



Supporting Planning Statement for Prior Approval Change of Use
from Commercial Business and Service (Class E) to
Dwellinghouses (Class C3) Under Permitted Development Rights

For

Existing Single Storey Premises at 37A High Street, Rushden,
Coffee Tavern Court

On Behalf Of

Goliath Property Limited

1.0 Introduction

1.1 This supporting statement has been prepared by Corporate Architecture on behalf of Goliath Property Limited in support of an application to determine whether prior approval is required to change the use of 37A The Florist in Coffee Tavern Court ground floor from commercial business and service use class E to one dwelling use Class C3 Under the permitted development rights set out under class MA Part 3 Of Schedule 2 To The Town And Country Planning (General Permitted Development) England Order 2015 (As Amended) (GPDO 2015 (As Amended)).

1.2 The applicant is the freeholder of the surrounding properties 4A and 4B Coffee Tavern Court and 37-39 High Street as indicated in Fig 1. Proposed site. The site lies between 37-39 High Street and 4A Alfred Street.

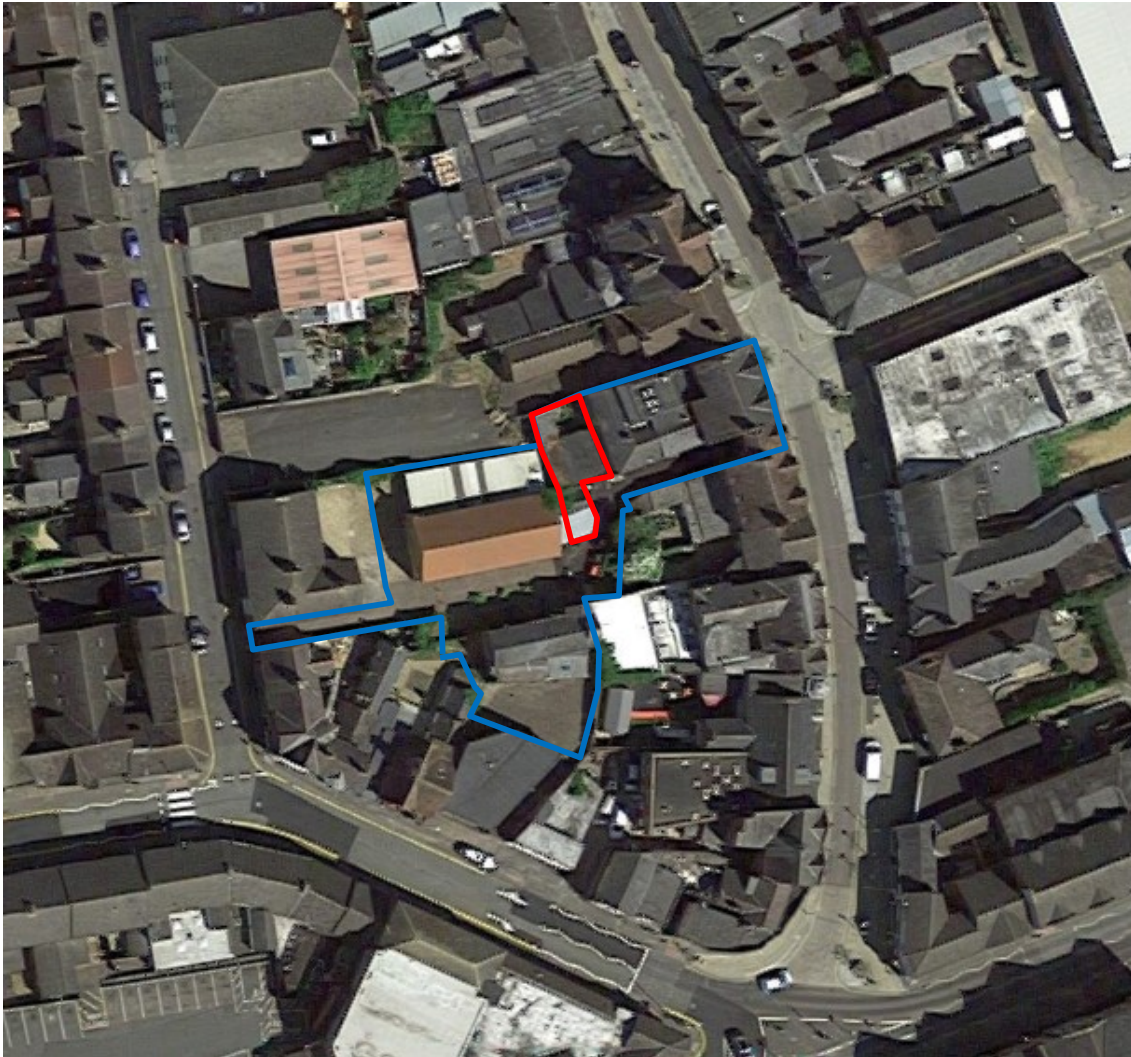


Fig 1. Proposed Site

1.3 The application is accompanied by the following suite of drawings which comprise of: 001, 503, 505, 513 and drawing 515.

2.00 The application site is within the centre of Rushden town centre to the rear of 37-39 High Street a former Lloyds Bank part of an approved application NE/23/00595/PDU for a similar permitted development change of use along with 4A Alfred Street approved application NE/23/00793/PDU.

The building is one of the buildings making up Coffee Tavern Court which runs through to Alfred Street to the west.

2.1 The current building is vacant having previously been a florist/business use with access for vehicles from Alfred Street.

