

Recommendation Report for Planning Permission**REF NO:** **A/46/12/****LOCATION:** Cornerways
 Weavers Hill
 Angmering**PROPOSAL:** Change of use of upper floor from commercial (D1 Non-Residential Institution) back to residential (C3 Dwelling).**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The application seeks permission for the change of use of the first floor office and surgery to form additional accommodation to the residential use of the first floor.
SITE AREA	Approx. 1000 sqm.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Mature hedging and walling enclosing site.
SITE CHARACTERISTICS	Detached 2 storey building. Dentist at ground floor with office and self contained flat at first floor.
CHARACTER OF LOCALITY	Residential part of the Angmering Conservation Area. Mix of traditional properties within the locality.

RELEVANT SITE HISTORY

A/126/92	Change of use of part first floor from residential to dental surgery	Approve Conditionally 02-12-1992
A/51/94	Single storey ground floor extension	Approve Conditionally 20-05-1994
A/129/95	New conservatory, new entrance gates & piers	Approve Conditionally 08-01-1996
A/65/05/	Continuance of use without compliance with condition no 3 imposed under planning reference no A/126/92 to use existing waiting room on first floor as a complementary therapy room.	Approve Conditionally 16-08-2005

A/1/73	Extension to existing dining room - formation of a new terrace and garden wall	Approve Conditionally 09-02-1973
--------	--	-------------------------------------

REPRESENTATIONS

Representations received:

Angmering Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Conservation Officer

Consultations responses received:

Conservation Area Advisory Committee:

No comment.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Designation applicable to site:

Built-up area boundary

Conservation Area

DEVELOPMENT PLAN POLICIES

South East Plan:

[SEPBE6](#)

Management of the Historic Environment

Arun District Local Plan:

[GEN2](#)

Built-up Area Boundary

[GEN7](#)

The Form of New Development

[AREA2](#)

Conservation Areas

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity as well as character and appearance of the Conservation Area.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential

amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

CA
Section 16(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:
Where the building is located in a Conservation Area, Section 71(1) of the Act states:
In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
The proposal is considered to comply with these criteria in that it is not considered to materially affect the character of the Conservation Area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The application seeks permission for the change of use of first floor rooms from a commercial use associated with the ground floor dentist to residential accommodation associated with the remaining 1st floor accommodation.

Part of the 1st floor was granted consent for use a surgery, however this did not include the whole of the 1st floor and therefore part of the building has remained as a residential use and whilst not used in such a manner, its use remains residential. As a residential use exists at first floor level, no requirement is made for the provision of any affordable housing contribution.

The proposed works would not result in any external alterations to the building nor form any new use within the building. As such the re-ordering of the property is acceptable and would not result in any intensification of the use of the site. The resultant change is therefore acceptable upon the visual or residential amenities of the surrounding area.

It is therefore recommended that the application be approved subject to the following conditions.

HUMAN RIGHTS ACT

Human Rights Act:
The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest

and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal a neutral impact has been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

Location Plan; Ground and First Floor Plans.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, AREA2

SOUTH EAST PLAN: BE6

NATIONAL PLANNING POLICY FRAMEWORK

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

- 4 INFORMATIVE: The permission relates to the change of use of the first floor surgery and

report

office to residential accommodation.