



ALLEN PLANNING Ltd
Town Planning and Development Consultants

Wiltshire Council
Planning Department
Via Planning Portal Only

19th March 2026

Dear Sirs

Prior Notification requirement under Part MA of the GPDO for the change of use of Class E space to form 4 apartments.

Site at Part First, Second, Third and Fourth Floors, Dunns House, St Pauls Road, Salisbury SP2 7BF

This Prior Notification submission relates to one small area of the upper floors of this five storey building only used under Class E of the UCO to form 4 apartments under Part MA of the GPDO. The application is accompanied by a site plan together with the application forms and also the proposed and existing detailed floor plans and the completed CIL forms. The application is also supported by a detailed Flood Risk reports.

The ground floor does not form part of this application and will be retained in commercial office use. The site frontage is shown in Figure 1 below.



Figure 1 - Site Frontage

Dunn's House is formed by a prominent building on the northern side of Salisbury city centre, just off the A36 dual carriageway at one of the entrances to the Central Car Park. The main city centre retail area is within about 10 minutes walk along the Millstream that borders to the Central Car Park. Waitrose is on the opposite side of the A36 and is about 5 minutes' walk.

The property comprises a former grain store which was converted to offices in the early 2000's and refurbished in 2017. The accommodation is arranged over ground and four upper floors with a central service core containing two lifts, stairs and toilet facilities.

As part of the 2017 refurbishment, the ground floor was extended to take in what was formerly undercroft parking. Externally there is a parking area to the front of the building for circa 12 vehicles.

The building is not listed and lies outside of the City Centre Conservation Area and with reference to the Environment Agency Flood Map, the site lies in Flood Zone 3 and this means that the site has a High probability of fluvial flooding (greater than a 1 in 100yr annual probability of fluvial flooding).

In addition, there is no Article 4 Direction removing permitted development under Part MA in this area.

The proposal is a change of use of the upper floors into residential accommodation with the ground retained as commercial office use.

In terms of planning history, the upper floors of this building have an extant prior notification permission for their conversion to form 44 apartments under reference 25/08099. This permission has been amended in terms of the internal layout via a non material amendment under reference PL/2026/01437.

This revised layout provides the floorspace on each of the upper floors to provide one further flat on each floor which would, if approved, then provide for 48 flats overall.

In addition, an application for external changes to the building remain at this stage undetermined.

Permitted Development

Class MA of the amended General Permitted Development Order, which came into force on the 1st August 2021 states that a development consisting of would constitute permitted There are no restrictive land use based conditions imposed upon any of these permissions development: -

MA. 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.

Paragraph MA.1 identifies that development is not permitted by Class MA if:

(a) 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;

This criterion has been removed in the amendment to Part MA which came into force on the 6th March 2024.

(c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;

This criterion has been removed in the amendment to Part MA which came into force on the 6th March 2024.

- (d) 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;*

The site is not covered by any of the above listed designations.

- (e) 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(a);*
 - (iii) the Broads;*
 - (iv) a National Park; or*
 - (v) a World Heritage Site;*

The site is not covered by any of these listed designations

(f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or

The site is not occupied under an agricultural tenancy

- (g) 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.*

Not the case with these proposals.

Conditions

This permitted development is also subject to conditions as identified in paragraph MA.2 namely 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;*
- (e) 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;*
- (f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;*

(g) 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; and

(h) where the development involves the loss of services provided by—

(i) a registered nursery, or

(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006(a), the impact on the local provision of the type of services lost.

(3) An application for prior approval for development under Class MA may not be made before 1 August 2021.

(4) The provisions of paragraph W (prior approval) of this Part apply in relation to an application under this paragraph as if in the introductory words in sub-paragraph (5), for “and highways impacts of the development” there were substituted “impacts of the development, particularly to ensure safe site access”.

(5) Development must be completed within a period of 3 years starting with the prior approval date.

(6) Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse

(a) Transport

The use of the majority of the building as residential would be likely to generate less traffic when compared to the former Class E uses which lawfully operate(d) from the site. On that basis the traffic created by this proposed development would not lead to situations detrimental to highway safety.

Turning to matters of car parking the NPPF in matters of sustainable development, transport and car parking advises at paragraph 112 of the revised Framework advises that if setting local parking standards for residential and non-residential development, policies should take into account:

- a) the accessibility of the development;
- b) the type, mix and use of development;
- c) the availability of and opportunities for public transport;
- d) local car ownership levels; and
- e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

Paragraph 113 advises that maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.

In addition, paragraph 116 adds that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The site is in a very accessible location with good public transport links nearby and easy access on foot to all of the City Centre amenities close at hand. In addition, the site is a short walk from the railway station and the large “central” car park is less than 5 minutes’ walk.

The site has 12 spaces on site most of which would be retained for use by the ground floor offices and as such the four residential apartments proposed would be delivered on a “car free” basis.

In terms of car parking Wiltshire Council produced a **Car Parking Strategy** in March 2011. The Council has set minimum parking standards which would require the provision of 1 space for each apartment.

Importantly Policy PS6 also provides the flexibility to allow for lower levels of provision where specific circumstances can be demonstrated. Paragraph 7.7 of the document states that the use of accessibility levels as a basis for the discounting of maximum parking standards is now an established policy among many local authorities. The Council has identified a process, following best practice, to apply such an approach to private non-residential developments in Wiltshire. Paragraph 7.8 adds the discounting process has two stages:

- 1. Assess the broad development location in terms of the spatial band in which it is located and apply a primary discount.*
- 2. Assess the actual site in terms of local accessibility to non-car modes of transport through the use of a questionnaire and apply a secondary discount based on the resulting questionnaire score.*

Given the highly sustainable nature of the site a car free development would be wholly compliant with current car parking standards for the county. It is therefore submitted that this application is fully compliant with the requirements of Core Strategy (Policy 61) which seeks *“that new development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives”*

The scheme provide for appropriate cycle parking and refuse storage on site.

Overall, therefore it is concluded that the proposed development would fulfil sustainable development planning policies and would avoid any adverse impacts upon the local highway network.

(b) Contamination risks in relation to the building

Turning now to matters of contamination the site lies in an area where matters of land and ground contamination have not been previously raised on this site or indeed within the local area and it is therefore highly unlikely that these proposals would lead to matters of contamination.

The application proposes the conversion of part of the four upper floors of the existing building only with no change to the ground floor or indeed any “ground break”.

The building has been the subject of significant human work/habitation as offices for many years which have existed satisfactory with no issues of contamination.

In light of the above we therefore respectfully suggest that there are no material issues relating to the change of use proposed on matters of ground contamination.

(c) Flood Risk

The site lies in Flood Zone 3 and this means that the site has a High probability of fluvial flooding (greater than a 1 in 100yr annual probability of fluvial flooding).

As set out above the ground floor is proposed to be retained in office use and notwithstanding the above a detailed Flood Risk Assessment has been prepared for the site and for the sake of ease of officers we set out its conclusions below:

“Given that:

- The proposal is for a change of use of Class E space to form 4 apartments;*
- The ground floor will remain non-residential;*
- The building lies in Flood Zone 3;*
- All accommodation floor levels provide greater than the minimum required freeboard over estimated design period flood levels;*
- No flood resilience measures are required on the accommodation floors;*
- A new emergency walkway is to be provided at first floor level to offer all residents direct and safe access and egress under flood conditions;*
- Emergency exit routes through and from the building will be on permanent display in communal areas.*
- The residents will be encouraged to sign up to flood warning schemes;*
- There is no documented evidence of flood risk from any other sources;*
- The development does not impact on flood risk elsewhere;*

and assuming the warning and evacuation provision and procedures can be maintained over the lifetime of the development, the proposed change of use to residential use at the first second and third floors is considered acceptable.”

floors of this building to form 4 apartments would not result in any unacceptable impacts in terms of potential flood risk.

(d) Noise

In terms of the impacts of noise from commercial premises on the intended occupiers of the development, in this respect traffic noise cannot be an issue for consideration in Prior Notification applications under Part MA. When considering potential noise disturbance, the revised NPPF at paragraph at 180 advises:

180. Planning policies and decisions should contribute to and enhance the natural and local environment by:

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;

Paragraph 191 adds:

“191. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life”

The site is effectively a standalone site at the end of a residential estate with no nearby noise generating commercial uses within the vicinity of the site. Whilst there are noise generating sources close by in the form of the railway line and the ring road and associated highways these matters are however not material to an assessment of a prior notification application as set out in Part MA of the GPDO.

In light of the above we submit that there is no reason to resist the change of use proposed for the identified floorspace on the four upper floors of this building to form 4 apartments in terms of matters of potential noise disturbance from commercial buildings and/or land uses in close proximity to the site.

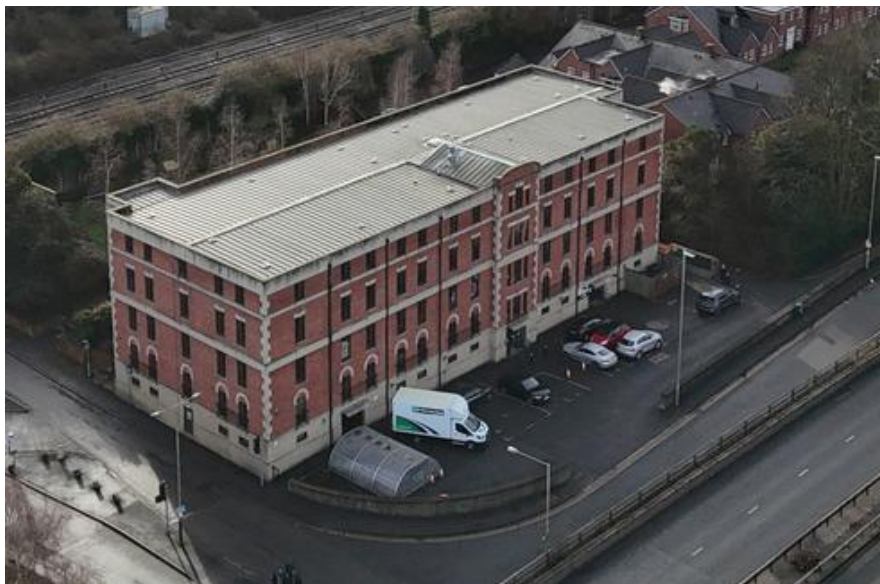
(e) Conservation

The site lies outside of the City's defined Conservation Area and thereby no assessment of criterion (e) is required in terms of these proposals.

(f) Adequate Natural Light

This criterion requires an assessment in terms of each flat to be created relating to the provision of adequate natural light to proposed habitable rooms. There is no definition of *adequate* within the regulations, however only natural light is to be considered as opposed to direct sunlight or daylight.

Reference to 'adequate' suggests merely satisfactory or acceptable in quality. The building, especially in its upper floors, possesses significant fenestration in its primary elevations as shown below and has a relatively open aspect.





Given this assessment it is submitted that the proposed scheme would provide adequate natural light into all of the habitable rooms of all 4 of the proposed apartments.

(g) 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; and

The site does not lie within such an area

(h) where the development involves the loss of services provided by—

(i) a registered nursery, or

(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006(a), the impact on the local provision of the type of services lost.

The previous land use was not as a nursery or health centre and it is **therefore submitted that in such circumstances there is no conflict with this criterion.**

Apartment sizes

A further requirement of prior notification is that each flat proposed must achieve the minimum size standards as set out below:

. In article 3, after paragraph (9) insert—

“(9A) Schedule 2 does not grant permission for, or authorise any development of, any new dwellinghouse—

(a) where the gross internal floor area is less than 37 square metres in size; or

(b) that does not comply with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015(a).

(9B) The reference in paragraph (9A) to the nationally described space standard is to that standard read together with the notes dated 19th May 2016 which apply to it.”.

In terms of the above we therefore assess the 44 proposed dwellings against the NDSS standards.

Flat No	Type	NDSS Requirement	Size
101	1b1p	37m ²	39.56m ²
102	1b1p	37m ²	39.56m ²
103	1b1p	37m ²	39.56m ²
104	1b1p	37m ²	39.56m ²

On the basis of the above all 4 of the flats proposed are therefore compliant with NDSS standards.

Part M.2.A requirements

Paragraph M.2A.(1) requires that the following provisions apply where a developer is required under paragraph M.2(f) to make an application to a local authority for a determination as to whether the prior approval of the authority will be required.

Sub paragraph (2) advises that the application must be accompanied by—

(a) a written description of the proposed development;

a detailed description of the proposal is set out on the application forms and within this covering letter as the conversion of the identified parts of the upper floors of this office building into 4 apartments.

(b) a plan indicating the site and showing the proposed development;

a plan indicating the location of the site and the floorspace within the building proposed to be converted accompanies this application.

(c) drawings prepared to an identified scale and showing—

the drawings have been prepared to an identified scale and show the detailed internal layout of the proposed dwellinghouses including window position and sizes.

(i) in the case of a building to be erected, the proposed external dimensions and elevations of that building; and

(ii) in the case of a building to be extended or altered, the external dimensions and elevations of that building both before and after the proposed extension or alteration;

It is not proposed to extend, alter or erect buildings on the site

(d) a written statement in respect of the heritage and archaeological considerations of the development;

The site does not lie within a conservation area.

(e) the developer's contact address;

IG Kingsmead Ltd c/o Allen Planning Ltd, Harrogate Business Centre, Hammerain House, Hookstone Avenue, Harrogate. HG2 8ER

(f) the developer's email address if the developer is content to receive communications electronically; and

IG Kingsmead Ltd c/o Allen Planning Ltd– tony.allen@allenplanning.co.uk

(g) any fee required to be paid.

The fee of £1000.00 will be paid via the planning portal.

Conclusions

In light of the information contained within this letter we submit that the change of use of the identified parts of the upper floors of this building to **form 4 apartments** from their permitted Class E use is wholly in accord with Class MA of the amended General Permitted Development Order and the Prior Notification Procedure.

If the Council require any further information, then please do not hesitate to contact me.

Yours sincerely

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