

Application to determine if prior approval is required for a proposed: Change of use from Commercial, Business and Service (Use Class E) to Dwellinghouses (Use Class C3)

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class MA

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If printed, please complete using block capitals and black ink.

1. Applicant Name and Address

Title:		First name:	Laura		
Last name:	Winter				
Company (optional):	Bankway Properties Ltd.				
Unit:		Number:		Suffix:	
Building name:	Bankway Properties Ltd.				
Address 1:	Clive House				
Address 2:	Old Brewery Mews				
Address 3:	Hampsted				
Town:	London				
County:					
Country:	England				
Postcode:	NW3 1PZ				

2. Agent Name and Address

Title:	Mrs	First name:	Jacqueline		
Last name:	Jackson				
Company (optional):	Marrons Planning				
Unit:		Number:		Suffix:	
Building name:	Two Colton Square				
Address 1:					
Address 2:					
Address 3:					
Town:	Leicester				
County:					
Country:	England				
Postcode:	LE1 1QH				

3. Site Address Details

Please provide the full postal address of the application site.

Unit:	<input type="text" value="28"/>	Number:	<input type="text"/>	Suffix:	<input type="text"/>
Building name:	<input type="text" value="Hawthorne Court"/>				
Address 1:	<input type="text" value="Ryefield Crescent"/>				
Address 2:	<input type="text" value="Northwood"/>				
Address 3:	<input type="text"/>				
Address 4:	<input type="text"/>				
Postcode:	<input type="text" value="HA6 1LJ"/>				

4a. Eligibility - The current building and site

Has the building been vacant for a continuous period of at least 3 months immediately prior to the date of this application?

☒ Yes ☐ No

If you have answered No above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Has the use of the building, for a continuous period of at least 2 years immediately prior to the date of this application, been any of the following:

- For periods prior to 1 September 2020 -
 - Shops (Use Class A1);
 - Financial and professional services (Use Class A2);
 - Food and drink (Use Class A3)
 - Business (Use Class B1);
 - Medical or health services - Non-residential institutions (Use Class D1(a));
 - Crèche, day nursery or day centre - Non-residential institutions (Use Class D1(b));
 - Indoor and outdoor sports - Assembly and leisure (Use Class D2(e)), other than as an indoor swimming pool or skating rink;
- For periods from 1 September 2020 - Commercial, Business and Service (Use Class E)

☒ Yes ☐ No

If you have answered No above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Does the cumulative floor space of the existing building exceed 1,500 square metres?

☐ Yes ☒ No

If you have answered Yes above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Is any land covered by, or within the curtilage of, the building:

- in a site of special scientific interest;
- a listed building or land within its curtilage;
- a scheduled monument or land within its curtilage;
- a safety hazard area;
- a military explosives storage area;

Or, is the building:

- in an area of outstanding natural beauty;
- in an area specified by the Secretary of State for the purposes of enhancement and protection of the natural beauty and amenity of the countryside;
- in the Broads;
- in a National Park;
- in a World Heritage Site

☐ Yes ☒ No

If you have answered Yes above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

4b. Eligibility - The proposed change of use

For applications, submitted before 1 August 2022, proposing a change of use to Dwellinghouses (Use Class C3) from Offices (Use Class E(g)(i), previously Use Class B1(a)).

Is/Was there an Article 4 direction in place that has removed these specific permitted development rights?

☐ Yes ☒ No / Not relevant

If you have answered Yes above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Will all the proposed new dwellinghouses have gross internal floor areas of at least 37 square metres, and comply with the nationally described space standard?

☒ Yes ☐ No

If you have answered No above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Following the changes of use, will every dwellinghouse in the building remain in use within Use Class C3 and for no other purpose, unless that purpose is ancillary to the primary use as a dwellinghouse?

☒ Yes ☐ No

If you have answered No above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

5. Agricultural Tenants

Is any part of the land covered by or within the curtilage of the building occupied under any agricultural tenancy agreements?

☐ Yes ☒ No

If yes, have all the parties to any agricultural tenancy agreements consented to the change of use?

☐ Yes ☒ No

If occupied under any agricultural tenancy agreements and:

- all parties have consented to the change of use

You will need to include copies of the written confirmations from all relevant parties, stating their consent, when this application is submitted.

- not all parties have consented to the change of use

Your proposals will not be eligible for permitted development based on the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

6. Description of Proposed Works, Impacts and Risks

Please describe the proposed development including details of any dwellinghouses and other works proposed:

CONVERSION OF COMMERCIAL (Class E) SPACE TO NO. 5 RESIDENTIAL UNITS COMPRISING 4 ONE-BED UNITS AND 1 TWO-BED UNIT (CLASS C3).

For full details, please refer to accompanying Cover Letter.

6. Description of Proposed Works, Impacts and Risks (continued)

Please provide details on the provision of adequate natural light in all habitable rooms of the dwellinghouses:

Please refer to accompanying Daylight and Sunlight assessment, prepared by CHP Surveyors, dated 18/03/22

What will be the net increase in dwellinghouses:

5

Note that this figure should be the number of dwellinghouses proposed by the development that is additional to the number of dwellinghouses in the existing building.

Please provide details of any transport impacts and how these will be mitigated, particularly to ensure safe site access:

Please refer to accompanying Cover Letter.

Please provide details of any contamination risks and how these will be mitigated:

Please refer to accompanying Phase 1 and Phase 2 Contaminated Land reports, prepared by Castledine Environmental, dated 18/03/22 and 10/05/22 respectively.

6. Description of Proposed Works, Impacts and Risks (continued)

Please provide details of any flooding risks and how these will be mitigated.

A flood risk assessment should accompany the application where the site:

- is in Flood Zones 2 or 3 (Check online: <https://flood-map-for-planning.service.gov.uk/>); or
- is in an area with critical drainage problems (Check with the Local Planning Authority, it will have been notified of such areas by the Environment Agency).

N/A

Please provide details of the impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses and how these will be mitigated:

Please refer to the accompanying Noise Assessment, prepared by Tetrattech, dated 05/04/22

If the proposed development would result in a building that contains more than one dwellinghouse, and is either 18 metres (or more) in height or contains 7 (or more) storeys.

Please provide details of the fire safety impacts on the intended occupants of the building.

For such proposals, a 'Fire statement' that covers the fire safety design principles, concepts and standards that have been applied to the development should also accompany the application.

N/A