

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 you require any further clarification, please contact the Local Planning Authority directly.

Find contact details for Local Planning Authorities: <https://www.planningportal.co.uk/lpasearch>

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

1. Applicant Name and Address

Title:	<input type="text"/>	First name:	<input type="text"/>		
Last name:	<input type="text"/>				
Company (optional):	<input type="text" value="DTA Property Holdings Ltd"/>				
Unit:	<input type="text"/>	Number:	<input type="text" value="15-17"/>	Suffix:	<input type="text"/>
Building name:	<input type="text"/>				
Address 1:	<input type="text" value="Middle Street"/>				
Address 2:	<input type="text"/>				
Address 3:	<input type="text"/>				
Town:	<input type="text" value="Brighton"/>				
County:	<input type="text" value="East Sussex"/>				
Country:	<input type="text"/>				
Postcode:	<input type="text" value="BN1 1AL"/>				

2. Agent Name and Address

Title:	<input type="text" value="Mr"/>	First name:	<input type="text" value="Henry"/>		
Last name:	<input type="text" value="Wagstaff"/>				
Company (optional):	<input type="text" value="Wilbury Planning Ltd"/>				
Unit:	<input type="text" value="5"/>	Number:	<input type="text"/>	Suffix:	<input type="text"/>
Building name:	<input type="text" value="61 Wilbury Road"/>				
Address 1:	<input type="text"/>				
Address 2:	<input type="text"/>				
Address 3:	<input type="text"/>				
Town:	<input type="text" value="Hove"/>				
County:	<input type="text" value="East Sussex"/>				
Country:	<input type="text"/>				
Postcode:	<input type="text" value="BN3 3PB"/>				

3. Site Address Details

Please provide the full postal address of the application site.

Unit:	<input type="text"/>	Number:	<input type="text"/>	Suffix:	<input type="text"/>
Building name:	Norwood House				
Address 1:	9 Dyke Road				
Address 2:	Brighton				
Address 3:	<input type="text"/>				
Address 4:	<input type="text"/>				
Postcode:	BN1 3FE				

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:

Change of use of first, second and third floors from offices (Class E) to 6no. flats (Class C3).

Please see Supporting Statement (20 December 2023) for further information.

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 see Supporting Statement (20 December 2023) for further information.

What will be the net increase in dwellinghouses:

6

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 see Supporting Statement (20 December 2023) for further information.

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

Please see Supporting Statement (20 December 2023) for further information.

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).

Please see Supporting Statement (20 December 2023) for further information.

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 see Supporting Statement (20 December 2023) for further information.

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.

Please see Supporting Statement (20 December 2023) for further information.

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

If the building is located in a conservation area, and the development involves a change of use of the whole or part of the ground floor. Please provide details of the impacts that the change of use will have on the character or sustainability of the conservation area and how these will be mitigated:

Please see Supporting Statement (20 December 2023) for further information.

If the building is located in an area currently in use for general or heavy industry, waste management, storage and distribution, or a mix of such uses.

Please provide details of the impacts on intended occupiers of the development of the introduction of residential use in the area and how these will be mitigated:

Please see Supporting Statement (20 December 2023) for further information.

If the proposal involves the loss of services provided by a registered nursery, or a health centre.

Please provide details of the impacts on the local provision of the type of services lost and how these will be mitigated:

Please see Supporting Statement (20 December 2023) for further information.

7. Checklist

Please read the following checklist to make sure you provide all the required information in support of your proposal. The information provided should include all the details necessary for the Local Planning Authority to determine if the proposal complies with permitted development legislation, and if its prior approval is required or should be granted. If sufficient information is not provided the Local Authority can either request it, or refuse the application.

- | | | | |
|--|-------------------------------------|--|--------------------------|
| All sections of this application completed in full, dated and signed. | <input checked="" type="checkbox"/> | The confirmations in regard to agricultural tenancies (if required by the answers provided to question 5) | <input type="checkbox"/> |
| The correct fee | <input checked="" type="checkbox"/> | A site specific flood risk assessment (if required as per the flood risk details of question 6) | <input type="checkbox"/> |
| A plan indicating the site and showing the proposed development. | <input checked="" type="checkbox"/> | A 'Fire statement' that covers the fire safety design principles, concepts and standards that have been applied to the development | <input type="checkbox"/> |
| Floor plans indicating the total floor space in square metres of each dwellinghouse, the dimensions and proposed use of each room, the position and dimensions of windows, doors and walls, and the elevations of the dwellinghouses | <input checked="" type="checkbox"/> | (if required as per the fire safety details of question 6) | |
- All plans should be drawn to an identified scale and show the direction of North.
Plans can be bought from one of the Planning Portal's accredited suppliers:
<https://www.planningportal.co.uk/buyaplanningmap>

8. Declaration

I/we hereby apply for a determination as to whether prior approval will be required as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Signed - Applicant:	Or signed - Agent:	Date (DD/MM/YYYY):	
<input type="text"/>	Mr Henry Wagstaff	20/12/2023	(date cannot be pre-application)

9. Applicant Contact Details

Telephone numbers

Country code:	National number:	Extension:
<input type="text"/>	<input type="text"/>	<input type="text"/>

Country code:	Mobile number (optional):
<input type="text"/>	<input type="text"/>

Country code:	Fax number (optional):
<input type="text"/>	<input type="text"/>

Email address:

10. Agent Contact Details

Telephone numbers

Country code:	National number:	Extension:
<input type="text"/>	<input type="text"/>	<input type="text"/>

Country code:	Mobile number (optional):
+44	<input type="text"/>

Country code:	Fax number (optional):
<input type="text"/>	<input type="text"/>

Email address: