

Recommendation Report for

REF NO: **A/57/15/PD**

LOCATION: The Old Stables
 Decoy Lane
 Angmering

PROPOSAL: Prior notification under Class O for change of use from Use Class B1(a) offices to C3 dwellinghouse

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application falls to be determined under the provisions of Class O of the Town and Country Planning (General Permitted Development) Order 2015 in respect of a development consisting of a change of use of a building and any land within its curtilage to a use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order from a use falling within Class B1 (a) (offices) of that schedule.

The principle of the development is not in dispute. Class O itself states that the consideration of the notification concerns only transport & highway impacts, contamination risks and flooding risks. However, the Order also states that the provisions of Paragraph W shall apply in relation to any application and part (10) of paragraph W includes the following:

" The local planning authority shall, when determining an application-

(a) take into account any representations made to them as a result of any consultation under paragraphs (5) or (6) and any notice given under paragraph (8);

(b) have regard to the National Planning Policy Framework issued by the Department for Communities and Local Government in March 2012 as if the application were a planning application;"

This allows the local planning authority to have regard to any representations received and the NPPF but only in relation to the 3 issues stated

above. Advice has been received from the Department for Communities and Local Government (DCLG) which confirms that it is not possible to refuse prior approval on the basis of an issue/impact not listed above. The Local Planning Authority has 56 days to provide its comments to the applicant's agent or it is deemed that they have no objection. This period expires on 8th of July 2015.

The proposal involves the change of use of a single storey dwelling from B1 offices to a single residential dwelling. No external alterations are proposed. The 11 car parking spaces currently available will be reduced to 3.

SITE AREA	0.12 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Ranch style fencing and hedging to road frontage to approx. 1m high
SITE CHARACTERISTICS	Detached single storey premises. Cream elevations. Tiled roof. One roof light on front elevation. Porous parking/turning area across site frontage. Grassed area to east has picnic tables placed on it.
CHARACTER OF LOCALITY	Predominantly rural. Field to rear,. Stables to north. Large vehicle parking area to south

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

None

Comments on Representations received:

None

CONSULTATIONS

WSCC Strategic Planning

Environmental Health

Consultations responses received:

County Highways - The site is recognised as having a permitted B1a office use. In considering the change of use, the potential vehicle movements from the permitted use is a material consideration. In light of the scale of the permitted and proposed development, it is considered that traffic generation would not significantly vary between the two. It is therefore not considered that this proposal could be resisted on the basis of traffic generation.

On that basis, no highway objection would be raised.

Engineers - No Objection

Environmental Health - Informative: The building has been used for a business use and the fabric of the building may contain asbestos. Future occupants should be made aware of its presence as there is the potential for DIY to cause asbestos exposure.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Outside built up area boundary
Right of Way

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

PLANNING POLICY GUIDANCE

POLICY COMMENTARY

The application is determined under the provisions of Class O of the Town and Country Planning (General Permitted Development) Order 2015 in respect of a development consisting of a change of use of a building and any land within its curtilage to a use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order from a use falling within Class B1 (a) (offices) of that schedule

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Class O of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) states that the only aspects that can be considered with regard to this prior approval application are transport & highway impacts, contamination risks and flooding risks. The Act also states that the provisions of Paragraph W shall apply in relation to any application and part (10) of paragraph W includes the following:

" The local planning authority shall, when determining an application-

(a) take into account any representations made to them as a result of any consultation under paragraphs (5) or (6) and any notice given under paragraph (8);

(b) have regard to the National Planning Policy Framework issued by the Department for Communities and Local Government in March 2012 as if the application were a planning application;"

However, the local planning authority is only able to have regard to the NPPF and representations in terms of the 3 issues stated above.

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

TRANSPORT AND HIGHWAY IMPACTS:

The proposed change of use from offices to a dwelling would not lead to a material increase in traffic generation or a change in its characteristics.

There is no objection from West Sussex County Council Highways department to the proposal.

CONTAMINATION RISKS:

The site is not contaminated land and the proposed conversion of the building would have no associated contamination risks. The concerns expressed by the Environmental Health department relate to asbestos which could result from the current use.

FLOOD RISK:

The site is located within Flood Zone 1 defined as having a low risk of flooding. The Environment Agency has not therefore been consulted

REPRESENTATIONS FROM LOCAL RESIDENTS & ASSESSMENT AGAINST THE NPPF.

It is only possible to have regard to the NPPF with regard to the 3 stated issues. However, in this case, no letters have been received from local residents and therefore there is no requirement to assess the proposal against the NPPF.

CONCLUSION

It is therefore considered that the siting & location of the proposed dwelling is acceptable in terms of highway, contamination and flood risk issues. On this basis it is recommended that no objection is raised to the application.

RECOMMENDATION

NO OBJECTION