PlanningPortal

**This form is specifically designed to be printed and completed offline.**
**Please complete this form in block capitals using black ink to facilitate scanning.**

**You are advised to read the accompanying guidance notes and per-question help text.**

**If you would rather make this application online, you can do so on our website: https://www.planningportal.co.uk/apply**

# 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

## Privacy Notice

This form is provided by Planning Portal and based on the requirements provided by Government for the sole purpose of submitting information to a Local Planning Authority in accordance with the legislation detailed on this form.

Please be aware that once you have downloaded this form, Planning Portal will have no access to the form or the data you enter into it. Any subsequent use of this form is solely at your discretion, including the choice to complete and submit it to a Local Planning Authority in agreement with the declaration section.

Upon receipt of this form and any supporting information, it is the responsibility of the Local Planning Authority to inform you of its obligations in regards to the processing of your application. Please refer to its website for further information on any legal, regulatory and commercial requirements relating to information security and data protection of the information you have provided.

## Local Planning Authority details:

NORTH YORKSHIRE COUNCIL

Planning Services, North Yorkshire Council,
PO Box 787, Harrogate, HG1 9RW

Email: dmst.har@northyorks.gov.uk

Telephone: 0300 131 2 131

## Publication on Local Planning Authority websites

Information provided on this form and in supporting documents may be published on the authority's planning register and website.
Please ensure that the information you submit is accurate and correct and does not include personal or sensitive information.
If you require any further clarification, please contact the Local Planning Authority directly.

## 1. Applicant Name and Address

| | | | | | |
|---|---|---|---|---|---|
| Title: | | First name: | | | |
| Last name: | | | | | |
| Company (optional): | | | | | |
| Unit: | | Number: | | Suffix: | |
| Building name: | | | | | |
| Address 1: | | | | | |
| Address 2: | | | | | |
| Address 3: | | | | | |
| Town: | | | | | |
| County: | | | | | |
| Country: | | | | | |
| Postcode: | | | | | |

## 2. Agent Name and Address

| | | | | | |
|---|---|---|---|---|---|
| Title: | | First name: | | | |
| Last name: | | | | | |
| Company (optional): | | | | | |
| Unit: | | Number: | | Suffix: | |
| Building name: | | | | | |
| Address 1: | | | | | |
| Address 2: | | | | | |
| Address 3: | | | | | |
| Town: | | | | | |
| County: | | | | | |
| Country: | | | | | |
| Postcode: | | | | | |

## 3. Site Address Details

Please provide the full postal address of the application site.

| | | | | | |
|---|---|---|---|---|---|
| Unit: | | Number: | | Suffix: | |
| Building name: | | | | | |
| Address 1: | | | | | |
| Address 2: | | | | | |
| Address 3: | | | | | |
| Address 4: | | | | | |
| Postcode: | | | | | |

## 4a. Eligibility - The current building and site

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.

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:

## 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:

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:

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

## 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 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:

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.

## 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:

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:

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:

## 7. List of flats and other premises in the existing building

Please provide a list of all addresses of any flats and any other premises within the existing building (either in the fields below or as a supporting document)

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Address 6:

Address 7:

Address 8:

Address 9:

Address 10:

Please provide details of any additional addresses on a separate sheet if necessary.

## 8. 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.
- ☐ The correct fee
- ☐ A plan indicating the site and showing the proposed development.
- ☐ 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
- ☐ The confirmations in regard to agricultural tenancies (*if required by the answers provided to question 5*)
- ☐ A site specific flood risk assessment *(if required as per the flood risk details of question 6)*
- ☐ A 'Fire statement' that covers the fire safety design principles, concepts and standards that have been applied to the development *(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

## 9. 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) |

## 10. Applicant Contact Details

Telephone numbers

| Country code: | National number: | Extension: |
|---|---|---|
| | | |

| Country code: | Mobile number (optional): |
|---|---|
| | |

| Country code: | Fax number (optional): |
|---|---|
| | |

Email address:

## 11. Agent Contact Details

Telephone numbers

| Country code: | National number: | Extension: |
|---|---|---|
| | | |

| Country code: | Mobile number (optional): |
|---|---|
| | |

| Country code: | Fax number (optional): |
|---|---|
| | |

Email address: