

PLANNING STATEMENT

**APPLICATION FOR PRIOR APPROVAL FOR THE CHANGE OF
USE OF GROUND FLOOR FROM CLASS E TO RESIDENTIAL USE,**



2 MARKET PLACE, CHIPPENHAM, WILTSHIRE SN15 3HE

**SCHEDULE 2, PART 3, CLASS MA OF THE GENERAL PERMITTED
DEVELOPMENT ORDER**



**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

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1. INTRODUCTION

- 1.1 RAW Planning Ltd are instructed by MP2 Developments Ltd (the “Applicant”) to prepare a Planning Statement to support an application to ascertain whether the Prior Approval of the Local Planning Authority (LPA) is required for the proposed change of use of the ground floor of the commercial building to a residential use at 2 Market Place, Chippenham SN15 3HD (the “Application Site”) in accordance with Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) (Order) 2015 (the “GPDO”).
- 1.2 The building is unlisted, and positioned within the Chippenham town centre Conservation Area. It was historically occupied by HSBC bank until their lease expired in August 2023 and they vacated the premises. Many high street banks are not renewing leases where the branches are no longer commercially viable due to declining footfall.
- 1.3 On 26 November 2025, Prior Approval was granted under Class MA (ref. PL/2025/06982) for the change of use of the second and third floors of the building from Class E to residential use, comprising four apartments. Subsequently, Prior Approval was also granted under Class MA (PL/2026/00068) for the change of use of the first floor to provide two residential apartments. The building therefore benefits from extant Prior Approval for the conversion of the upper floors to residential use, with the ground floor remaining in lawful Class E use.
- 1.4 Applications to discharge the conditions attached to both Class MA prior approval consents have been submitted to the Local Planning Authority and remain under consideration, enabling the approved residential conversions to be implemented.
- 1.5 In addition, full planning permission was granted on 27 April 2026 (ref. PL/2025/09951) for alterations to the ground floor frontage, reinstatement works to the rear of the building at ground floor level and the creation of a rear courtyard. These works facilitate the comprehensive redevelopment of the building following the departure of HSBC.
- 1.6 This application seeks Prior Approval under Schedule 2, Part 3, Class MA of the GPDO for the change of use of the remaining ground floor Class E floorspace to residential use, comprising 3no. apartments.

2. REQUEST FOR PRIOR APPROVAL

- 2.1 Class MA of Schedule 2, Part 3 of the GPDO allows for development consisting of the 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.
- 2.2 The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 introduced Class E which includes retail and offices amongst other town centre uses.
- 2.3 **Paragraph MA.1** of Part 3 of the Schedule 2 of the GPDO sets out the circumstances under which Class MA development is not permitted. The following paragraphs seek to demonstrate that the proposed development is permitted development, by addressing the circumstances set out in paragraph MA.1 using corresponding paragraph referencing (a-g):
- (a) N/A - Was omitted from the legislation under Textual Amendment [F41](#) Sch. 2 Pt. 3 Class MA para. MA.1(1)(a) omitted (5.3.2024) but included for completeness.
 - (b) The unit was originally occupied by HSBC bank who had occupied the unit until their lease expired and they vacated in August 2023. The building was therefore occupied for a continuous period of at least 2 years prior to the date of this application by a use specified in sub-paragraph (2) of Paragraph MA.1 (i.e. Class A1 (shops).
 - (c) N/A - This criterion was omitted from the legislation under Textual Amendment [F42](#) Sch. 2 Pt. 3 Class MA para. MA.1(1)(c) omitted (5.3.2024) but included for completeness.
 - (d) The unit is not located within the curtilage of a site of special scientific interest, a listed building, a scheduled monument, a safety hazard area or a military explosives storage area.
 - (e) The unit is not located within an AONB, an area specified by the Secretary of State for the purposes of Section 41(3) of the Wildlife and Countryside Act 1981, the Broads, a National Park or a World Heritage Site.
 - (f) The unit is not occupied under an agricultural tenancy.
 - (g) N/A – This criterion only relates to applications submitted before 1 August 2022.

2.4 Paragraph MA.2 of Part 3 of Schedule 2 of the GPDO states 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*
- (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*
- (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*

The impact on the local provision of the type of services lost

- (i) Where the development meets the fire risk condition, the fire safety impacts of the intended occupants of the building”.*

2.5 The following paragraphs deal with each of the matters for which prior approval may be sought.

(a) Transport Impacts of the Development, Particularly to Ensure Safe Access

2.6 Prior approval was granted for the change of use of the second and third floors from Class E to residential use on 26th November 2025 (ref: PL/2025/06982). No highway objection was raised to this application due to the building’s town centre location where and number of services and facilities are available.