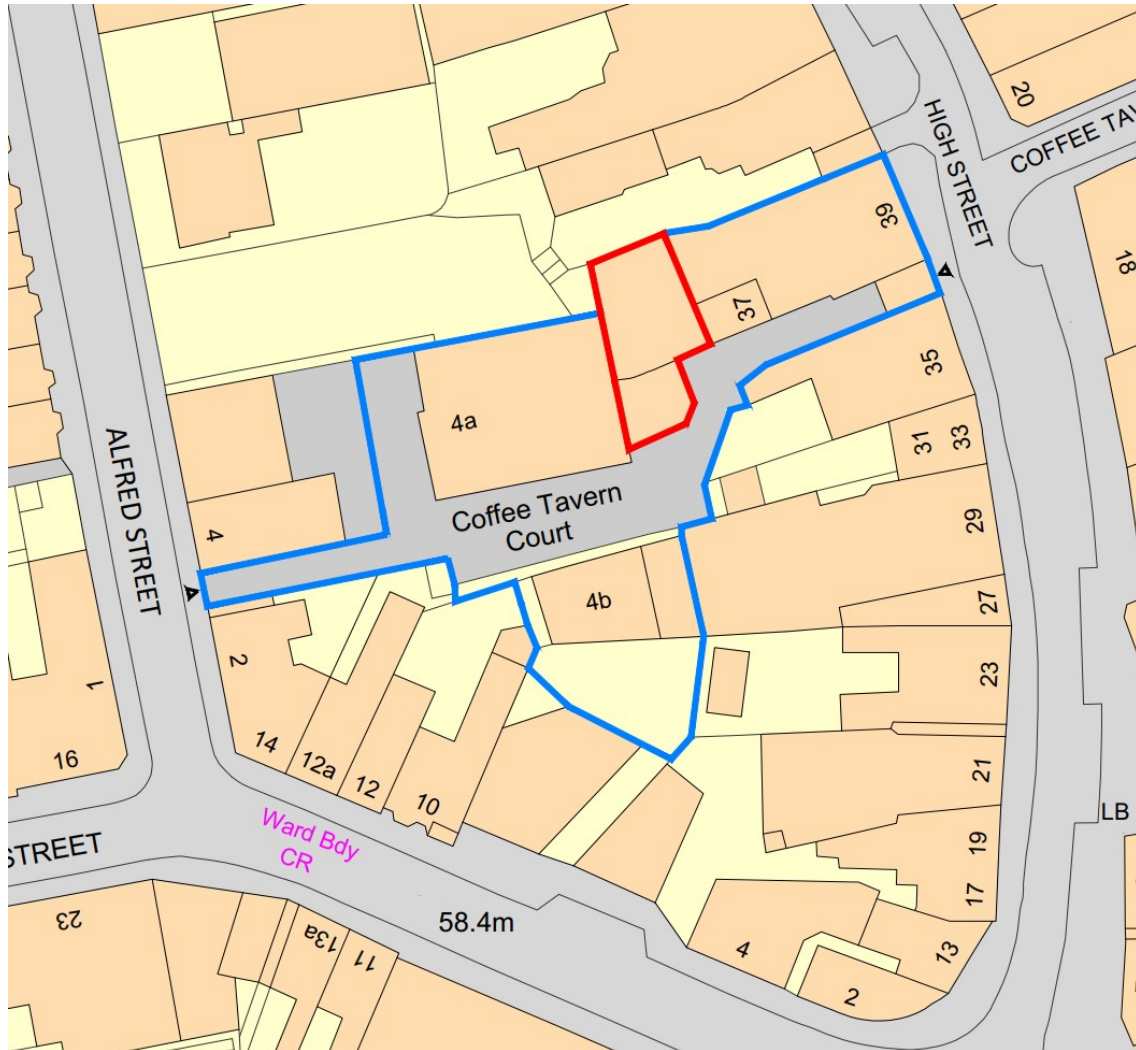


Fig 2. Proposed Site Plan

2.2 The surrounding area is characterised by a mix of commercial and retail units along with residential properties

2.3 The site lies within the Rushden town conservation area but the building is not listed by Historic England or locally listed by the local authority. The building is not a scheduled monument or juxtaposed to one.

2.4 The Environment Agency flood map indicated that the application site is located within flood zone 1 and is therefore very unlikely to be affected by flooding from local rivers or water course.
Fig 3. Existing Site Images



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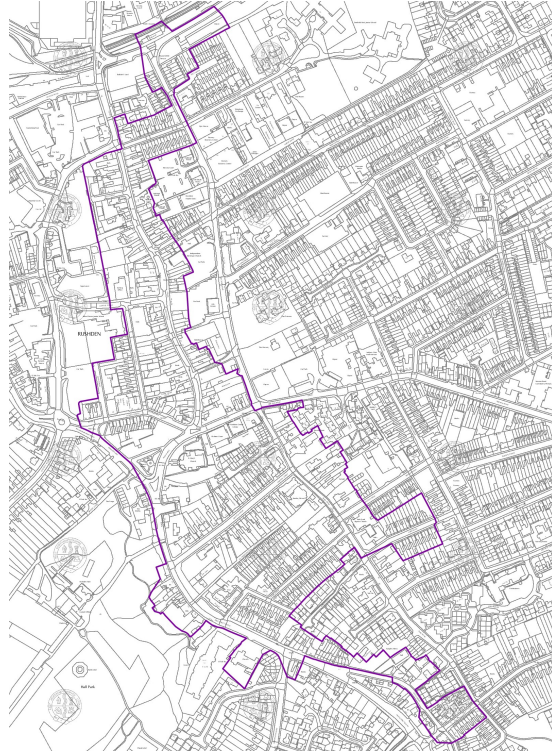


Fig 4. Rushden Conservation Area

3.00 The Proposal

3.1 The proposal submitted comprises the change of use and conversion of the Ground floor from a commercial use (class E) to form one dwelling.

The change of use is to take place under the permitted development rights as published under class MA of part 3 of schedule 2 to GDPO 2015 (as amended).

One residential dwelling will be created within the centre of Rushden as a result of this proposal.

3.2 As part of the redevelopment the applicant proposes to replace the existing roof due to its poor condition and believed to be asbestos with materials to match the existing along with rebuilding the front brick wall. The front brick wall will be rebuilt and the rest retained, and existing windows positions not being used will be blocked up and recessed as a feature.

Existing Ground Floor 54.1m²

Total Existing 54.1m²

Proposed Ground Floor 51.5m²

Total Proposed 51.5m²

3.3 The gross internal floor area of the dwelling will comply with the nationally described space standard. As such, the proposed development complies with the requirements of Article 3(9A) of the GPDO 2015 (as amended) which requires any new dwellinghouse permitted under Schedule 2 to the GPDO 2015 (as amended) to comply with the nationally described space standard which also includes built in storage which is included in the overall GIA. The dwelling has its own dedicated front door.

3.4 The appendix attached to this document contains the submitted drawn information providing full details of the conversion.

4.00 Assessment of the proposal against paragraph MA.1 of the GPDO 2015 (as amended)

4.1 Class MA of Part 3 of Schedule 2 to the GPDO 2015 (as amended) 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.”

4.2 For a building to qualify for the permitted development right set out above, it must satisfy the criteria outlined in paragraph MA.1 of Part 3 of Schedule 2 to the GPDO 2015 (as amended). This section of the document sets out the information that is required to confirm compliance with these criteria, limitations and restrictions.

MA.1(1)(a) Development is not permitted by Class MA unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval.

