

Recommendation Report for Planning Permission

REF NO: BN/130/25/PL

LOCATION: The Croft Surgery
Barnham Road
Eastergate
PO20 3RP

PROPOSAL: Change of use of the existing building and associated facilities from a doctor surgery (Use Class E) to a place of worship (Use Class F) and all associated works and infrastructure. This application is in CIL Zone 2 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to change the use of the building from a doctors surgery to a place of worship.
TREES	None affected by the development.
BOUNDARY TREATMENT	The site has extensive hedging bordering the site.
SITE CHARACTERISTICS	The site is occupied by a single storey detached building with adjoining car park.
CHARACTER OF LOCALITY	The area is predominantly residential. A new doctors surgery has opened to the rear of the site.

REPRESENTATIONS

Barnham and Eastergate Parish Council provided no objection.

1 letter of objection

- The building could be put to better use to benefit the whole community.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. As a place of worship the building would have community benefit.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC Highways - No objection subject to conditions.

WSCC Minerals and Waste - No objection.

South Downs National Park Authority - No comment to make.

Environmental Health - No objection.

Southern Water - No objection.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built up area boundary

Prone to Groundwater Flood Risk >75%

Within 12km of the Singleton and Cocking Tunnel SAC.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
SDSP2	SD SP2 Built-up Area Boundary
WDM2	W DM2 Flood Risk
DSP1	D SP1 Design
TSP1	T SP1 Transport and Development
QEDM1	QE DM1 Noise Pollution

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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 the development would not result in adverse harm upon the character of the area, amenity or parking.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

Biodiversity net gain is not required on this site.

CONCLUSIONS

PRINCIPLE

The site is in the Built-Up Area Boundary and as such the development is acceptable in principle, subject to consideration of relevant Development Plan policies in accordance with Arun Local Plan (ALP) policy SD SP2.

Paragraph 125(c) of the NPPF states 'Planning decisions should: give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land'. This gives substantial weight to the re-use of the site which is vacant.

Barnham and Eastergate have a made Neighbourhood Plan however no policies are relevant to this proposal.

DESIGN AND VISUAL AMENITY

The proposal is for the change of use of a Doctor's Surgery (The Croft Surgery) to a Class F1, more specifically Class F1(f) (Public worship or religious instruction).

The proposal does not seek any internal or external changes to the building to accommodate the change of the use. The building has many smaller rooms which were previously consulting rooms however the agent states that the principal meeting and worship area for the proposed use will be the former GP surgery waiting room. The smaller former consulting rooms will be used only for ancillary purposes, including administration, private pastoral meetings between members of the congregation, and storage. These rooms will not function as separate activity areas or support any form of multi use community operation in addition to the twice per week congregation.

The proposal would reinstate a use to the site which would make efficient use of the land, and maintain its general character as a site that serves the local community, albeit one which would not necessarily cater for all in the community relative to the former use which is more universally required.

With no physical changes proposed, the property would not result in adverse harm upon the appearance or character of the area in compliance with ALP policy D SP1 and D DM1.

RESIDENTIAL AMENITY

The proposal seeks to operate as a place of worship between the hours of 19:00 - 21:00 on Monday and 06:00 - 08:00 on Sundays, with the unit being closed for the remainder of the week.

The use of the site for a place of worship is expected to bring around 30-40 people, twice per week (Monday evenings and Sunday mornings). The previous use accommodated approximately 40-50 daily as a result of its use as a doctors surgery and the use of the building twice a week would result in a reduction of visitors to and from the site than that previous experienced. The times of use would differ with visits likely earlier and later than the surgery.

Whilst the building is not intended to be used as frequently as previous, noise impacts may increase at the site with activities such as singing, amplified speech, music, and/or musical instruments likely to be used. The hours of operation proposed is very limited but can be early in the morning or late in the evening where residents will likely be asleep, and where background noise levels are low. Environmental Health have had no objections and did not request any conditions regarding noise.

The site retains 22.8m to the front boundary of the nearest occupier to the south and approximately 20m to boundary to the west. With roads separating them from the site, it is unlikely noise would result in significant harm upon amenity where a refusal is justified.

The proposal would comply with ALP policies D DM1, D SP1 and QE DM1.

PARKING

The site is located in a sustainable location and has an existing vehicular access from Barnham Road into the adjoining car park.

Arun Parking Standards specify that non residential developments should provide 1 space per 22sqm for large scale places of assembly. This would require 14 spaces. The site has a car park which can accommodate 20 parking spaces. Given the previous use as a doctors surgery which would have likely had increased users, operating throughout the full week, 20 spaces is acceptable to accommodate those using the site during proposed Sunday and Monday services. The reduced operational demand will help to minimise traffic movements.