2.7 The highway officer commented as follows:

“Given the central location and the largely car free conversions already approved in the centre of Chippenham it is not thought appropriate to object on lack of parking.”

2.8 Similarly, the highways officer had no objection to the Class MA application for the change of use of the first floor to residential.

2.9 Cycle storage is provided at the rear of the property, with details having been submitted for a Sheffield Stand underneath a canopy to discharge the condition attached to decision notice ref: PL/2026/00068. This facility can be enhanced to provide additional cycle storage for the tenants of the ground floor.

2.10 There are a number of services and facilities within walking distance from the application site within the town centre. Chippenham railway station is located approximately 0.5 miles north of the application site, and the bus station is 0.2 miles away. Chippenham railway station has direct links with Bath, Bristol and the west country; and Reading and London to the east. As such, both of these sustainable modes of transport are within a 10 minute walk. Furthermore, the site is positioned next to a Council controlled car park which would provide access to parking facilities if required.

2.11 The proposed change of use would not therefore result in any adverse transport or highway impacts.

(b) Contamination Risks in Relation to the Building

2.12 The application building comprises a vacant bank. There are no known contamination risks in relation to the building which already has permission to be in residential use at the second and third floors.

(c) Flooding Risks in Relation to the Building

2.13 The application building is located in Flood Zone 1 which has the lowest probability of flooding. In Flood Zone 1, the principle of residential development is acceptable.

(d) Impacts of Noise from Commercial Premises on the Intended Occupiers of the Development

2.14 As mentioned, the application building already benefits from prior approval for 6no. residential flats across the first, second and third floors, demonstrating that residential uses together with the Class E uses in town centres can sit comfortably together.

2.15 Whilst it is not considered essential, the approved double glazing at the ground floor will mitigate external noise to within acceptable sound levels for the tenants, and will be consistent with the measures accepted for the other approved flats in the building.

- 2.16 The previous Class MA applications for the upper floors were supported by Noise Impact Assessments which assessed the noise impact of the commercial premises at the ground floor upon the proposed flats. However, as this application seeks to remove the commercial use on the ground floor, there is no requirement to assess the impact of noise travelling through the floors within the building.
- 2.17 Also, the construction method between the ground and first floor will be undertaken in accordance with the approved plan to provide acoustic installation which will ensure an enhanced noise protection for tenants within the building. Moreover, these works will need to be assessed by Building Control in accordance with Building regulations Part E Resistance to sound as part of Building Controls Assessment for certification. As such, when the acoustic test has been conducted and a pass certification issued, this will confirm that appropriate mitigation is in place.

(e) The Impact of the Change of Use on the Character or Sustainability of a Conservation Area

- 2.18 The application site lies within the Chippenham Conservation Area and, as the proposal involves the change of use of part of the ground floor, the impact of the development on the character and sustainability of the Conservation Area is a matter requiring prior approval.
- 2.19 The Chippenham Neighbourhood Plan identifies which buildings in the town centre are non-designated heritage assets. The application building is not one of those properties identified in Policy TC5 (Buildings of Local Merit).
- 2.20 No additional external alterations are proposed (beyond those already approved under planning permission ref. PL/2025/09951). That permission approved a series of enhancements to the building which were considered to preserve the character and appearance of the Conservation Area.
- 2.21 In assessing the effect of the proposed change of use, it is important to recognise that the former HSBC building differs fundamentally from the traditional commercial premises that characterise much of Market Place, which have an active frontage. Whilst there is no statutory definition of an active frontage, it is generally accepted to be one which promotes a high degree of visual engagement between the street scene and the activity within a building through glazing to entice pedestrians into the building. Conversely, 2 Market Place was purpose built as a bank so has never operated as a conventional shop designed to encourage pedestrians inside. It represents a dead frontage as the views are obscured into the building by elevated stone cills, and does not promote any visual engagement with the street scene.
- 2.22 Consequently, the property does make the same contribution to the vitality of Market Place as the neighbouring commercial premises with wide glazed shopfronts

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- 2.23 From an economic sustainability perspective, the continued designation of the ground floor for commercial use would not, in itself, secure the vitality or viability of the Conservation Area. The design of the shopfront has a commercial disadvantage when compared with neighbouring premises insofar as it is not an active frontage.
- 2.24 The Chippenham Conservation Area Character Appraisal (Referendum Version) identifies Market Place as a *secondary* commercial frontage and acknowledges the changing nature of commercial activity within the town centre and the increasing conversion of buildings to residential use.
- 2.25 The proposal secures the reuse of a vacant building whose physical characteristics limit its attractiveness for modern commercial occupiers. Bringing the entire building back into full active use will avoid the adverse effects associated with prolonged vacancy, which can include a diminished contribution to the vitality of the Conservation Area.
- 2.26 The introduction of additional residents within the town centre will provide a permanent local population that supports surrounding shops, cafés, restaurants, leisure facilities and other local services through regular day-to-day expenditure. In this respect, the proposal contributes positively to the economic resilience of Chippenham town centre by increasing customer activity within walking distance of existing businesses.

