Development Control – Delegated Officer Report

Application Number: **NOTICE/0004/14**

Recommendation – Prior Approval not required

Site: **6 High Street, Shoreham-By-Sea West Sussex, BN43 5DA**

Proposal: **Application for permitted development for prior approval for change of use of offices on first floor of Nos.6-8 High Street to 4 residential units**

Date of site visit: 19 May 2014

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

This is a notification of a proposed change of use of Class B1(a) offices to Class C3 (dwellinghouses). Such development became permitted under Class J of the GPDO amendments which were introduced in May 2013, subject to conditions and a prior approval process.

The site comprises a two storey building which is in use as offices on the first floor and as a shop the ground floor. It is located within the Shoreham Conservation Area within the primary shopping frontage of the High Street.

It is proposed to convert the upper floor to 4 flats. No details other than a plan showing the basic division of the first floor has been submitted. Access would be via steps at the rear which are currently enclosed by a corrugated sheet extension. The first floor is self contained and does not share access with the ground floor.

Several minor external changes are proposed to the building to facilitate the proposed development, which comprise the installation of one window at the rear and an increase in the size of another window at the rear. No parking is to be provided on site.

Relevant site history

None

Consultations

West Sussex County Council: The Highway Officer has no highway concerns. From an inspection of the plans alone, there is no apparent visibility issue at the point of access onto High Street.

The most recently available verified accident records reveal there have been no personal injury accidents in the vicinity of the existing point of access, indicating a low risk of highway safety issues with this proposal.

The conversion of an office into residential will generally result in a reduction of movements from the site. However, even if there is a small increase in movements there would not be a detriment to highway safety from this proposal.

Adur & Worthing Councils: The Environmental Health Officer advises that there may be asbestos in the building. There are concerns with the layout and access but he appreciates that he has limited scope to comment in this case. Furthermore, the High Street is an area severely affected by noise and air quality issues. Protection for the future occupants from noise and pollution should be included.

Representations

None received

Relevant Legislation

Town and Country Planning (General Permitted Development) Order 1995 (as amended), Schedule 2, Part 3, Class J

Planning Assessment

Policy and Principle

This is an application to determine whether the prior approval of the local authority is required. It is not therefore subject to the usual planning policy considerations or amenity standards. Paragraph N under Part 3 states that determination as to whether prior approval is required is limited to the following:

- Transport and highway impacts of the development – is the development likely to result in a material increase or a material change in the character of traffic in the vicinity of the site? If so, the LPA should consult the local highway authority.

- Contamination risks on the site – the LPA must determine whether, as a result of the proposed change of use, taking into account any mitigation, the site will be contaminated land as described in the Environmental Protection Act 1990. If the site is determined to be contaminated land, the LPA must refuse to give prior approval.

- Flooding risks on the site - LPA will be required to consult the Environment Agency where the development is in a Flood Zone

In this case, the Highway Authority has confirmed that it is not concerned at the highway aspects of this development. The site is not within a flood zone.

The site is not on potentially contaminated land.

Development under Class J is not permitted where –

- The building is on Article 1 (6A) land
- The building was not used for a use falling within Class B1 (a) offices immediately before 30 May 2013 or, if the building was not in use immediately before that date, when it was last in use
- The use of the building falling within Class C3 was begun after 30 May 2016
- The site is or forms part of a safety hazard area
- The site is or forms part of a military explosives storage area
- The building is a listed building or scheduled monument

None of the above applies in this case.

Assessment

The first floor is in use as offices under Class B1 (a). There are no conditions or legal agreements preventing a change of use of the building. The works to the building to implement the change of use are minor in nature and do not materially affect its external appearance. The proposed development complies with the requirements of Class J and the prior approval of the LPA is not required in this instance.

Recommendation

Prior approval not required

Informatives: To advise applicant of asbestos, layout, noise and air quality issues

Case Officer: Peter Barnett Date: 27 June 2014

Authorised by: Gary Peck Date: 27 June 2014