

Prior Approval Application: Office to Residential

**Watercress Beds, Springwell Lane, Harefield,
Rickmansworth WD3 8UX**



Planning Statement, November 2020

1. INTRODUCTION

- 1.1 This statement is to support the Prior Approval application for a change of use of a building at Watercress Beds, Springwell Lane from office use to residential.
- 1.2 Watercress Beds is a former garden nursery site located in the Green Belt to the south-west of Rickmansworth. It is bordered by Springwell Lake to the west, and the River Colne to the east and south. The site is accessed via a private drive leading off Springwell Lane to the north.

2. ACCORDANCE WITH THE GDPO

- 2.1 The wider site gained planning permission in August 1990 for “*change of use of watercress beds to garden nursery; erection of associated shop and office building; erection of a bungalow and ancillary parking*” (24597A/89/1968). The documents relating to this application are included at Appendix 1. The approved drawings show the bungalow which is the subject of this application as “*shop/office building*”. Condition 12 of this planning permission states as follows:

“The sales building/office/store shall be used for purposes solely in connection with the garden centre operations.”

- 2.2 The Planning Practice Guidance at para. 017 states that:

“Conditions restricting the future use of permitted development rights or changes of use may not pass the test of reasonableness or necessity. The scope of such conditions needs to be precisely defined, by reference to the relevant provisions in the Town and Country Planning

(General Permitted Development) (England) Order 2015, so that it is clear exactly which rights have been limited or withdrawn."

2.3 This was upheld at an appeal relating to the residential conversion of offices in Leicestershire, where the Inspector found that a condition on the original consent limiting the building to B1 use was of no effect, because the rights conferred by the GPDO were not explicitly withdrawn in the wording of the condition.

2.4 Similarly, Condition 12 of the original planning permission does not explicitly withdraw rights conferred by the GDPO.

2.5 The GDPO at Schedule 2, Part 3, Class O allows:

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

2.6 It then sets out criteria that permitted development must meet. The proposal meets these criteria because:

- the building was used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order on May 2013
- the site does not form part of a safety hazard area or a military explosives storage area
- the building is not listed or within the curtilage of a listed building, and is not/does not contain a scheduled monument

2.7 The building was used for B1(a) offices on May 2013. The following evidence is provided:

- Original sales brochure dated 19th June 2013 referring to the building as a “detached office building” (see Appendix 2).
- Images showing office furniture (see Appendix 3)

2.8 The GDPO goes onto say that:

“Development under Class O is permitted subject to 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—

*(a)transport and highways impacts of the development,
 (b)contamination risks on the site,
 (c)floodings risks on the site,
 (d)impacts of noise from commercial premises on the intended occupiers of the development,
 (e)the provision of adequate natural light in all habitable rooms of the dwellinghouses.”*

2.9 These are addressed below.

Transport and highways impacts

2.10 The change of use of this building to a single-family house would not result in any transport or highways impacts, over and above those of the previous office use, when employees would have been travelling to and from the site each day.

Contamination risks

2.11 We are not aware of any contamination risks on the site.

Flooding

- 2.12 The site is in flood zone 1, an area with a low probability of flooding (see Appendix 4).

Impacts of noise from commercial premises on the intended occupiers of the development

- 2.13 There will be no commercial noise impacts on the intended occupiers of the development.

The provision of adequate natural light in all habitable rooms of the dwellinghouses

- 2.14 The house has plenty of windows, with natural light to all rooms.

3. CONCLUSION

- 3.1 There is clear evidence to demonstrate that the site at Watercress Beds meets the requirements of the GDPO, Schedule 2, part 3, Class O.
- 3.2 There will be no impacts in terms of transport and highways, contamination, flooding or noise and the building receives adequate natural light.
- 3.3 Prior approval should therefore be granted.