4.3 The property has been vacant for over six months. The proposed development therefore meets this criterion.

MA.1(1)(b) Development is not permitted by Class MA unless the use of the building fell within one or more of the classes specified in sub-paragraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval.

4.4 The property was in use as an office (formerly Use Class A2, now Class Use Class E) two years prior to this application. As such, the proposal meets this requirement.

MA.1(1)(c) Development is not permitted by Class MA if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres.

4.5 The gross internal floor space of the existing building changing use under Class MA is below 1,500 sq. m. Therefore, the proposal meets this criterion.

MA.1(1)(d) Development is not permitted by Class MA if land covered by, or within the curtilage of, the building (i) is or forms part of a site of special scientific interest; (ii) is or forms part of a listed building or land within its curtilage; (iii) is or forms part of a scheduled monument or land within its curtilage; (iv) is or forms part of a safety hazard area; or (v) is or forms part of a military explosives storage area

4.6 As stated earlier in this statement the application site is not situated within any of these areas. Additionally, the application property is not a listed building, locally listed and it is not a scheduled monument. As a result, the proposed scheme complies with this criterion.

MA.1(1)(e) Development is not permitted by Class MA if the building is within (i) an area of outstanding natural beauty; (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981; (iii) the Broads; (iv) a National Park; or (v) a World Heritage Site

4.7 The application site being within the centre of Rushden is not located within any of these areas. As such, the proposal complies with this requirement.

MA.1(1)(f) Development is not permitted by Class MA if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained.

4.8 The site is not occupied under an agricultural tenancy agreement. The proposal therefore complies with this criterion.

MA.1(1)(g) Development is not permitted by Class MA before 1 August 2022, if (i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and (ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3

4.9 This criterion is not applicable to the proposed development because this application was submitted after 1st August 2022.

5.00 Determination as to Whether Prior Approval is Required

5.1 This prior approval application relates to development under Class MA of Part 3 of Schedule 2 to the GPDO 2015 (as amended). Paragraph MA.2 of Class MA of Part 3 of Schedule 2 to the GPDO 2015 (as amended) states that development under Class MA is permitted subject to a number of conditions. Paragraph MA.2(2) requires that before beginning development under Class MA, 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 impacts of the development, particularly to ensure safe site access;
- B. Contamination risks in relation to the building;
- C. Flooding risks in relation to the building;
- D. Impacts of noise from commercial premises on the intended occupiers of the development;

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;

E. The provision of adequate natural light in all habitable rooms of the dwelling houses;

F. 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;

G. Where the development involves the loss of services provided by

- i. where the development involves the loss of services provided by:
 - ii. a registered nursery, or
 - iii. 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; and
 - iiii. where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

5.2 The purpose of this section is to provide North Northamptonshire Council with the information that is required to determine whether the prior approval of the local planning authority will be required in relation to the above matters.

Transport impacts of the development, particularly to ensure safe site access.

5.3 The application site is located within Coffee Tavern Court to the rear to the rear of High Street and Alfred Street in the centre of Rushden. As a result, there are numerous local services, facilities, amenities, shops and workplaces within a short walking and cycling distance of the property. Additionally, there are a number of bus stops within a convenient walking distance of the application site. As such, the site benefits from being sustainably located in relation to the public transport infrastructure, local services and local facilities. These locational characteristics of the site should encourage future occupants to maximise their use of public transport, cycling and walking. As a result, it is considered acceptable to provide no off-street car parking for the scheme.

5.4 When assessing the transport and highways impacts of the proposed development, it is also important to recognise that the site has a fallback use as a large office. This fallback use has the potential to generate a notable number of daily vehicular movements on the local road network as a result of employees, visitors, customers and service vehicles driving to and from the site. The proposed change of use therefore has the potential to reduce the daily number of vehicular journeys made to and from the premises.

5.5 Furthermore, many of the streets within close proximity of the site are subject to parking restrictions and controls, which should discourage future residents from using a car to access the development. The double yellow lines and the signage alongside the roads near to the property should make these parking restrictions apparent to potential residents when they are deciding whether to live in the proposed dwelling. Therefore, potential occupiers who would be reliant on a car are unlikely to choose to live in the building despite the limited off street parking provision. This further demonstrates how the proposal will be acceptable in respect of highways and transportation.

5.6 In light of the above factors, it is concluded that the proposed development would not have an unacceptable impact on highway safety, nor would it lead to severe residual cumulative impacts on the road network.

