

7 March 2025

FAO Chief Planning Officer
Wokingham Borough Council,
Civic Offices,
Shute End,
RG40 1BN

Dear Sir/Madam,

Re: Prior Approval for the Erection of New Dwellinghouses on Detached Blocks of Flats Schedule 2, Part 20, Class A of the General Permitted Development Order.

I am pleased to enclose a Class A Prior Approval application at 510 Reading Road, Winnersh, Wokingham, RG41 5PX. This letter will introduce the meaning of 'development' in accordance with the Town and Country Planning Act 1990 and introduce the allowances of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (hereafter referred to as the 'GPDO').

This letter shall set out how the development accords with the provisions and conditions as set out within the GPDO to enable determination by the planning officers at the Council. The conclusion reached is that the development is lawful and should be duly granted prior approval.

This application is accompanied by the appropriate planning application forms and plans prepared by John Dickie Associates.

The relevant application fee will be submitted by the applicant separately.

Relevant Legislation

Section 55(1) of the Town and Country Planning Act 1990 includes 'the carrying out of building, engineering, mining or other operations in, on, over or under land' within its definition of 'Development'. The construction of new dwellinghouses on detached blocks of flats accords with this definition.

The GPDO at Schedule 2, Part 20, Class A allows for the erection of new dwellinghouses on detached blocks of flats subject to according with the relevant criteria set out below.

Assessment of Proposal

Permitted development

A. Development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the existing top most residential storey on a building which is a purpose-built, detached block of flats, 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 and egress to access to and egress from the new and existing dwellinghouses, 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.

The development accords with these requirements and is therefore able to utilise this permitted development right.

Development not permitted

A.1. Development is not permitted by Class A if—

- (a) *the permission to use any building as a dwellinghouse has been granted only by virtue of Class M, MA, N, O, P, PA or Q of Part 3 of this Schedule;*

The original block of flats was not approved by any of these classes and so there is no conflict with this limitation.

- (b) *above ground level, the building is less than 3 storeys in height;*

The building is 3 storeys in height and so there is no conflict with this limitation.

- (c) *the building was constructed before 1st July 1948, or after 5th March 2018;*

The building was constructed after the 1st July 1948 and before 5th March 2018. As such, there is no conflict with this limitation.

- (d) *the additional storeys are constructed other than on the principal part of the building;*

The development accords with this limitation.

- (e) *the floor to ceiling height of any additional storey, measured internally, would 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;

The development accords with this limitation.

(f) the new dwellinghouses are not flats;

The development is for flats (3 no. 2 bedroom flats and 1 no. 1 bedroom flat). The development therefore accords with this limitation.

(g) the height of the highest part of the roof of the extended building would exceed the height of the highest part of the roof of the existing building by more than 7 metres (not including plant, in each case);

The height of the highest part of the building extended does not exceed the height of the existing roof by more than 7 metres. As such, there is not conflict with this limitation.

(h) the extended building (not including plant) would be greater than 30 metres in height;

The height of the extended building (excluding plant) would be less than 30 metres in height. As such, there is no conflict with this limitation.

(i) development under Class A.(a) would include the provision of visible support structures on or attached to the exterior of the building upon completion of the development;

No visible support structures would be on or attached to the exterior of the building following the completion of the development. As such, there is no conflict with this limitation.

(j) *development under Class A.(a) would 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;

The proposed development would accord with this limitation.

(k) *in the case of Class A.(b) development there is no existing plant on the building;*

N/A

(l) *in the case of Class A.(b) development the height of any replaced or additional plant as measured from the lowest surface of the new roof on the principal part of the new building extended building would 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;*

N/A

(m) *development under Class A.(c) would extend beyond the curtilage of the existing building;*

The development would accord with this limitation.

(n) *development under Class A.(d) would—*

(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;

The proposal would accord with this limitation.

(o) the land or site on which the building is located, is or forms 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.

The proposed development is not located within Article 2(3) land and is not located within a site of Special Scientific Interest. The site is not a listed building or within the curtilage of a listed building.

The site is not located within a safety hazard area or military explosives areas. The site is not located on land within 3 KM of an aerodrome.

Conditions

A.2.— (1) Where any development under Class A 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;

The site is located within the Major Development Location of Winnersh which the Council considers to be the locations with the greatest range of facilities and services which allows residents to the greatest choice in modes of access to them. 10 no. car parking spaces are provided on site.

The site is located in a highly sustainable location in close proximity to the Bearwood Path Bus Stop that is serviced by the No 4. Bus which provides onwards connections to Bracknell and Reading.

Winnersh Triangle Train Station is also located in close proximity to the site (10-minute walk). As such, any under provision of car parking spaces is considered to be offset by the sustainability credentials of the site. The provision of 3 no. flats is not considered to have a harmful impact on the overall transport/highway situation on site. For the reasons detailed above, the proposed development is therefore considered acceptable in transport/highway terms.

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

N/A

(c) *contamination risks in relation to the building;*

The proposed upwards extension results in no changes to the host building that would result in contamination concern. No ground work is proposed as part of the application.

(d) *flooding risks in relation to the building;*

The site is located in Flood Zone 1 – the lowest risk of flooding. The site is located in a low/medium risk area for surface water flooding but with the development being located at 3 and 4 floor levels where upper floors are already considered safe refuge as they are well above the 100 and 1000 year flood level, this is considered acceptable.

(e) *the external appearance of the building;*

The proposed development would utilise sympathetic materials to the surrounding area and the existing property to allow it to assimilate in with the existing design language of the surrounding area. The materials are detailed on the supporting plans submitted in support of this application.

The proposed development utilises many of the design features present on the existing building in order to assimilate into the existing design vernacular in particular the roof design and dormers.

More generally, it is noted that the proposed extension would be taller than surrounding development. However, just because something is the first instance of its type does not mean that it is automatically harmful.

The relevant test is of design quality, the proposed development utilises a high-quality design in order to fit comfortably fit within the design style of the surrounding area. The site is also bounded by vegetation which will be retained, further mitigating any impact of the proposal on the character of the area.

- (f) *the provision of adequate natural light in all habitable rooms of the new dwellinghouses;*

All habitable rooms would benefit from natural light and ventilation.

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

The proposed development is not considered to have a harmful impact on the amenity of surrounding properties. Side windows can be obscured/fixed shut in order to reduce the impact of the proposal on factors such as overlooking.

The roof style of the property has been designed in order to reduce the impact of the higher level of the property on neighbours ensuring there is no loss of light to neighbouring dwellings.

- (h) *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 15 March 2012 issued by the Secretary of State, and*

N/A

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

N/A

- (j) *where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building, and the provisions of*

paragraph B (prior approval) of this Part apply in relation to that application.

N/A

(2) Any development under Class A 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.

Noted.

(3) Any development under Class A 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.

Noted – the applicant will provide this information in the event the Prior Approval is granted.

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

Noted.

(5) The notification referred to in sub-paragraph (4) 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.*
- (d) Any new dwellinghouse created under Class A is to 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.

Noted.

Conclusion

There are no other limitations in the GPDO relevant to this application. Thus, it is suitably demonstrated that the proposed development complies with the GPDO and is therefore lawful, subject to the prior approval process being undertaken. Furthermore, there are no known planning conditions imposed on the site which restrict its permitted development rights.

I trust that this letter, in addition to the accompanying plans are sufficient for you to make a determination. If you require additional information, please do not hesitate to contact me.

Yours faithfully,

Gareth Jones BSc (Hons) MSc MRTPI

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