

12th September 2024

400 Thames Valley Business Park RG6 1PT

Confirmation of Existing Building Height (Application 241853)

The purpose of this note is to confirm the height of the existing building at 400 Thames Valley Park having regard to Schedule 2 Part 20 Class AA of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), referred to as the Regulations.

A prior approval application (reference 241853) was submitted to Wokingham Borough Council on 18 July 2024 for:

“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”

The application was submitted in compliance with the procedure for applications for prior approval under Part 20, and this note confirms that the prior approval application does not trigger Schedule 2 Part 20 class AA.2(1)(k) of the regulations relating to matters of fire safety. A statement confirming the existing wall structure is not required.

Regulations

As set out above, the application was submitted under Schedule 2 Part 20 Class AA of The Regulations. Matters of height and fire safety are set out at AA.2. (1) (K) and AA.2. (1) (I).

AA.2. (1) (K) states:

“Where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building”

AA.2. (1) (I) states:

“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), read with paragraph (7), Article 9A (Fire Statements) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, states 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”*

Further guidance is set out at NPPG Paragraph: 004 Reference ID: 71-004-20210624)¹

An existing site section plan (plan reference PD-021) was submitted as part of the prior approval application and shows the finished floor levels across each level of the existing building (Figure 1 below).

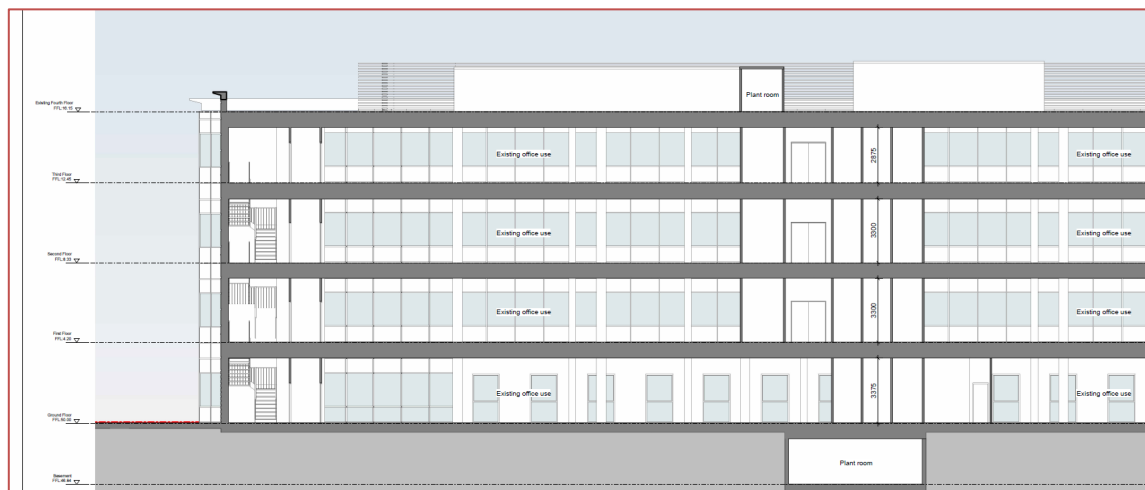


Figure 1- Existing site sections (Rohacs Architects)

Applying Paragraph 7 of Article 9a, and the NPPG, the height of the top storey measured from the

¹ <https://www.gov.uk/guidance/fire-safety-and-high-rise-residential-buildings-from-1-august-2021>

upper floor surface is 12.45m.

The proposals therefore do not trigger Schedule 2 Part 20 AA.2(1)(k) of the Regulations.

The proposed section plan as submitted (plan reference PD-601) shows that following the implementation of Class AA, the height of the top storey measured from the upper floor surface is 19.65m.

As such Schedule 2 Class AA.2(1)(l) of the Regulations is triggered. This Regulation has been addressed through the submission of the Fire Statement and it is noted that the HSE intends to provide comments on this application on matters of fire safety.