



Appeal Decision

Site visit made on 18 August 2025

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27th August 2025

Appeal Ref: APP/A3655/W/25/3366569

Unit 6, Centrium, 89 Station Approach, Woking, GU22 7PD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Nick Patel against the decision of Woking Borough Council.
 - The application Ref is PLAN/2024/0737.
 - The development proposed is described as prior approval under Part 3, Class MA of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use of a professional services office to 1no residential flat.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The decision notice utilises a different description of development to that found on the application form. The description given on the application form included superfluous information. In the interests of clarity, I have utilised the description of development as found on the decision notice.
3. Schedule 2, Part 3, Class MA, of the Town and Country Planning (General Permitted Development) (England), Order 2015 (as amended) (GPDO) provides a permitted development right for the change of use of a building falling within Use Class E (Commercial, Business and Service) to Use Class C3 (Dwellinghouses).
4. Paragraphs MA.1. (1) and (2) set out the restrictions and conditions to qualify for permitted development under Class MA. These include that the use of the building fell within Use Class E for a continuous period of at least two years prior to the date of the application.
5. Paragraph MA.2. sets out that the developer must apply to the local planning authority for its prior approval subject to a number of matters relating to the development. These include the transport and highway impacts, contamination risks, flooding risks, impacts of noise, provision of adequate natural light and fire safety.

Main Issues

6. The main issues are:
 - whether the proposal would fall within the provisions of permitted development under Schedule 2, Part 3, Class MA of the GPDO; and

- if so, whether the prior approval details relating to transport and highway impacts, contamination risks, flood risks, noise impacts, adequate natural light, and fire safety impacts would be acceptable.

Reasons

Whether permitted development

7. Unit 6 is located on the ground floor of a large, mixed use development known as Centrium which is currently undergoing construction works. This means that the building is fenced off and is an active building site, as I observed in my site.
8. The planning history outlines that the appeal site was granted planning permission in 2019 to change its use from Class A2 (Professional Services Office) to Class D1 (Educational Facility)¹. On 1 September 2020 a new Use Class E (Commercial, Business and Service) was created, as well as a new Use Class F.1 (Learning and Non-Residential Institutions). Due to the amendments some use classes no longer exist, which means that Use Class A2 is now Use Class E, whereas Use Class D1 is now Use Class F.1.
9. The appellant confirms that the unit was used as an education service to create a Class D1 use. While the operators may have vacated the premises not long after first occupation, the permission to change the use of the unit to Class D1 was implemented. I was provided with a copy of the decision notice, and there is no indication within any of the conditions attached to the permission that the use would be temporary. The Council provided Google Street View images, which show the unit operating as an educational facility. As such, I find that the unit adopted the Use Class D1 and was actively operated as such.
10. In following the planning history of the appeal site, no change of use appears to have been applied for the use of the building as a commercial, business or service use.
11. Collectively, when all of these matters are taken into account, the evidence before me leads me to the conclusion that this unit is not of a commercial, business or service use as listed under Class E. Therefore, the permitted development right granted under Class MA would not apply.
12. Consequently, I find that the proposal would fail to meet the requirement of Schedule 2, Part 3, Class MA, Paragraph MA.1 (1) (b) and (2) of the GPDO.

Whether the prior approval details would be acceptable

13. Since I have concluded that the proposed development is not permitted development under Class MA, it is not necessary or appropriate to consider the prior approval matters, including transport and highway impacts, contamination risks, flood risks, noise impacts, adequate natural light, and fire safety impacts.

Conclusion

14. For the reasons given above the appeal should be dismissed.

P Terceiro INSPECTOR

¹ LPA Ref: PLAN/2019/0197