

29 February 2024



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Dear Sir/Madam

One The Braccans, London Road, Bracknell, RG12 2HX
Change of use from Commercial to Residential via Permitted Development
Planning Portal Reference: PP- 12832245

On behalf of our client, 'BMR Edgware Ltd' ("the Applicant"), I write to submit, online via the Planning Portal (reference PP-12602159); an application for 'prior approval' for the change of use of the ground, first, second floors of One The Braccans from commercial into 47 no. residential units. This application is submitted under Class MA of the Town and Country Planning (General Permitted Development Order) 2015 (as amended).

The application comprises the following documents:

- Covering Letter (This Document);
- Application Form;
- CIL Form; and
- Internal Daylight Assessment, prepared by T16 Design.

The following drawings also support this application:

- Existing Block Plan – Drawing no. 24.1424/001;
- Existing Basement Floor Plan – Drawing no. 24.1424/002;
- Existing Ground Floor Plan – Drawing no. Drawing no. 24.1424/003;
- Existing First Floor Plan - Drawing no. 24.1424/004;
- Existing Second Floor Plan - Drawing no. 24.1424/005;
- Existing Third Floor Plan - Drawing no. 24.1424/006;
- Existing Roof Floor Plan - Drawing no. 24.1424/007;
- Existing Front and Rear Elevations - Drawing no. 24.1424/008;
- Existing Right and Left Elevation - Drawing no. 24.1424/009;
- Existing Section - Drawing no. 24.1424/010;
- Proposed Block Plan - Drawing no. 24.1424/011;
- Proposed Basement Plan - Drawing no. 24.1424/012;
- Proposed Ground Floor Plan - Drawing no. 24.1424/013;
- Proposed First Floor Plan - Drawing no. 24.1424/014;
- Proposed Second Floor Plan - Drawing no. 24.1424/015;
- Proposed Third Floor Plan - Drawing no. 24.1424/016
- Proposed Roof Floor Plan - Drawing no. 24.1424/17

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- Proposed Front and Rear Elevations - Drawing no. 24.1424/018;
- Proposed Right and Left Elevation - Drawing no. 24.1424/019; and
- Proposed Section - Drawing no. 24.1424/020.

The planning application fee of [REDACTED] (including service charge), has been paid via the Planning Portal.

The Site

The 0.2 hectare (“ha”) site is located in Bracknell Forest. The site can be accessed from London Road, Bay Drive and New Road. The proposed site is currently occupied by Broadcom UK.

The proposed building currently has office space (Use Class E) that occupies that ground, first and second floors. Within the basement level, there is 49 car parking spaces. There is an additional 60 car parking spaces at ground levels within a private outdoor car park. In total, there is 109 car parking spaces within the site. The third floor is used to store the M+E Plant.

The building’s façade comprises of beige brickwork with large windows at each level. On the north west corner of the building, there is an external staircase. The roof features areas flat roof which is used to store external plant.

Vehicular access to the site is via New Road which provides access to the car park both above and under ground. The site has pedestrian access via London Road, Bay Drive and New Road.

The site is located within a 19 minute walk (0.8 miles) from Bracknell Train Station and a 22 minute walk from Martin Heron Train Station. These both provide access along South Western Railway. Multiple bus stops are located within a 100m walk from the site, providing access to Bracknell town centre.

The site is located within a 15 minute walk (0.6 miles) from Bracknell town centre and the Lexicon Shopping Centre. The site is a 10 minute walk (0.4 miles) from Lily Hill Park, a large park which is also connected to Longhill Park which both offer large amounts of open space.

The local context of the site comprises of a mix of uses but with a predominant residential use. This includes a mix of houses and apartment complexes. There is also a mixed retail park close to the site with large retail uses such as car sales. Within the retail park, there has also been residential development with large blocks of flats.

The site is located close to Thatched Cottage which is a Grade II Listed Building located on Bay Road. Between the listed building and the site is significantly large trees which completely obscure the view between the sites

The site is within Flood Zone 1 with no areas of close proximity being within any other Flood Zone. The site also has a very low risk of flooding from surface water, meaning there is less than 0.1% chance of flooding each year.

