

**TOWN & COUNTRY PLANNING ACT 1990
PLANNING STATEMENT (REVISED)**

**PROPOSED GROUND FLOOR CONVERSION
25 CARDIFF ROAD, LUTON LU1 1PP**

Reference:
Date:

5411
29 December 2023

**Prepared by
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1. Planning permission has previously been granted for the conversion of number 25 Cardiff Road, Luton, to create a number of flats. The approved conversion works were started but have not yet been completed, however. The site is identified on the Site Plan and Block Plan (including the shared access which benefits from a right of way, also shaded red).

2. The local planning authority has established that the lawful use of the ground floor of the building is use as a Class B1 Business Use, now classified as a Class E3 Commercial, Business and Service Use, by virtue of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, as it was previously in use as an office.

3. The proposed layout would comply with the 'Technical housing standards – nationally described space standard' as shown on the following drawings (submitted with the prior notification):

5411.01	Site Plan
5411.02	Block Plan
5411.03A	Proposed Layout
5411.04	Existing Layout

4. Permitted development rights allow the change of use from Class E (Commercial, Business and Service Use Class) to residential use, under Class MA of the Town and Country Planning (General Permitted Development etc.) (England) Order 2021. This permits:

"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."

5. The permitted development rights are subject to the procedure for prior notification and this statement is made in support of such an application.

6. In determining the application, the local planning authority may need to consider various planning matters, as set out in paragraph MA.2.-(2) of

the Permitted Development Order as amended. These are addressed in turn, therefore.

(a) transport impacts of the development, particularly to ensure safe site access

Parking spaces for the building as a whole are located at the rear of the property, with the benefit of a shared access, and the conversion of the ground floor of the building to residential use would have no material effect on transport or traffic or parking issues.

(b) contamination risks in relation to the building

The property as a whole was originally constructed as a Victorian terraced house and has subsequently been used for office and residential purposes. In consequence, there is no material risk of contamination.

(c) flooding risks in relation to the building

The property is at the upper end of Cardiff Road and is not vulnerable to flooding; nor would the proposed conversion give rise to any greater risk of flooding elsewhere.

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

Other properties in the vicinity have previously been converted to residential use and the converted ground floor would not suffer disturbance arising from noise from commercial premises.

(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

The site is not located in a conservation area.

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

As shown on the application drawings, adequate natural light would be provided in all habitable rooms of the proposed ground floor flat.

(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

The Cardiff Road area is now overwhelmingly residential in character and is not considered to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses.

(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

The proposed conversion would not involve the loss of either a registered nursery or a health centre.

7. It must be concluded that the proposed conversion of the ground floor at number 25 Cardiff Road, to provide a flat, complies with the requirements of the legislation and ought to be approved promptly by the local planning authority.