

PN CLASS MA COMMERCIAL TO RESI **DRAFT DECISION NOTICE**



WOKINGHAM
BOROUGH COUNCIL

Expiry Date: 7 February 2025

Application Number: 242785

Location: Mulberry Business Park, Ff1 Indigo House, Wokingham, RG41 2GY

Proposal: Prior approval submission for change of use of the ground and 1st floors to 32no. residential dwellings (Use Class C3).

Recommendation: Prior Approval Approval

Conditions and/or Reasons

1. Timescale

Development must be completed within a period of 3 years starting with the prior approval date.

Reason: In pursuance of Of Schedule 2, Part 3, Class MA, MA (5) of the Town and Country Permitted Development Order (2015) (as amended).

2. Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.

Reason: In pursuance of Of Schedule 2, Part 3, Class MA, MA (6) of the Town and Country Permitted Development Order (2015) (as amended).

3. Approved details - This Prior Approval decision is in respect of the submitted application plans and drawings numbered JEA-PRO-001d, JEA- PRO-002d, JEA-PRO-003d, JEA-LAY-004d, JEA-EXI-005d, JEA-EXI-006d and JEA-EXI-007d received by the Local Planning Authority on 04.11.2024

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.

4. Prior to the commencement of development, details of noise attenuation for the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority to demonstrate acceptable internal noise levels would be achieved for occupants. The details thereby approved shall be fully implemented and maintained in perpetuity.

Reason: To ensure the residential occupants are protected from loud spikes in noise caused by nearby commercial uses.

5. Cycle parking - details required

Prior to the commencement of the development hereby permitted details of secure and covered bicycle storage/ parking facilities for the occupants of [and visitors to] the development shall be submitted to and approved in writing by the local planning authority. The cycle storage/ parking shall be implemented in accordance with such details as may be approved before occupation of the development hereby permitted, and shall be permanently retained in the approved form for the parking of bicycles and used for no other purpose.

Reason: In order to ensure that secure weather-proof bicycle parking facilities are provided so as to encourage the use of sustainable modes of travel and result in acceptable design, highway safety and amenity impacts. Relevant policy: NPPF Section 9 (Sustainable Transport) and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

6. Bin collection area

No building shall be occupied until details of on-site collection area(s) for refuse and recyclable materials have been constructed in accordance with details to be submitted to and approved in writing by the local planning authority. The collection areas/ facilities shall be permanently retained as so-approved and used for no purpose other than the temporary storage of refuse and recyclable materials (on collection days only).

Reason: To ensure the efficient collection of waste materials whilst avoiding highway obstruction and loss of visual amenity, in the interests of a functional development, the character of the area, highway safety & convenience and the quality of the pedestrian environment. Relevant policy: Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC04.

Informatives

1. Please note that this decision solely represents the determination of the Local Planning Authority under Class MA of the Town and Country Planning (General Permitted Development) Order as to whether its Prior Approval is required in respect of the change of use. The applicant is advised to investigate whether consents or permissions under any other regulatory regimes are required.

2. This decision notice does not grant building regulations approval. If you need any advice regarding Building Regulations please do not hesitate to contact Wokingham Borough Council Building Control at building.control@wokingham.gov.uk or on 0118 974 6239.

3. The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Wokingham Borough Council prior to commencement of development, failure to do this will result in penalty surcharges being added. For more information see the Council's website - Community Infrastructure Levy advice page. Please submit all CIL forms and enquiries to developer.contributions@wokingham.gov.uk.

4. Any material operations required to the exterior of the building to effect the change of use may require Planning Permission in their own right.
5. This permission is subject to the conditions and limitations set out in Schedule 2, Part 3, Class MA of The Town and Country Planning (General Permitted Development)(England) Order 2015(as amended) and paragraph W and X.

Recommendation and conditions/reasons agreed:

BJC

Date: 03.02.25

REMEMBER - The earliest date for a decision on this application is: **26 November 2024**