There is no Article 4 Direction applied to the site restricting the change of use of the site under Class MA.

The Proposed Development

The proposed development comprises the change of use of existing commercial floorspace on the first, second and third floors (Use Class E) into 47 no. dwellinghouses.

The third floor is not included within the proposed development and will remain as a storage for the necessary plant for the building.

The basement will also remain in its current use of parking with the additions of a cycle store for future residents and visitors.

The proposed unit mix comprises of 44 no. 1 bedroom 1 person flats and 3 no. 2 bedroom 3 person flats distributed across the ground, first and second floors of the building. A full accommodation schedule can be found below.

Unit Number	Type	GIA (sqm)
Ground Floor		
Unit 1	1b 1p	38
Unit 2	1b 1p	37
Unit 3	1b 1p	42
Unit 4	1b 1p	41
Unit 5	1b 1p	46
Unit 6	2b 3p	62
Unit 7	1b 1p	38
Unit 8	1b 1p	39
Unit 9	1b 1p	42
Unit 10	1b 1p	40
Unit 11	1b 1p	42
Unit 12	1b 1p	38
Unit 13	1b 1p	48
Unit 14	1b 1p	40
Unit 15	1b 1p	40
First Floor		
Unit 16	1b 2p	38
Unit 17	1b 1p	37
Unit 18	1b 1p	47
Unit 19	1b 1p	41
Unit 20	1b 1p	46
Unit 21	1b 1p	41
Unit 22	2b 3p	62
Unit 23	1b 1p	38
Unit 24	1b 1p	39
Unit 25	1b 1p	42
Unit 26	1b 1p	40
Unit 27	1b 1p	42
Unit 28	1b 1p	38
Unit 29	1b 1p	48
Unit 30	1b 1p	40
Unit 31	1b 1p	40
Second Floor		
Unit 32	1b 1p	38
Unit 33	1b 1p	37
Unit 34	1b 1p	47
Unit 35	1b 1p	41
Unit 36	1b 1p	46
Unit 37	1b 1p	41
Unit 38	2b 3p	62
Unit 39	1b 1p	38

Unit 40	1b 1p	39
Unit 41	1b 1p	42
Unit 42	1b 1p	40
Unit 43	1b 1p	42
Unit 44	1b 1p	38
Unit 45	1b 1p	48
Unit 46	1b 1p	40
Unit 47	1b 1p	40

50no. cycle parking spaces are proposed in the basement which will be for the users of the proposed dwellings. The proposal will also maintain the remain car spaces, provided 101 spaces and an additional 2 disabled parking spaces.

Planning History

According to the Council’s online records, the following planning history has been identified as relevant to the application site. The site has undergone little change since being extended to its current size.

Neighbouring sites have undergone development with a significant number of applications for the change of use to residential being approved frequently in the area. Extensions under permitted development rights have also been allowed in the surrounding area.

Class MA Permitted Development Rights

“Class MA” rights came into being on 1st August 2021 and allow for development consisting of the change of use of a building and any land within its curtilage from a use falling within Class E (Commercial, business and service) of Schedule 2 of the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 of that Order. The new right is introduced following changes to the Use Class Order which created a new Class E which include a number of uses that previously fell under Class A1, Class A3, Class B1 and part of Class D1 and Class D2.

Class MA states:

Permitted Development

MA. Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.

Development not permitted

MA.1.—(1)Development is not permitted by Class MA—

- (a) unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval;*
- (b) unless the use of the building fell within one or more of the classes specified in subparagraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;*
- (c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;*
- (d) if land covered by, or within the curtilage of, the building—*
 - i) is or forms part of a site of special scientific interest;*
 - ii) is or forms part of a listed building or land within its curtilage;*
 - iii) is or forms part of a scheduled monument or land within its curtilage;*
 - iv) is or forms part of a safety hazard area; or*
 - v) is or forms part of a military explosives storage area;*

- (e) *if the building is within—*
 - i) *an area of outstanding natural beauty;*
 - ii) *an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 198155;*
 - iii) *the Broads;*
 - iv) *a National Park; or*
 - v) *a World Heritage Site;*
- (f) *if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or*
- (g) *before 1 August 2022, if—*
 - i) *the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and*
 - ii) *the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.*

(2) *The classes mentioned in sub-paragraph (1)(b) are the following classes of the Use Classes Order—*

- (a) *the following classes of the Schedule as it had effect before 1st September 2020—*
 - i) *Class A1 (shops);*
 - ii) *Class A2 (financial and professional services);*
 - iii) *Class A3 (food and drink);*
 - iv) *Class B1 (business);*
 - v) *Class D1(a) (non-residential institutions – medical or health services);*
 - vi) *Class D1(b) (non-residential institutions – crèche, day nursery or day centre);*
 - vii) *Class D2(e) (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink;*
- (b) *on or after 1st September 2020, Class E (commercial, business and service) of Schedule 2.*

Conditions

MA.2.—(1) *Development under Class MA is permitted subject to the following conditions.*

(2) *Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—*

- a) *transport impacts of the development, particularly to ensure safe site access;*
- b) *contamination risks in relation to the building;*
- c) *flooding risks in relation to the building;*
- d) *impacts of noise from commercial premises on the intended occupiers of the development;*
- e) *where—*
 - i) *the building is located in a conservation area, and*
 - ii) *the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;*
- f) *the provision of adequate natural light in all habitable rooms of the dwellinghouses;*
- g) *the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and*
- h) *where the development involves the loss of services provided by—*
 - i) *a registered nursery, or*
 - ii) *a health centre maintained under section 2 or 3 of the National Health Service Act 2006, the impact on the local provision of the type of services lost.*
- i) *where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.*

- (3) An application for prior approval for development under Class MA may not be made before 1 August 2021.
- (4) The provisions of paragraph W (prior approval) of this Part apply in relation to an application under this paragraph as if in the introductory words in sub-paragraph (5), for “and highways impacts of the development” there were substituted “impacts of the development, particularly to ensure safe site access”.
- (5) Development must be completed within a period of 3 years starting with the prior approval date.
- (6) 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.

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 37sqm in size; or
- b) that does not comply with the nationally described space standards.

The nationally described space standards require a 1 storey one bedroom (1 person) dwelling to be at least 39sqm in size (37sqm if there is a shower room instead of a bathroom). The nationally described space standards require a 1 storey one bedroom (2 person) dwelling to be 50sqm in size.

Paragraph MA.1 of Class MA

Paragraph MA.1 details instances where development under Class MA development is not permitted. Compliance with this criteria is set out in the table below.

Class MA.1 Criteria	Assessment
a) Unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval	The floorspace has been vacant since February 2024. By the determination of this application, restriction on vacancy time will be removed from Class MA.
b) Unless the use of the building fell within one or more of the use classes specified in sub-paragraph (2) for continuous period of at least 2 years prior to the date of the application for prior approval	The existing use is an office, which falls under Use Class E. The site has been used as an office since 1989 (significantly in excess of 2 years).
c) If the cumulative floorspace of the existing building changing under Class MA exceeds 1,500 square metres	The floorspace changing under Class MA is 4,796 sqm. By the determination of this application, restriction on floorspace will be removed from Class MA.
d) If land covered by, or falls within the curtilage of, the building- <ol style="list-style-type: none"> i. is or forms part of a site of special scientific interest; ii. is or forms part of a listed building or land within its curtilage; iii. is or forms part of a scheduled monument or land within its curtilage; iv. is or forms part of a safety hazard area; or v. is or forms part of a military explosives storage area. 	The site is not on land covered by, nor does it fall within the curtilage of any of the identified assets.
e) If the building is within- <ol style="list-style-type: none"> i. An area of outstanding natural beauty; ii. An area specified by the Secretary of State for the purposes of section 41 (3) of the Wildlife and Countryside Act 1981; 	The building is not located within any of the identified designations.

<ul style="list-style-type: none"> iii. <i>The Broads;</i> iv. <i>A National Park; or</i> v. <i>A World Heritage Site</i> 	
<p>f) <i>If the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and tenant has been obtained</i></p>	<p>The site is not occupied under an agricultural tenancy.</p>
<p>g) <i>Before 1 August 2022, if-</i></p> <ul style="list-style-type: none"> i. <i>The proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and</i> ii. <i>The development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.</i> 	<p>Not applicable.</p>

Paragraph MA.2 states that: where any development under Class MA 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 impacts of the development, particularly to ensure safe site access;*
- (b) *contamination risks in relation to the building;*
- (c) *flooding risks in relation to the building;*
- (d) *impacts of noise from commercial premises on the intended occupiers of the development;*
- (e) *where—*
 - (i) *the building is located in a conservation area, and*
 - (ii) *the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;*
- (f) *the provision of adequate natural light in all habitable rooms of the dwellinghouses;*
- (g) *the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and*
- (h) *where the development involves the loss of services provided by—*
 - (i) *a registered nursery, or*
 - (ii) *a health centre maintained under section 2 or 3 of the National Health Service Act 2006(4), the impact on the local provision of the type of services lost.*
- (i) *where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.*

Development under Class MA is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.

Procedure For Applications For Prior Approval Under Part 3

The following is provided in accordance with requirements of Paragraph W (2):

- a) Written description of the proposed development

Change of use of the ground, first and second from commercial into 47 no. residential units.

- b) A plan indicating the site and showing the proposed development

Enclosed with this application are a site location plan, existing and proposed internal layout plans of the proposed accommodation, as well as existing and proposed sections.

- ba) A statement specifying the net increase in dwellinghouses proposed by the development

The proposals result in a net increase of 47no. dwellinghouse

- bc) A floor plan indicating the total floor space in square metres of each dwellinghouse, the dimensions and proposed use of each room, the position and dimension of windows, doors and walls, and the elevations of the dwellinghouse

Enclosed with this application are existing and proposed floorplans showing the dimensions of each dwelling, the dimensions and use of each room and the position and dimensions of all windows, doors and walls. Existing and proposed elevations and sections are also submitted as part of the application.

- c) The developer's contact address

The developer's planning agent, Savills, address is: 33 Margaret Street, London, W1G 0JD.

- d) The developer's email address

All correspondence should be with the Developer's planning agent, Savills.



- e) Where sub-paragraph (6) requires the Environment Agency to be consulted, a site-specific flood risk assessment

The site is within Flood Zone 1, suggesting a low overall probability of flooding from fluvial / coastal sources. A Flood risk assessment is therefore not required.

Assessment

Certain parts of Paragraph MA.2 are not considered below as they are not relevant to the application site. These are part (g) as the site is located in an area with existing residential use. The proposal involves the loss of existing office floor space and not a nursery or health centre, meaning part (h) does not need to be assessed.

Part (i) stipulates that where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building should be assessed. The fire safety condition, as stated in Article 9A of the Town and Country Planning (Development Management Procedure) (England) Order 2015, applies when a development contains two or more dwellings and is over the 18m height or 7 storeys in height threshold.

The site is below 18m in height and is below 7 storeys in height, therefore does not exceed the threshold for a fire safety to be assessed.

The remaining conditions are considered below in turn.

Transport Impacts

50no. cycle parking spaces are proposed in the basement which will be for the users of the proposed dwellings. The proposal will also maintain the remain car spaces, provided 101 spaces and an additional 2

disabled parking spaces. The Parking requirements for Bracknell Forest requires 0.9 spaces per dwelling. This development will provide 2.15 spaces per dwelling. Cycle space requirement within Bracknell Forest is 1 space per bedroom. The proposed development includes 50 bedrooms and therefore the 50 secure cycle spaces in the basement meet this requirement.

Vehicular access to the site is via New Road which provides access to the car park both above and under ground. The site has pedestrian access via London Road, Bay Drive and New Road.

The site is located within a 19 minute walk (0.8 miles) from Bracknell Train Station and a 22 minute walk from Martin Heron Train Station. These both provide access along South Western Railway. Multiple bus stops are located within a 100m walk from the site, providing access to Bracknell town centre.

The above demonstrates that there will be no adverse 'transport impacts of the development, particularly to ensure safe site access' as required under Paragraph MA.2(a) of Class MA.

Contamination Risks

The current use of the site in office use does not pose a risk of contaminating the site. There are no land use designations which apply to the site which identify that the site may be subject to contamination risks. Land uses in close proximity to the site are predominantly residential and office uses, these uses also do not present a contamination risk.

The site has remained largely unchanged since its development in 1989. No additional excavation has taken place which could potentially increase the risk of contamination. The proposed development involves no excavation works and will utilise the existing building, demonstrating that there will be no adverse 'contamination risks of the development' as required under Paragraph MA.2(b) of Class MA.

Flood Risk

The site is located within Flood Zone 1. There are areas of Flood Zone 2 and 3 approximately 150m from the site. The site itself has a very low risk of surface water flooding.

As a permitted development application, the proposals submitted under this application only alters the use of the site. The impermeable footprint of the site and external ground levels remain unaltered. As a result, there would be no alteration to the existing surface water drainage network, and no impact as a result of the Proposed Development.

The above demonstrates that there will be no adverse 'flooding risks in relation to the building' as required under Paragraph MA.2(c) of Class MA.

Noise Assessment

The buildings that surround the site predominately comprise of residential units (both houses and flats). There is some commercial floorspace in the area. It can be considered that with the prevalence of residential dwellings which adjoin these commercial units that there is very little noise in the immediate area from the commercial users.

The commercial units will have been considered during the recent residential development in the surrounding area and is not considered to have an adverse impact on residents.

This demonstrates that there will be no adverse 'impacts of noise from commercial premises on the intended occupiers of the development' as required under Paragraph MA.2(d) of Class MA.

Provision of Natural Light

An Internal Daylight Assessment has been conducted by T16 Design. The Daylight Assessment has been undertaken in conformity to the methodology and criteria provided by the Building Research Establishment's (BRE) guidance 'Site layout planning for daylight and sunlight: A guide to good practice' (BRE 209 3rd edition, 2022), which in turn references the British Standard BS EN17037:2018 'Daylight in buildings'.

The Daylight Assessment uses the Daylight Illuminance Test utilises climactic data for the location of the site, based on a weather file for a typical or average year, to calculate the illuminance at points within a room on at least hourly intervals across a year. The illuminance is calculated across an assessment grid sat at the reference plane. Guidance provides target illuminance levels that should be achieved across at least half of the reference plane for half of the daylight hours within a year. For spaces with a shared use such as combined living kitchen and dining rooms or a studio dwelling the 'living room' target of 150 lux is used.

The results of the daylight illuminance assessment demonstrate that 47 (100%) of the 47 residential units surpass the BRE guidance criteria. The results of the technical analysis have shown that all rooms would receive lux levels in line with the illuminance targets.

This demonstrates that there will be 'adequate natural light in all habitable rooms of the dwellinghouses' as required under Paragraph MA.2(f) of Class MA.

Nationally Described Space Standards

The nationally described space standards require a 1 storey one bedroom (1 person) dwelling to be at least 39sqm in size (37sqm if there is a shower room instead of a bathroom). The nationally described space standards require a 1 storey two bedroom (3 person) dwelling to be 61sqm in size.

The proposed 1 storey one bedroom (1 person) dwellings range between 37 and 48sqm in size and the proposed 1 storey two bedroom (3 person) dwellings are 62sqm in size. As such, all proposed units comply with the minimum standards as described above.

Conclusion

The proposal comprises the change of use of the ground, first and second of One The Braccans from office floorspace (Class E) to provide 4,796 sqm of residential floorspace (Class C3). This proposal seeks to deliver 47 self-contained units.

As required under Paragraph MA.2 of Class MA it has been demonstrated that there are no transport, contamination, flooding, noise, daylight access or dwelling size reasons why the development should not proceed.

Should you have any queries on the proposal, please do not hesitate to contact me.

Yours sincerely,



Emily Ingall-Tombs
Savills