

## 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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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:              | Mr                                | First name: | Max |
| Last name:          | Maltby                            |             |     |
| Company (optional): |                                   |             |     |
| Unit:               |                                   | Number:     | 18  |
|                     |                                   | Suffix:     |     |
| Building name:      | Shepherds Close                   |             |     |
| Address 1:          | Shepherds Close Rd, Patrixbourne, |             |     |
| Address 2:          |                                   |             |     |
| Address 3:          |                                   |             |     |
| Town:               | Canterbury                        |             |     |
| County:             | Kent                              |             |     |
| Country:            | UK                                |             |     |
| Postcode:           | CT4 HQ                            |             |     |

### 2. Agent Name and Address

|                     |                |             |        |
|---------------------|----------------|-------------|--------|
| Title:              | Mr             | First name: | Leslie |
| Last name:          | May            |             |        |
| Company (optional): | DAC Architects |             |        |
| Unit:               |                | Number:     | 21     |
|                     |                | Suffix:     |        |
| Building name:      |                |             |        |
| Address 1:          | Stone Street   |             |        |
| Address 2:          |                |             |        |
| Address 3:          |                |             |        |
| Town:               | Gravesend      |             |        |
| County:             | Kent           |             |        |
| Country:            | UK             |             |        |
| Postcode:           | DA11 ONP       |             |        |

### 3. Site Address Details

Please provide the full postal address of the application site.

|                |                                           |         |                                 |         |                      |
|----------------|-------------------------------------------|---------|---------------------------------|---------|----------------------|
| Unit:          | <input type="text"/>                      | Number: | <input type="text" value="18"/> | Suffix: | <input type="text"/> |
| Building name: | <input type="text"/>                      |         |                                 |         |                      |
| Address 1:     | <input type="text" value="Stone Street"/> |         |                                 |         |                      |
| Address 2:     | <input type="text" value="Gravesend"/>    |         |                                 |         |                      |
| Address 3:     | <input type="text"/>                      |         |                                 |         |                      |
| Address 4:     | <input type="text"/>                      |         |                                 |         |                      |
| Postcode:      | <input type="text" value="DA11 0NH"/>     |         |                                 |         |                      |

### 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:

Application to Determine if Prior Approval is Required for a Proposed : Change of Use from Commercial Service [Use Class E] to Dwellinghouses [Use Class C3]

Conversion of the upper levels at 18 Stone Street to residential flats including 2 [no] studio flats at first floor and 1[no] 2 bedroom 4 person flat at second floor.

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:

Flat F1 - Two large sash windows to the East Elevation. Bedroom 2 [no] windows wet room 1 [no] window  
Flat F2 - Bedroom 1[no] large sash window, Living/Kitchen/Dining 2 [no] large sash window, bathroom 2 [no] windows.  
Flat S3 - Bedroom 1 2 [no] windows, Bedroom 2 2[no] large sash windows, Living/Kitchen/Dining 2 [no] large sash window, bathroom 2 [no] windows.

What will be the net increase in dwellinghouses:

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:

The property is well connected by train and bus connections and the town centre is easily accessed by pedestrians. Please refer to Design and Access Statement.

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

The proposals will not be effected. The scope of work is restricted to the internal areas of the first and second floor. Accordingly as a result of the proposed change of use the site will not result in the land being contaminated land as described in Part 2A of the Environmental Protection Act 1990 with regard to the Contaminated Land Statutory Guidance issued by Secretary of State for the Environment, Food and Rural Affairs.

**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 refer to Design and Access Statement -Low Risk

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:

The property is semi-detached. All external walls that form a party wall or form a party floor will be provided with acoustic separation systems to protect the residential spaces from sound disturbance from adjoining party walls and floors separated to commercial activities.

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.

The property does not exceed 18M

**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:

The proposal leaves the ground floor retail units unaffected.

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:

Not applicable

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:

Not applicable

## 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<br>(if required by the answers provided to question 5)                                                                                                                                                                        | <input checked="" type="checkbox"/> |
| The correct fee                                                                                                                                                                                                                      | <input checked="" type="checkbox"/> | A site specific flood risk assessment<br>(if required as per the flood risk details of question 6)                                                                                                                                                                                  | <input checked="" 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<br>(if required as per the fire safety details of question 6)                                                                                    | <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"/> | All plans should be drawn to an identified scale and show the direction of North.<br>Plans can be bought from one of the Planning Portal's accredited suppliers:<br><a href="https://www.planningportal.co.uk/buyaplanningmap">https://www.planningportal.co.uk/buyaplanningmap</a> |                                     |

## 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): | (date cannot be pre-application) |
| <input type="text"/> | Leslie D May       | 13/05/2022         |                                  |

## 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:       |                           |                      |
| <input type="text"/> |                           |                      |

## 10. Agent Contact Details

Telephone numbers

|                                |                           |                      |
|--------------------------------|---------------------------|----------------------|
| Country code:                  | National number:          | Extension:           |
| 01474                          | 566996                    | <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:                 |                           |                      |
| leslie.may@dacarchitects.co.uk |                           |                      |