(f) The Provision of Adequate Natural Light in all Habitable Rooms of the Dwellinghouses

- 2.27 The application is accompanied by an Internal Natural Light Report prepared by DPR (dated 13th July 2026), which assesses the levels of natural light within all habitable rooms of the proposed residential units.
- 2.28 The report confirms that a total of 6 habitable rooms across the 3 proposed flats have been assessed. The results, as summarised in Table 2 of the report (page 12) and further detailed in Appendix 2, demonstrate that all 6 rooms (100%) meet or exceed the relevant BRE daylight guidelines.
- 2.29 The report therefore concludes that the proposed development will provide adequate natural light to all habitable rooms and will deliver acceptable living conditions for future occupiers.
- 2.30 Furthermore, the flats have been designed to provide a good size of accommodation. Flat 7 provides 38.7sqm of internal floorspace, Flat 8 provides 49.7sqm and Flat 9 provides 55.4sqm. Accordingly, each apartment meets or exceeds the minimum gross internal floor areas set out within the Nationally Described Space Standard.

- 2.31 In addition, each flat incorporates dedicated fitted storage, with the internal room dimensions, floorspace and storage provision clearly identified on the submitted floor plans. The proposed residential accommodation therefore provides an appropriate standard of living for future occupants.

(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

- 2.32 The application unit forms a former bank and approved residential building within a town centre location. The site is not occupied by or in close proximity to any general or heavy industry, waste management or storage and distribution and as such the proposed change of use would not be impacted by such uses. Furthermore, the principle of residential use is deemed acceptable in this location by virtue of the extant prior approval.

(h) Where the Development Involves the Loss of Services Provided by a Registered Nursery or a Health Centre

- 2.33 The application unit would not result in the loss of a Registered Nursery or a Health Centre.

(i) Where the Development meets the Fire Risk Condition, the Fire Safety Impacts on the Intended Occupants of the Building

- 2.34 As set out at MA.2(2)(i) the fire safety impact on the intended occupants of the building is a matter of Prior Approval where the development meets the “fire risk condition”. Part MA.3 states:

Development meets the fire risk condition referred to in paragraph MA.2(2)(i) if the development relates to a building which will –

- (a) Contain two or more dwellinghouse; and*
- (b) Satisfy the height condition in paragraph (3), read with paragraph (7), of the article 9A (fire statements) of the town and Country Planning (Development Management Procedure) (England) Order 2015.*

Paragraph (3) of article 9A DMPO:

(3) The height condition is that –

- (a) The building is 18 metres or more in height; or*
- (b) The building contains 7 or more storeys.*

Paragraph (7) of article 9A DMPO:

(7) For the purposes of paragraph (3)-

(a) the height of a building is to be measured from the ground level to the top floor surface of the top storey of the building (ignoring any story which is a roof top machinery or plant area or consists exclusively of machinery or plant rooms);

(b) when determining the number of storeys a building has-

(i) any storey which is below ground level is to be ignored; and

(ii) any mezzanine floor is a storey if its internal floor area is at least 50% of the largest storey in the building which is not below ground level

- 2.35 The building as proposed does contain two or more dwellinghouse, but as per the submitted elevation drawings, the building is below the 18m height threshold and does not contain 7 or more storeys.
- 2.36 The proposed change of use is not considered likely to result in any additional fire safety impacts for the future occupants of the building.
- 2.37 Accordingly, the fire safety impacts on the intended occupants is not a matter for Prior Approval in this instance.

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3. SUMMARY AND CONCLUSION

- 3.1 Overall, it is considered that the unit proposed for change of use under Class MA of Schedule 2, Part 3 of the GPDO comfortably meets the qualifying criteria and would preserve the character and sustainability of the Chippenham Conservation area, not create any highways, contamination, flooding or noise issues for which Wiltshire Council should be concerned and it has been demonstrated that the 3no. proposed flats would have adequate natural light.
- 3.2 It is therefore considered that Prior Approval is either not required or that Prior Approval should be approved subject to the details submitted as part of this application.

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