 - (c) details of proposed building or other operations.*

This is noted. Additional information relating to details and location of cycle store and bin store, and to light assessment and has been requested on 11 and 16 September 2025 respectively. This has been provided on 18 September 2025.

- (15) The local planning authority must, when determining an application—*
- (a) take into account any representations made to them as a result of any consultation under sub-paragraph (5), (6), (7) or (10) and any notice given under sub-paragraph (12);*
 - (b) have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in July 2021, so far as relevant to the subject matter of the prior approval, as if the application were a planning application; and*
 - (c) in relation to the contamination risks on the site—*

- (i) determine whether, as a result of the proposed development, taking into account any proposed mitigation, the site will be contaminated land as described in Part 2A of the Environmental Protection Act 1990, and in doing so have regard to the Contaminated Land Statutory Guidance issued by the Secretary of State for the Environment, Food and Rural Affairs in April 2012, and*
- (ii) if they determine that the site will be contaminated land, refuse to give prior approval.*

The local planning authority had regard to representations received as listed elsewhere in this report, both from residents and from statutory consultees, and to the NPPF insofar as relevant to the matters of the prior approval.

Discussion regarding the potential contamination of the site is contained in the relevant section of this report above.

(16) The development must not begin before the receipt by the applicant from the local planning authority of a written notice giving their prior approval.

This is noted.

(17) The development must be carried out in accordance with the details approved by the local planning authority.

This is noted.

(18) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.

This is noted.

(2) In sub-paragraph (1)(h), “commercial premises” means any premises in the building or the surrounding area which are normally used for the purpose of carrying on any trade or business, and includes any premises licensed under the Licensing Act 2003 or any other place of public entertainment.

This is noted and included as a condition.

(3) Any development under Class AA is permitted subject to the condition that it must be completed within a period of 3 years starting with the date prior approval is granted.

This is noted and included as a condition.

(4) Any development under Class AA is permitted subject to the condition that before beginning the development, the developer must provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on occupiers of the building and adjoining owners or occupiers will be mitigated.

This is noted and included as a condition.

(5) The developer must notify the local planning authority of the completion of the development as soon as reasonably practicable after completion.

This is noted and included as an informative.

(6) The notification referred to in sub-paragraph (5) must be in writing and must include—

- (a) the name of the developer;**
- (b) the address or location of the development; and**
- (c) the date of completion.**

This is noted and included as an informative.

(7) Following the development, every dwellinghouse in the building must remain in use as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

This is noted and included as a condition.

ARTICLE 3 APPRAISAL

Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) states:

(9A) Schedule 2 does not grant permission for, or authorise any development of, any new dwellinghouse-

- (a) where the gross internal floor area is less than 37 square metres in size; or**
- (b) that does not comply with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015.**

(9B) The reference in paragraph (9A) to the nationally described space standard is to that standard read together with the notes dated 19th May 2016 which apply to it.

The application was accompanied by the proposed floor plans, which set out the dimensions and proposed use of each room, in accordance with procedure set out in B.(2)(a) of Part 20. These demonstrate that all proposed units would comply with the Nationally Described Space Standards.

(10) Subject to paragraph (12), Schedule 1 development or Schedule 2 development within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (“the EIA Regulations”) is not permitted by this Order unless-

- (a) the local planning authority has adopted a screening opinion under regulation 6 of those Regulations that the development is not EIA development within the meaning of those Regulations;**
- (b) the Secretary of State has made a screening direction under regulation 5(3) of those Regulations that the development is not EIA development within the meaning of those Regulations; or**
- (c) the Secretary of State has given a direction under regulation 63(1) of those Regulations that the development is exempted from the application of those Regulations.**

Any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 does not constitute permitted development unless the Local Planning Authority has adopted a screening opinion to the effect that an Environmental Impact Assessment is not required. The application would fall within the category (b) Urban development projects of development described in Column 1 of Schedule 2 as “10. Infrastructure projects”. Column 2 of that Schedule lists applicable thresholds and criteria for the proposal to fall within the definition of “Schedule 2 development” as:

- (i) more than 1 hectare of urban development which is not dwellinghouse development; or
- (ii) the development includes more than 150 dwellings; or
- (iii) the overall area of the development exceeds 5 hectares.

The proposal is for 32 dwellings and the overall area shown within the red line plan measures approximately 0.8 hectare. Therefore, as none of the criteria are met, the proposal does not constitute a Schedule 2 development.

PROTECTED SPECIES

Although the impact of development on protected species is not specifically referred to in the GPDO, consideration is nonetheless required under the duty imposed by Regulation 9 of the Conservation of Habitats and Species Regulations 2017. This requires consideration as to whether there is a reasonable likelihood of protected species being present and affected by a development proposal, including those requiring prior approval.

The application site lies within an area identified on Council's records as potentially suitable for bat roosts and within a red impact risk zone for Great Crested Newts.

The application is accompanied by the Preliminary Ecological Appraisal and Roost Assessment dated 1 June 2024, which contains an assessment of the impacts of the proposal on protected species, including bats and Great Crested Newts. It concludes that the building has negligible habitat value for roosting bats due to a lack of suitable features. It also concludes that, due to the proposal involving a vertical extension, there is very limited potential for impacts to Great Crested Newts arising from construction activities. The application has been reviewed by the WBC Ecology Officer, who agreed with its findings, subject to condition requiring implementation of the proposed precautionary working method for great crested newts (Condition 20 and Informative 5 refer). Therefore, it is considered the proposal would not result in unacceptable impacts on protected species. A bat informative is added to bring the Applicant's attention to their duties and

responsibilities in relation to bats set out in the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 (Informative 4 refers).

CONCLUSION

The above assessment confirms that the proposal would comply with the criteria, conditions and limitations set out within Schedule 2, Part 20, Class AA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). It is, therefore, recommended that prior approval be granted subject to conditions and informatives as outlined in the report.

The Public Sector Equality Duty (Equality Act 2010):

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

Community Infrastructure Levy

When planning permission is granted for a development that is CIL (Community Infrastructure Levy) liable the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing the assumption of liability notice is a statutory requirement to be completed for all CIL liable applications.

The proposed development will be liable for CIL as it involves the erection of one or more new dwellings. CIL is calculated and measured based on the approved floorplans listed within the decision notice.

CIL form 2 - Assumption of liability and any exemption forms will be required prior to the development commencing. All CIL forms can now be completed and submitted through the following link:

[Wokingham Borough Council - CIL Forms \(exacom.co.uk\)](http://wokingham.borough.council.uk/exacom.co.uk)

Should you have any queries regarding CIL, please contact.

Developer.contributions@wokingham.gov.uk

RECOMMENDATION	
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Conditions agreed:	Not required
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Recommendation:	Prior approval required and granted.
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Date:	27 November 2025
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Earliest date for decision:	11 September 2025
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Recommendation agreed by: (Authorised Officer)	<i>BJC</i>
Date:	27.11.25