DEVELOPMENT SERVICES
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Derbyshire DE5 3BT
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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

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number: 23

Suffix:

Property Name: 23-29

Address Line 1: High Street

Address Line 2:

Address Line 3:

Town/city: Alfreton

Postcode: DE55 7DR

Description of site location must be completed if postcode is not known:

Easting (x): 440994

Northing (y): 355793

Description

Commercial premises

Applicant Details

Name/Company

Title

Mr

First name

Shaun

Surname

Hills

Company Name

Greenhills Sargeant Ltd.

Address

Address line 1

14 Goscote Hall Road

Address line 2

Birstall

Address line 3

Town/City

Leicester

County

Leicestershire

Country

England

Postcode

LE4 3AP

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Agent Details

Name/Company

Title

Mr

First name

Thomas

Surname

Hardwick

Company Name

Hardwick Studio Architects Ltd.

Address

Address line 1

Office 1, Beehive Farm

Address line 2

Lullington Road

Address line 3

Rosliston

Town/City

Swadlincote

County

Derbyshire

Country

United Kingdom

Postcode

DE12 8HZ

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Eligibility

Permitted development rights are subject to conditions set by legislation to ensure that only appropriate proposals are eligible.

The need to apply to the Local Planning Authority to see if prior approval is required is one such condition.

The questions below will help determine if the proposals are eligible for this permitted development right.

The current building and site

Please note: Eligibility questions relating to the current building being vacant for 3 months, and it's floorspace not exceeding 1,500 square metres were removed after these limitations were lifted by government on 5 March 2024.

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 an indoor swimming pool or skating rink;
• For periods from 1 September 2020
- Commercial, Business and Service (Use Class E)

◉ Yes
○ No

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

The proposed change of use

For applications, submitted before 1 August 2022, proposing a change of use to Dwellinghouses from Offices (Use Class B1(a)/E(g)(i)).
Is/Was there an Article 4 direction in place that has removed these specific permitted development rights?

◯ Yes
⊘ No / Not relevant

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

Following the development, 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

Agricultural tenants

To be eligible for this permitted development right, all parties to any agricultural tenacy agreements that are currently in place need to provide consent.

This is to help ensure that agricultural tenants are not displaced to allow a change of use to be carried out.

Is any part of the land covered by or within the curtilage of the building to be demolished occupied under any agricultural tenancy agreements?

◯ Yes
⊘ No

Fire Safety

Where the building (as proposed) exceeds certain limits, legislation has been put in place to ensure the adequate consideration of fire safety by the Local Authority (including its decision to grant prior approval) and other relevant parties.

Would the proposed development result in a building that contains two or more dwellinghouses, and is:
• 18 metres or more in height (as measured from ground level to the top floor surface of the top storey of the building); or
• contains 7 or more stories.

◯ Yes
⊘ No

NOTE: More details on how to measure height and stories are available in paragraph (7) of Article 9A of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the related government guidance.

Description of Proposed Works, Impacts and Risks

Proposed works

Please describe the proposed development including details of any dwellinghouses and other works proposed

The conversion of redundant office spaces into required 4no. residential units (2no. 2-bed, 2no. 1-bed).

Please provide details on the provision of adequate natural light in all habitable rooms of the dwellinghouses

All habitable rooms to include one external window to allow for appropriate natural light, with exception of one bedroom which will have the probvision of 2 large roof lights.

What will be the net increase in dwellinghouses?

4

This figure should be the number of dwellinghouses proposed by the development that is additional to the number of dwellinghouses in the existing building prior to the development.

Impacts and risks

Please provide details of any transport and highways impacts and how these will be mitigated, particularly to ensure safe site access

The existing vehicular access and egress arrangements will be retained and utilised as existing, resulting in no change to the established movement patterns or access arrangements. The proposal will therefore have no negative impact on vehicular movements or highway safety.

The conversion from offices (Use Class E) to four residential units will typically generate fewer vehicle trips than the existing or previous office use, particularly during peak hours. This represents an overall reduction in traffic intensity and parking demand associated with the site.

