

## **Application to determine if prior approval is required for a proposed:**

**Change of Use from Commercial/Business/Service (Class E), Hotels (Class C1), Residential Institutions (Class C2/C2A), or until the end of July 2022, uses previously classified as Assembly and Leisure (Class D2) to State-Funded School (Class F1(a)), or until the end of July 2022, a Nursery (previously Class D1(b))**

**This permitted development right was amended on 1 August 2021**

**It is now only usable as detailed below in regard to 'protected development'**

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class T

### **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:**

### **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.

### **Protected development**

Government has implemented a provision, where permitted development rights have been removed by the August 2021 changes, to ensure that relevant proposals are still eligible for permitted development rights for an additional time period.

This is achieved by classifying such proposals as 'protected development'. This allows them to use the legislation as it stood prior to the changes, for prior approval applications to be submitted up to the end of July 2022, and for them to be progressed to completion on that basis.

**This permitted development right was amended on 1 August 2021 to no longer include changes of use from uses previously classified as 'assembly and leisure' that are not now included in Use Class E (commercial/business/service); or to a nursery.**

#### **If your proposed change of use is to a nursery:**

- Where the proposed change of use is now wholly within Use Class E (e.g. from business to nursery) then, in many cases, an application for prior approval or planning permission will not be required. Any work associated with the change of use may still require permission.
- Other changes of use to a nursery are no longer considered to be permitted development under this right. However, until the end of July 2022, it is considered to be 'protected development' and this type of application is still valid for eligible proposals.

**If your proposed change of use is from a Local Community or Sui Generis use previously classified as 'assembly and leisure'** (e.g. cinemas; concert halls; bingo halls; or dance halls) such changes of use are no longer considered to be permitted development. However, until the end of July 2022, it is considered to be 'protected development' and this type of application is still valid for eligible proposals.

**If your proposed change of use is from a Hotel, Residential Institution, or Use Class E** (e.g. business; or indoor sport, recreation, or fitness) then this type of application is still valid for eligible proposals.

View further details on Use Classes and changes of use on the Planning Portal: [https://www.planningportal.co.uk/change\\_of\\_use](https://www.planningportal.co.uk/change_of_use)

### 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:

### 4. Eligibility

If the site's current use is one that was previously classified as Assembly and Leisure (Use Class D2).

Was this use only granted by a previous change of use from a:

- Shop, or Financial and Professional Service; or
- Betting office or pay day loan shop (Sui Generis Use);

As part of permitted development under Class J of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

**Please note:** From 1 August 2021 this will always not be relevant due to Use Class D2, Class J, and this related eligibility criteria being revoked, unless this application is being made under the 'protected development' provision detailed above

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.

#### 4. Eligibility (continued)

Is any part of the land, site or building:

- in a safety hazard area;
- in a military explosives area;
- a scheduled monument (or the site contains one);
- a listed building (or within the curtilage of a listed building)

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.

#### 5. Description of Proposed Works, Impacts and Risks

Please describe the proposed development:

## 5. Description of Proposed Development, Impacts and Risks (continued)

Please provide details of any transport and highways impacts and how these will be mitigated:

Please provide details of any noise impacts and how these will be mitigated:

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

## 6. 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 will be required. 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.

A plan indicating the site and showing the proposed development.

The correct fee

A plan drawn to an identified scale will assist the authority in assessing your development proposal. Plans can be bought from one of the Planning Portal's accredited suppliers: <https://www.planningportal.co.uk/buyaplanningmap>

## 7. 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)

## 8. Applicant Contact Details

Telephone numbers

Country code:

National number:

Extension:

Country code:

Mobile number (optional):

Country code:

Fax number (optional):

Email address:

## 9. Agent Contact Details

Telephone numbers

Country code:

National number:

Extension:

Country code:

Mobile number (optional):

Country code:

Fax number (optional):

Email address: