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Planning and Development
Arun District Council
Arun Civic Centre
Maltravers Road
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West Sussex
BN17 5LF

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30th August 2019

Dear Sir/ Madam,

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, SCHEDULE 2, PART 3, CLASS PA (AS AMENDED).

APPLICATION FOR PRIOR APPROVAL FOR THE CHANGE OF USE FROM LIGHT INDUSTRIAL (USE CLASS B1(C)) TO DWELLINGHOUSES (USE CLASS C3).

SITE ADDRESS: 66 THE STREET, RUSHTINGTON, LITTLEHAMPTON, BN16 3NR

This application is submitted on behalf of our client, Envision Contracting Ltd, and seeks prior approval for the proposed change of use of Light Industrial (Use Class B1(c)) to Dwellinghouses (Use Class C3) under Schedule 2, Part 3, Class PA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) at 66 The Street, Rushtington, Littlehampton.

The information contained in this submission package comprises:

- This Covering Letter;
- Application Form;
- CIL Form;
- Location Plan (Ref: SLP01) (scale: 1:1250@A3);
- Block Plan (Ref: BP01) (scale: 1:500@A3);
- Existing Floor Plan (Ref: E01) (scale: 1:100@A3);
- Proposed Floor Plan (Ref: P01) (scale: 1:100@A3);
- Transport Statement (prepared by RGP);
- Contaminated Land Risk Assessment Phase 1 Desk Study Report (prepared by STM Environmental);
- Statutory Declaration for 66 The Street signed by Tony James of Tony James Dental Laboratory Limited; and
- Michael Jones and Company Marketing Particulars.

The statutory application fee is £96, this will be paid over the telephone to Arun District Council.



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Site and Surrounding Area

The site is located within the authoritative boundary of Arun District Council and is located at the north-eastern extent of Rustington Village's centre. The property falls within Use Class B1(c) (Light Industrial) and has lain vacant for a year. It comprises a single storey commercial building which is approximately 181.1m². The property had been occupied by Tony James Dental Laboratory Limited since 1989 for the manufacturing of dental products.

The site is located to the rear of a small parade of shops which front The Street. Vehicular access is located from The Street via an access road which serves both the Site, parking to the rear of the shops and the care home development at 68 Pegasus Court. The Site benefits from off-street parking for up to six vehicles, located towards the southern boundary of the Site.

The Surrounding Area

The character of the locality is a mix of commercial and residential development. Residential areas are located directly to the north and the west of the Site. The commercial units directly to the south of the Site that front The Street include a Thai restaurant, two charity shops and a fast food takeaway but all have residential above. The Parish Church of Saint Peter and Saint Paul, Rushtington is located directly south of The Street and The Lamb Inn Pub is located to the south west of the Site.

From The Street (B2140) the wider local highway network of the A259 can be accessed via Ash Lane to the east of the Site. The A259 travels between Bognor Regis, to the west and Worthing to the east.

The closest bus stops to the Site are the Lamb Inn bus stop, which is located a 150m walk to the west of the property and 200m west of the Shops bus stop. These stops are served by service 700; The Coastliner, which operates a 10-minute frequency service. The regular local bus services are available within walking distance of the property, enabling prospective tenants to travel to and from the Site via bus.

The nearest National Rail Station to the Site is Angmering, which is located approximately 2.2km north-east of the Site. The Site has convenient access to local amenities, including retail, employment and leisure opportunities.

Planning History

Through undertaking an online planning history search, it can be confirmed that the property benefits from lawful light industrial use by virtue of a 1987 planning permission (Ref: R/298/87) for the "*Marley enterprise building for printing workshop- partial demolition of existing buildings and parking at front*".

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There are no further planning applications on the Council's online archive, however, more recently the Site had been occupied by Tony James Dental Laboratory Ltd for dental practice manufacturing which has operated under Use Class B1(c) (Light Industrial) since March 1989.

Therefore, the planning history search indicates that the lawful use of the property is B1(c) (Light Industrial), and indeed this was the last use before falling vacant in March 2018.

Proposal

This seeks prior approval for the change of use from Light Industrial (Use Class B1(c)) to Dwellinghouses (Use Class C3), to provide 6 self-contained flats (4 one-bed flats and 2 two-bed flats).

This application is submitted on the basis that the proposed change of use is permitted by Schedule 2, Part 3, Class PA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended), which permits development in the following circumstance:

“Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1 (c) (light industrial) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule.

In this instance the proposed development can be considered under the Class PA of the Town and Country Planning (General Permitted Development) (England) Order 2015, because:

- a) An application under paragraph PA.2 (1) in respect of the development has not been received by the local planning authority on or before the 30th September 2017;
- b) The building was used solely for light industrial use on 19th March 2014. We can confirm that the subject of this application was in lawful light industrial use (Use Class B1(c)) on the relevant date and that the use of this building is long established by way of the planning history, marketing particulars and the supporting Statutory Declaration;
- c) The prior approval date falls before 1st October 2020;
- d) The gross floor space does not exceed 500m²;
- e) The site is not occupied by an agricultural tenancy;
- f) An agricultural tenancy has not been terminated less than 1 year before the development begins;
- g) The site does not form part of a Site of Special Scientific Interest; a safety hazard area or a military explosives area;

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h) The application building is not a listed building or located within the curtilage of a listed building; and

i) The site is not and does not contain a scheduled monument.

For clarification, there will be no changes to the exterior of the building.

Development under Class PA is permitted on the condition that before beginning the development, 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:

(i) *“Transport and highways impact of the development;*

(ii) *Contamination risks in relation to the building;*

(iii) *Flooding risks on the site; and*

(iv) *Where the authority considers the building to which the development relates is located in an area that is important for providing industrial services or storage or distribution services or a mix of those services (which include, where the development relates to part of a building, services provided from any other part of the building), whether the introduction of, or an increase in, a residential use of the premises in the area would have an adverse impact on the sustainability of the provision of those services.*

And the provisions of paragraph W (prior approval) of this Part apply in relation to that application.”

Transport

A Transport Statement dated June 2019 has been prepared by RPG Transport Planning and Infrastructure Design Consultants and accompanies this application. It was carried out in keeping with best practice and current planning guidance and determines that the Site is accessible to a range of local facilities, helping to reduce the need to travel long distances for many journeys.

The conclusions of this report are extracted below:

- The site is accessible by a range of non-car modes of travel, with prospective residents well located to the village centre of Rustington to be able to access a range of local amenities without the need for a car, as well as public transport links.
- The development proposal requires a minimum of four unallocated car parking spaces which can be accommodated within the Site boundary.
- Cycle parking, in accordance with the WSCC standards would be provided on Site.
- No changes are proposed to the access or servicing arrangements for the Site.

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- The change of use to residential would result in a comparable traffic generation to the existing use of the Site and therefore no material impact or change to the character of traffic as a result of the proposal is expected.

As such, the proposals are acceptable on highways grounds as there would be no material increase or material change in character of traffic in the vicinity of the Site as a result of this proposal. Therefore, there are no highways and transportation reasons why the conversion of B1(c) (Light Industrial) to C3 (Dwellinghouses) would not be acceptable.

Contamination

A Contaminated Land Risk Assessment Phase 1 Desk study contamination report dated 17th June 2019 has been prepared by STM Environmental and accompanies this application. It was carried out in keeping with best practice and current planning guidance and determines that the risk posed to construction workers, future end users, site visitors, controlled waters, proposed structures (from ground gases) and plant & wildlife have been estimated as being moderate or low.

The Phase 1 Desk Study concluded that an intrusive site investigation is recommended to be undertaken with the objective of determining the presence and extent of any soil contamination at the Site. It has been recommended that a watching brief will be kept at all times during development and in the unexpected instance that contamination be encountered then the discovery outlined within the accompanying report will be followed.

The Desk Study recommends that the scope and the instruction of an intrusive site investigation should be agreed with the Local Planning Authority prior to any commencement of the work. The applicant welcomes the submission of this to be conditioned.

Flood Risk

The Site falls within Flood Zone 1 and therefore a Flood Risk Assessment is not required.

Industrial Services

The building is located in a mixed-use area, surrounded predominantly by two-storey residential dwellings. As previously mentioned, immediately to the south of the Site, fronting The Street lies a commercial terrace which comprises a number of charity shops, a Thai restaurant and a takeaway which all have residential above. There is also a care home directly to the east of the Site. The Site is not located within a designated employment site or industrial site.

The Site is a standalone light industrial premises that does not carry any strategic importance. It is also not currently, nor is it proposed to be designated for industrial purposes at a local level. Therefore, the location of the Site cannot be considered important for providing industrial and/or storage or distribution services.

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In our view the floorspace lost is not significant in employment terms. Given the Site's location within a densely populated residential area, further light industrial users will be discouraged from this site. Arun's Employment Land Needs Update (2016) states that there is a negative requirement for industrial floorspace within the District of 30,685m² which indicates that the retention of isolated light industrial buildings is not a requirement of the Council.

In light of the above, the increase in a residential use in the area would not have an adverse impact on the sustainability of the provision of industrial services as there are no surrounding industrial services.

Conclusion

This application seeks prior approval for the proposed change of use at 66 The Street, from Light Industrial (Use Class B1(c)) to Dwellinghouses (Use Class C3) under Class PA of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Development under Class PA is permitted on the condition that before beginning the development, 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:

- (i) "Transport and highways impact of the development;*
- (ii) Contamination risks in relation to the building;*
- (iii) Flooding risks on the site; and*
- (iv) Where the authority considers the building to which the development relates is located in an area that is important for providing industrial services or storage or distribution services or a mix of those services (which include, where the development relates to part of a building, services provided from any other part of the building), whether the introduction of, or an increase in, a residential use of the premises in the area would have an adverse impact on the sustainability of the provision of those services.*

And the provisions of paragraph W (prior approval) of this Part apply in relation to that application."

The Site falls within Flood Zone 1 and therefore a Flood Risk Assessment is not required. A Transport Statement and a Contaminated Land Risk Assessment have been submitted alongside this application and none of the above indicates any reasons why the proposed change of use of 66 The Street should not be allowed. The Site is not considered to be located in an area that is important for providing industrial services and furthermore, the introduction of residential within this area would not impact surrounding services.



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In light of the above, we trust you can consider this application favourably and we look forward to receiving confirmation that the application has been validated. In the meantime, if you require any further information or clarification please contact Victoria Bennion on 0207 399 5884.

Yours faithfully,