Adequate on-site (off-road) provision for parking, and waste collection will be made in accordance with local standards, ensuring that all servicing and access requirements can be safely accommodated within the site boundary. Pedestrian access will also remain safe and convenient.

Given the modest scale of the proposal, the retention of existing access, and the reduced traffic generation compared to the former use, the development will not give rise to any material transport or highway safety impacts. The proposal therefore meets the requirements of Class MA in relation to transport and access.

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

The site and its historic use indicate that there are no known contamination risks associated with the building or surrounding land. The property has been in continuous office (Use Class E) use and has not previously been used for any industrial or other potentially contaminative activities.

There is no record of fuel storage, chemical use, or waste processing on the site, and no evidence of ground contamination has been identified during previous occupation or usage. The site is fully developed and covered by hardstanding, with no areas of exposed soil that could pose a risk to future residential occupiers.

Given the building's established commercial use, its urban setting, and the absence of any historic or current contaminative land uses, it is considered that the risk of contamination is negligible.

Accordingly, no further investigation or remediation measures are deemed necessary, and the proposal fully satisfies the requirements of Class MA in relation to contamination risks.

Please provide details of any flooding risks and how these will be mitigated.

The site lies within Flood Zone 1, as defined by the Environment Agency Flood Map for Planning, which indicates that it is at the lowest risk of flooding from rivers or the sea. There is no recorded history of flooding affecting the property or the surrounding area.

Given the building's existing use and its fully developed nature, the proposed conversion from offices to residential units will not increase surface water run-off or alter the existing drainage arrangements. The site benefits from connection to the main drainage network, and there are no watercourses or areas of surface water accumulation nearby.

As such, the proposal is considered to present no flood risk to future occupiers. The conversion will incorporate standard building regulations-compliant drainage systems, ensuring that surface water is managed appropriately.

Accordingly, the development meets the requirements of Class MA with respect to flooding, and no additional flood mitigation measures are required.

A flood risk assessment should accompany the application where the site:
• is in Flood Zones 2 or 3; or
• is in an area with critical drainage problems (such areas will have been notified to the Local Planning Authority by the Environment Agency).
Check if your site location is in Flood Zone 2 or 3 online
Check with your Local Planning Authority to see if your site is in an area with critical drainage problems.

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 site and surrounding area comprise a mix of commercial and residential uses, typical of the locality. The existing building is currently in office (Use Class E) use, and the proposed conversion to residential use will not introduce any new sources of noise.

A review of the immediate surroundings confirms that there are no adjoining or nearby commercial premises that generate significant noise levels likely to impact residential amenity. The surrounding uses are of a low-intensity commercial nature, such as offices and small-scale retail or service units, which operate primarily during normal daytime hours.

The proposed conversion works will incorporate appropriate building fabric and insulation measures to ensure compliance with Building Regulations Part E (Resistance to the Passage of Sound). These standard measures will ensure that internal noise levels within the new dwellings remain within acceptable limits for residential occupation.

Given the nature of the surrounding uses, the established mixed-use environment, and the proposed acoustic insulation, it is considered that future occupiers will not be adversely affected by noise from nearby commercial premises. The proposal therefore complies with Class MA requirements in respect of noise impacts.

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

NA

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

NA

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

NA

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

House name:

Number:
23

Suffix:

Address line 1:
High Street

Address Line 2:

Town/City:
Alfreton

Postcode:
DE55 7DR

House name:

Number:
25

Suffix:

Address line 1:
High Street

Address Line 2:

Town/City:
Alfreton

Postcode:
DE55 7DR

House name:

Number:
27

Suffix:

Address line 1:
High Street

Address Line 2:

Town/City:
Alfreton

Postcode:
DE55 7DR

House name:

Number:
29

Suffix:

Address line 1:
High Street

Address Line 2:

Town/City:
Alfreton

Postcode:

DE55 7DR

Declaration

I/We hereby apply for Prior Approval: Change of use – commercial/business/service to dwellinghouses as described in the questions answered, details provided, 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.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

Thomas Hardwick

Date

10/11/2025