With regards to cycle provision, Arun Parking Standards require 1 space per 4 staff plus visitor/customer cycle parking. Secure and covered cycle storage already exists on site, with an existing shed located within the car park and is available to promote the use of sustainable transport methods. However, this is relatively small and would likely only fit 2-3 cycles. It would be a positive to provide additional cycle provision on site and this will be conditioned. EV parking should be provided at 30% of the total number of spaces (6 spaces in total) and again will be secured via condition.

WSCC Highways provided no objection but have requested improvements to the footpath on Barnham Road leading into the site. Whilst they note overall activity might decrease from previous levels, the WSCC consider that a path from Barnham Road into the site would be a worthwhile addition to encourage walking to and from the site, otherwise users will have to share the vehicular access. These improvements can be secured by condition. The applicant has noted that occupation of the building is intended to be sought promptly and WSCC have agreed details for the footpath can be submitted within 3 months of occupation to limit any delays. As a result, conditions for EV and cycle parking will be subject to the same time limit.

Subject to conditions, the proposal will provide sustainable transport measures and will not result in harm upon the highway, improving access to the site in compliance with ALP policy T SP1.

FLOOD RISK AND SURFACE WATER DRAINAGE

The site is not within a Flood Risk area however does fall within the Lidsey Treatment Catchment. The site is an existing development and the vulnerability classification would remain the same. As a change of use, the proposal is exempt from the requirements of a Sequential Test or Exception Test, and there would be no increase of flood risk on site or elsewhere as a result of the development.

No changes are proposed to existing drainage. There will be no changes to the footprint or areas of hardstanding. The development would not result in additional adverse impact upon the Lidsey Treatment Catchment Area.

The development will not give rise to an increase in flood risk nor upon Lidsey Treatment Catchment Area and is in compliance with W DM2 of the Arun Local Plan.

The proposal is in accordance with ALP policy W DM2.

SUMMARY

The proposal is in accordance with relevant Development Plan policies and as such, it is recommended for approval subject to the following conditions and informatives.

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 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 the following impacts have 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).

The proposal would have a neutral impact on the protected characteristics.

CIL DETAILS

This application is not CIL liable with no change in floor area.

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 and Block Plan - Dec 2025
 - Proposed Ground Floor Plan - Dec 2025
- Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.
- 3 Within three months from first occupation of the development, the applicant shall submit to the Local Planning Authority for approval (in consultation with WSCC Highways), plans showing details of a footpath taken from Barnham Road running alongside the eastern side of the existing vehicular access serving the development. The footpath shall thereafter be constructed in accordance with the approved plans within six months of the approval of the details by the Local Planning Authority.
- Reason: In the interests of road safety and to promote non-car access to the development in compliance with Arun Local Plan policy T SP1.
- 4 Within three months from first occupation of the development, the applicant or developer shall provide electric vehicle charge points to serve the parking spaces associated with the approved use in accordance with the council's standards as set out in its Parking Standards SPD. This requires EV charging points in 30% of parking spaces (rising to 50% from 2028 and 100% from 2033) with electric ducting provided to all other spaces to provide passive provision for these spaces to be upgraded in future. The electric vehicle charge points shall thereafter be retained and maintained in good working condition.
- Reason: To mitigate against adverse impacts on local air quality and to promote sustainable travel, in accordance with Arun Local Plan policy QE DM3(c), the Arun Parking Standards SPD and the NPPF.
- 5 Within three months from first occupation of the development, plans and details shall be submitted to and approved in writing by the Local Planning Authority showing provision for covered and secure cycle parking spaces. The spaces so provided shall be retained in perpetuity.
- Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policy T SP1.
- 6 The building shall not used except between the hours of 19:00 - 21:00 on Mondays and 06:00 - 08:00 on Sundays.
- Reason: To safeguard the amenities of the neighbouring properties in accordance with Arun Local Plan policies D DM1, QE DM1 & Q DM2.
- 7 Notwithstanding the provisions of any Town and Country Planning General Development Order or Use Classes Order (or any Order revoking or enacting that Order), the use hereby permitted shall be restricted to a place of worship.
- Reason: To enable the Local Planning Authority to consider the acceptability of alternative

use, in accordance with Arun Local Plan policy D DM1.

- 8 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 9 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the NPPF.
- 10 INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works (footpath from Barnham Road). The applicant should contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.