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Epsom and Ewell Borough Council
Town Hall
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25 January 2021

Dear Sir/Madam,

RE: Submission of Prior Approval under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2; Part 3; Class O at 30 and 32 High Street, Epsom, Surrey, KT19 8AH.

On behalf of our client, The Offer Group Ltd., we write to submit a Prior Approval application with regard to a change of use under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2; Part 3; Class O. The Prior Approval has regards to the B1(a) office use at first, second and third floor of 30 and 32 High Street, Epsom, Surrey, KT19 8AH ("The Site").

To support the application the following information has been submitted:

- Relevant Planning Form
- Site location Plan
- Schedule of drawings (prepared by Hillman Design Ltd.)
 - Location Plan HGH32/001
 - Existing Floor Plans HGH32/100
 - Existing Sections & Elevations HGH32/101
 - Proposed Floor Plans HGH32/PD/200

The Application Site

The Site comprises a four-storey building presently occupied as retail (Use Class E - at ground floor which is not subject to this application) and offices (Use Class B1(a) - first, second and third floor).

Located on Epsom High Street, The Site is on the A24 trunk road and approx. 250m from Epsom Train Station.

According to the Proposals Map: Inset map The Site is within the Town Centre Boundary (Policy E1), a Primary Retail Frontage and Shopping Area (Policy E4) and Epsom Town Centre Conservation Area.

Proposal

Conversion of the office units (Use Class B1(a)) at first, second and third floor to 10no. residential flats (Use Class C3).

Each flat would comprise a one-bedroom flat with an internal floor area of:

Flat 1 – 37sqm
Flat 2 – 38sqm
Flat 3 – 37sqm
Flat 4 – 38sqm
Flat 5 – 37sqm
Flat 6 – 38sqm
Flat 7 – 37sqm
Flat 8 – 38sqm
Flat 9 – 50sqm
Flat 10 – 52sqm

Access to flats nos. 1 to 4 will continue from Epsom High Street.

Flats nos. 5, 6, 7, 8, and 10 will benefit from both access from both the High Street and the rear from Waterloo Road and north of Church Street.

Flat 10 will be accessed by an existing, external staircase to the rear of the building.

A concurrent planning application has been submitted with regard to external alterations and includes proposals for replacement windows/doors, new close-boarded fence (Flat 1), dormer extension (Flat 9) and balconies (Flat 9 and Flat 10).

Planning Case

This Prior Approval is submitted as per the requirements of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2; Part 3; Class O.

Class O permits development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule.

Development is not permitted if the following apply (**response to criteria in red**):

(b) the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use

Classes Order—

- (i) on 29th May 2013, or*
- (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use;*

The building was last used as a B1(a) office after 29 May 2013, that was the buildings last lawful use.

(d) *the site is, or forms part of, a safety hazard area;*

It does not.

(e) *the site is, or forms part of, a military explosives storage area;*

It does not.

(f) *the building is a listed building or is within the curtilage of a listed building; or*

It does not.

(g) *the site is, or contains, a scheduled monument.*

It does not.

The change of use is also subject to a number of conditions, these are:

O.2.— (1) Development under Class O is permitted subject to the condition that before beginning the development, 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 and highways impact of the development,

Due to the nature of the existing businesses and office space, and the number of employees, it is felt that the use for 10no. one-bedroom residential flats will see a reduced impact on the highway network as a result of less trips generated.

(b) contamination risks on the site,

There are no known contamination risks, nor any reason to suspect contamination.

(c) flooding risks on the site, and

The proposal comprises a change of use on the first, second and third floor and The Site is not located in an area at risk from flooding so there is no flood risk.

(d) impacts of noise from commercial premises on the intended occupiers of the development,

The use of the remaining retail unit(s) at ground floor is considered low key and will therefore not create a noise impact that will affect residents of the proposed residential properties. This arrangement of residential dwellings above commercial units on the High Street is also commonplace in the locality.

(e) the provision of adequate natural light in all habitable rooms of the dwellinghouses

All habitable rooms will benefit from large, existing windows (and roof lights) which ensure good levels of natural light for each proposed unit.

As of 6 April 2021, further amendments to permitted development will come into force which will require new dwellings achieved through prior approval to achieve nationally described minimum space standards (2015).

Whilst it is understood this has not yet come into effect, the applicant has achieved the standard for each proposed flat.

As such it is the applicant's contention that the provisions of Class O have been met and prior approval is not required for the conversion of the B1 (a) unit to C3 use.

Conclusions

Taking into account the provisions of Paragraph W set out within the regulations, we trust that you will be able to support the proposals on the basis of the information submitted with this application.

In light of the above, we respectfully request the Council confirm the conversions complies with each of the criteria set out under Class O and the development can proceed.

Yours faithfully,



Yours faithfully,
Keegan Ferreday BSc(Hons) MSc MRTPI
Senior Planner