Contamination risks in relation to the building

5.7 There are no known contamination issues or risks on the site.

Flooding risks in relation to the building

5.8 The Environment Agency's Flood Map for Planning shows the whole site is situated in Flood Zone 1 and thus it has a low probability of flooding from rivers and the sea.

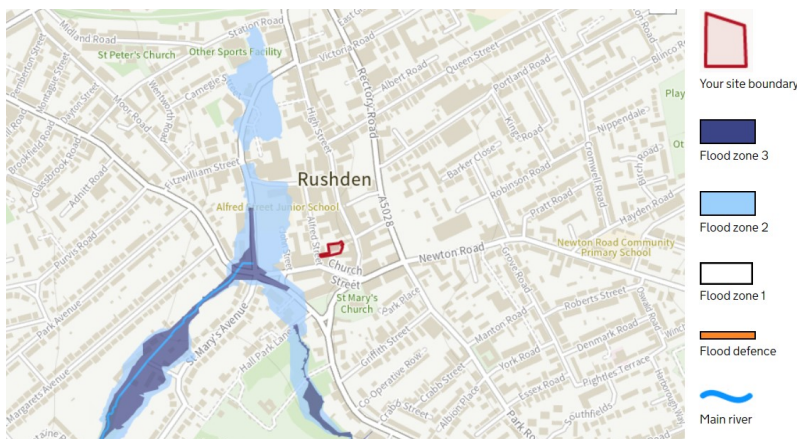


Fig 5. Flood Risk Map

Impacts of noise from commercial premises on the intended occupiers of the development

5.9 The commercial premises within the immediate vicinity of the application site are likely to be open during normal daytime opening hours. Therefore, it is considered that the commercial premises within the immediate vicinity of the site are unlikely to generate levels of noise that would have a detrimental impact upon the residential amenity of the intended occupiers of the development.

Where the building is located in a conservation area, and the development involves a change of use of the whole of the building, the impact of that change of use on the character or sustainability of the conservation area.

5.10 The application site is located in the Rushden Conservation Area. The redevelopment is located within a former cut through from the High Street to Alfred Street. The main façade of the original building will be retained except for the front which will be rebuilt due to its condition. Existing windows which are not being used will be blocked up and set back as a feature retaining the existing commercial character of No. 37A. In addition, due to its location the building does not occupy a prominent position in the street scene.

5.11 Furthermore, the proposed development will increase the number of households living in Rushden Town Centre and Commercial Area. This should help to increase local expenditure and thus create economic opportunities for local businesses. Ultimately, this should help to support the vitality and viability of the businesses in the Conservation Area, which should help to support the sustainability of the Rushden Conservation Area.

5.12 It is therefore concluded that the proposed development will not harm the character or sustainability of the Rushden Conservation Area.

The provision of adequate natural light in all habitable rooms of the dwellinghouses

5.13 Paragraph X of Part 3 of Schedule 2 to the GPDO 2015 (as amended) states that ““habitable rooms” means any rooms used or intended to be used for sleeping or living which are not solely used for cooking purposes, but does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms”.

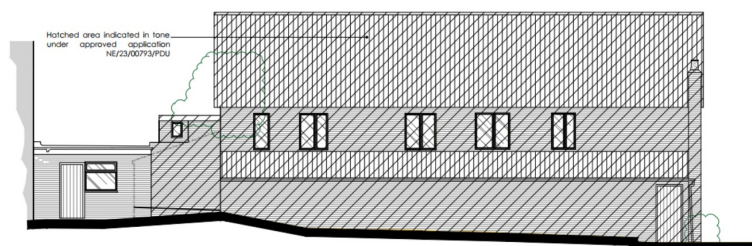


Fig 6. Proposed Front Elevation North



Fig 7. Proposed Side Elevation East

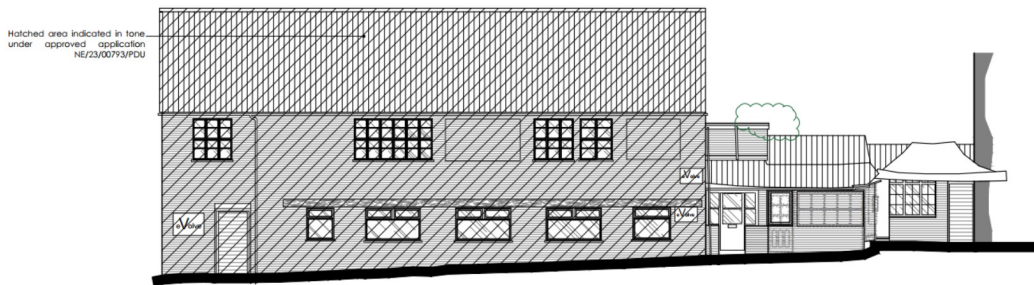


Fig 8. Proposed Front Elevation South

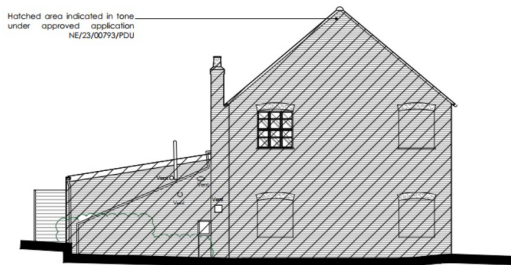


Fig 9. Proposed Side Elevation West

5.14 The accompanying drawings show that all the proposed habitable rooms of the dwellinghouses will be served by windows, which will allow natural light to enter these spaces. As such, it is considered that this condition is satisfied.

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:

5.15 The application site is located within Coffee Tavern Court as part of Rushden Town Centre and Commercial Area. As such, it is understood that the site is not located in an area that the local planning authority considers to be important for general or heavy industry, waste management, storage and

distribution, or a mix of such uses.

Where the development involves the loss of services provided by a registered nursery, or 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:

5.16 The proposed change of use will not lead to a loss of services provided by a registered nursery, or a health centre maintained under section 2 or 3 of the National Health Service Act 2006.

Where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building:

5.17 The property being a two-storey traditional building does not satisfy the height condition in paragraph (3), read with paragraph (7), of article 9A (fire statements) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). As such, the proposal does not meet the fire risk condition.

6.00 Conclusion

6.1 This Supporting Statement seeks to demonstrate that the proposed scheme would comply with the conditions, criteria, limitations and restrictions specified in paragraphs MA.1 and MA.2 of Class MA of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). It should therefore be concluded that the proposed development is permitted by virtue of Class MA of Part 3 of Schedule 2 to the GPDO 2015 (as amended) and prior approval is not required for the proposed development.

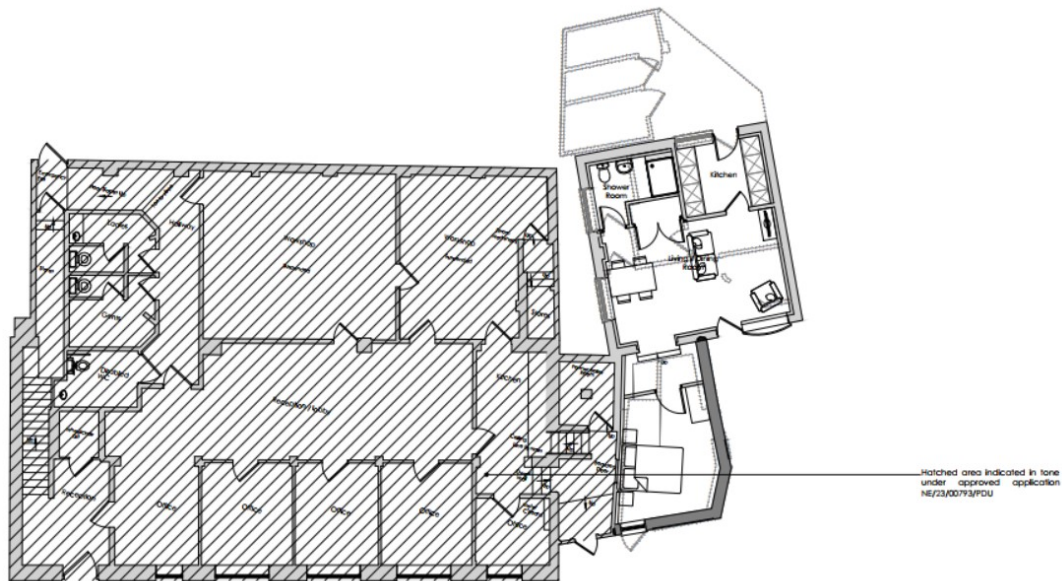


Fig 10. Proposed Ground Floor Plan