
**STATEMENT
PLANNING STATEMENT**

In respect, of

130 South Street Lancing West
Sussex BN15 8AU

Prior Approval for the change of use
of part of ground floor and first floor
(Class E) to self-contained flats.

1. SITE AND SURROUNDING AREA

- 1.1. The site is located on the western side of South Street, comprising a two-story building. The property is not listed nor does it fall within a conservation area. The site is located within Flood Zone 1 which has a low probability of flooding from seas, rivers and surface water.



2. PROPOSAL

- 2.1. Prior Approval under Schedule 2, Part 3, Class MA of the GDPO is sought for change of use from Use Class E to two residential units (Use Class 3).

3. RELEVANT PLANNING HISTORY

There is no relevant planning history in relation to the current proposal.

4. PLANNING CONSIDERATIONS

The application is a prior approval application under Class MA of Schedule 2, Part 3 of the General Permitted Development Order. As such the only issues for consideration are:

- whether the proposal satisfies all the qualifying requirements of Class MA;
- whether the proposal satisfies the qualifying requirement at Article 3 of the order that the requires all new dwellings permitted through Schedule 2 to meet Nationally Described Space Standards;
- whether the proposal satisfies the submission requirements of Paragraph W of Schedule 2, Part 3 of the order (these are listed in the table below); and
- whether the proposal is acceptable in terms of the relevant considerations of Class MA of the order (these are listed in the table below)

Class MA – change of use from Class E to Class C3	COMPLY	FAIL	N/A
MA.1			
(1) Development is not permitted by Class MA unless:			
(a) the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval	Omitted through Statutory Instrument 2024 No. 141 on 5 March 2024.		
(b) unless the use of the building fell within one or more of the classes specified below for a continuous period of at least 2 years prior to the date of the application for prior approval: The following classes of the Schedule as it had effect before 1st September 2020—	X		

<ul style="list-style-type: none"> i. Class A1 (shops); ii. Class A2 (financial and professional services); iii. Class A3 (food and drink); iv. Class B1 (business); v. Class D1(a) (non-residential institutions – medical or health services); vi. Class D1(b) (non-residential institutions – crèche, day nursery or day centre); vii. Class D2€ (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink; <p>Or after 1st September 2020, Class E (commercial, business and service) of Schedule 2.</p>			
<p>(c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres</p>	<p>Omitted through Statutory Instrument 2024 No. 141 on 5 March 2024.</p>		
<p>(d) if land covered by, or within the curtilage of, the building:</p>			
<ul style="list-style-type: none"> i. is or forms part of a site of special scientific interest; 	X		
<ul style="list-style-type: none"> ii. is or forms part of a listed building or land within its curtilage; 	X		
<ul style="list-style-type: none"> iii. is or forms part of a scheduled monument or land within its curtilage; 	X		
<ul style="list-style-type: none"> iv. is or forms part of a safety hazard area; or 	X		
<ul style="list-style-type: none"> v. is or forms part of a military explosives storage area; 	X		
<p>(e) if the building is within:</p>			
<ul style="list-style-type: none"> i. an area of outstanding natural beauty 	X		
<ul style="list-style-type: none"> ii. an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981 	X		
<ul style="list-style-type: none"> iii. the Broads 	X		
<ul style="list-style-type: none"> iv. a National Park 	X		
<ul style="list-style-type: none"> v. a World Heritage Site 	X		

<p>(f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or</p>	<p>X</p>		
<p>(g) before 1 August 2022, if—</p>			
<p>i. the proposed development is of a description falling within Class O of Part 3 of Schedule 2 to the GPDO (change of use from offices to dwellinghouses) immediately before 1st August 2022; and</p>	<p>X</p>		
<p>ii. the proposed development is of a description falling within Class O of Part 3 of Schedule 2 to the GPDO (change of use from offices to dwellinghouses), and the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of an Article 4 direction which is still in force.</p>			

<p>MA.2 (2) Before beginning development under Class MA, 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:</p>	
<p>(a) transport impacts of the development, particularly to ensure safe site access;</p> <p>The subject site is located just outside of the CPZ. There are ample of on-street parking space at the front and back of the site. This is no different from the present arrangement.</p> <p>MA.2(2)(a) is primarily concerned with safe site access. Based on the parking arrangement, number of trips generated by the proposal and provision of cycle parking spaces, there is no impact to safe site access or highway safety.</p>	<p>Complies - No objection</p>
<p>(b) contamination risks in relation to the building</p> <p>The submission includes a Preliminary Risk Assessment which raises no objection.</p>	<p>No Objection</p>

<p>(c) flooding risks* in relation to the building</p> <p>The site is located in Flood Zone 1 and is not subject to surface water flooding, therefore, no flood risks require mitigation.</p>	
<p>No Objection</p>	
<p>(d) impacts of noise from commercial premises on the intended occupiers of the development;</p> <p>The site is located in area of mixed residential and commercial occupancy. There are no uses in the immediate area to pose a risk of noise from commercial premises.</p>	
<p>No Objection</p>	
<p>(e) conservation area:</p> <p>(i) the building is located in a conservation area, and (ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;</p> <p>Not applicable.</p>	
<p>No Objection</p>	
<p>(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;</p> <p>Both flats would have dual aspect windows, overall, the proposal achieves acceptable levels of daylight and sunlight to all dwellings.</p>	
<p>No Objection</p>	
<p>(g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses;</p> <p>Not applicable.</p>	
<p>No Objection</p>	

<p>(h) where the development involves the loss of services provided by:</p> <ul style="list-style-type: none"> (i) a registered nursery, or (ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006(2), the impact on the local provision of the type of services lost. <p>Not applicable</p>	
<p>No Objection</p>	
<p>(i) where the development meets the fire risk condition*, the fire safety impacts on the intended occupants of the building</p> <p><i>*A building less than 18 metres high and consists of fewer than 7 storeys would not require the risk provision for assessment in consultation with the Health and Safety Executive</i></p> <p>The building is less than 18 metres high and less than 7 storeys.</p>	
<p>No Objection</p>	
<p>(3) An application for prior approval for development under Class MA may not be made before 1 August 2021.</p>	
<p>No Objection</p>	
<p>4) The proposal satisfies the submission (plans, supporting information and due consultation) requirements of Paragraph W of Schedule 2, Part 3 of the order.</p>	
<p>No Objection</p>	
<p>(5) Development must be completed within a period of 3 years starting with the prior approval date.</p> <p>The applicant agrees to this condition.</p>	
<p>No Objection</p>	
<p>(6) Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.</p> <p>The applicant agrees to this condition.</p>	
<p>No Objection</p>	
<p>Nationally Described Space Standards</p>	

<p>The proposal satisfies the qualifying requirement at Article 3 of the order that the requires all new dwellings permitted through Schedule 2 to meet Nationally Described Space Standards:</p> <p>Nationally Described Space Standards are met.</p>	
<p>No Objection</p>	
<p>Conclusion</p> <p>The proposal as described within the application would constitute Permitted Development under Article 3(1) and Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).</p>	