

# PLANNING STATEMENT

**CHANGE OF USE OF BUILDING TO FLEXIBLE/DUAL USE –  
VEHICLE SALES WORKSHOP FOR DISPLAY AND SALE OF VEHICLES  
TOGETHER WITH VEHICLE PREPARATION, VALETING AND CARRYING  
OUT OF PRE-SALES SAFETY CHECKS (SUI GENERIS); OFFICE AND  
MOT CENTRE (USE CLASS E(G)); NEW WINDOWS AND MEZZANINE**

**BAYNARDS MOTOR COMPANY  
ROWHOOK HILL FARM  
BOGNOR ROAD  
BROADBRIDGE HEATH  
HORSHAM  
RH12 3PS**

**Submitted on behalf of:  
Baynards Motor Company**

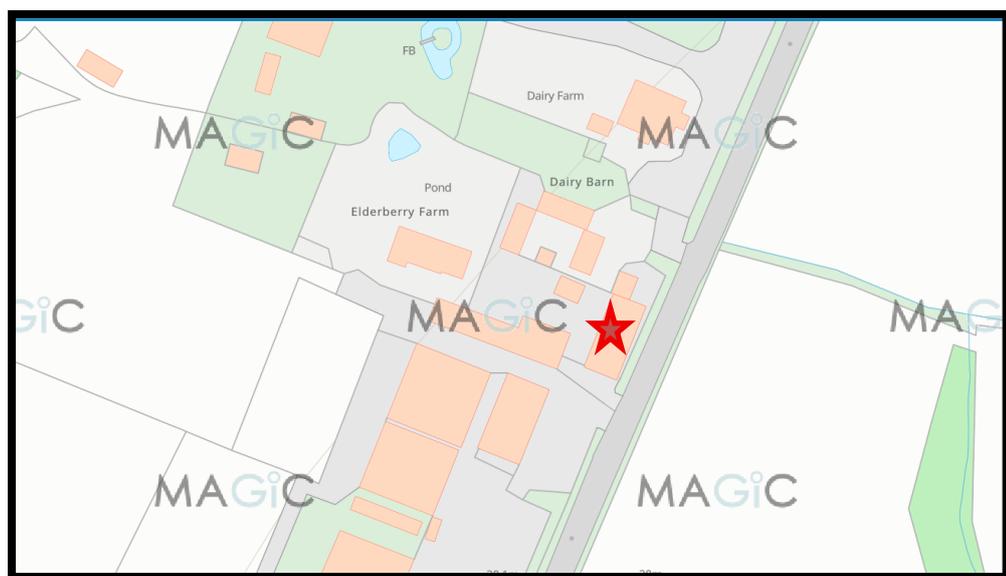
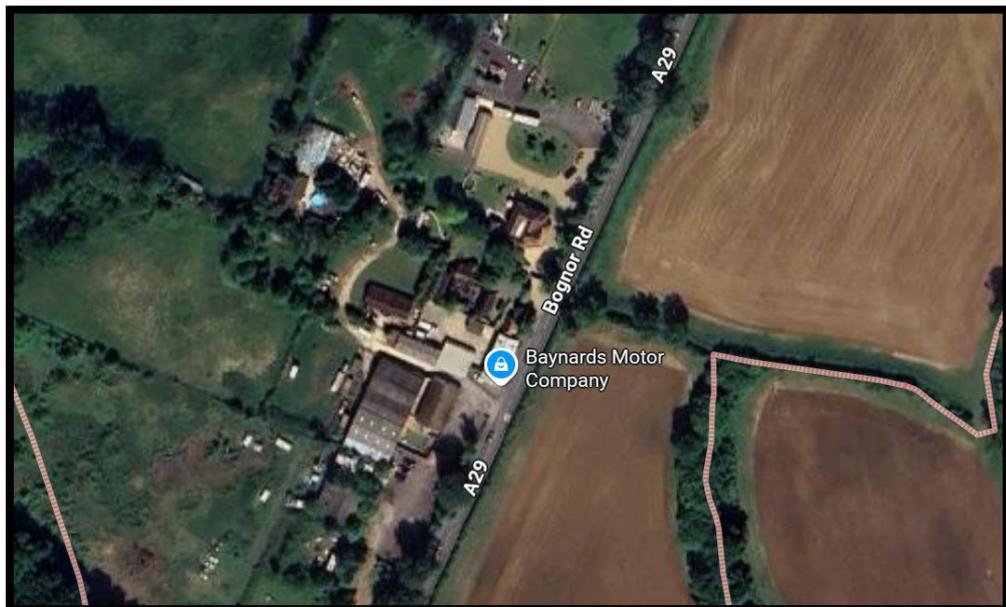
December 2025

## **1.0 INTRODUCTION**

- 1.1 This statement has been prepared in support of an application for a change of use of the detached building at the front of the site. A flexible / dual permission is sought, allowing the applicant to switch between the specified planning uses without the need for multiple planning permissions. In this case, the building would be used for both Class E(g) and a vehicle sales/valeting/preparation workshop (sui generis) uses.
- 1.2 The building is currently in use as a vehicle sales/valeting/preparation workshop, as approved under application DC/14/0135. A Class B1 office, now Class E(g)(i) was approved under application DC/17/2652. This application also seeks permission for use of the building as a MOT Centre, a Class E(g)(iii) use. Minor external alterations are also proposed, with new windows proposed to the South and West elevations.
- 1.3 Within this statement we set out the context of the planning application and provide a description of the proposed development. We then provide an assessment of the proposal, demonstrating that the scheme is acceptable having regard to relevant planning policies and any other material considerations, such that planning permission should be approved.
- 1.4 This application is accompanied by the following documentation:
- Location plan
  - Block plan
  - Existing and proposed floor plans
  - Existing elevations
  - Proposed elevations
  - Evidence of MOT centre as Class E
  - Copy of Statutory Instrument 2020 No.757
- 1.5 The remainder of this supporting statement will cover:
2. Application site and planning history
  3. Proposed development
  4. Planning policy
  5. Planning assessment
  6. Summary and conclusion

## 2.0 APPLICATION SITE AND PLANNING HISTORY

- 2.1 The site falls outside of any identified settlement boundary; however, the site is not within the Green Belt, nor within any protected landscape designations.
- 2.2 The application site is located on the west side of Bognor Road, within a cluster of mixed use buildings within what is otherwise a rural locality. There are residential properties to the north and west of the site, and small businesses/workshops and offices, as well as a residential dwelling to the south.
- 2.3 The site is illustrated in the aerial photograph and mapping extract below:



2.4 The existing building is shown in the photograph below:



*Application building*

2.5 Access is gained via an existing shared driveway off Bognor Road:



*Street view (source: Google June 2024)*

2.6 The existing access from the highway (Bognor Road) will be unaffected by this proposal. The site will continue to benefit from the existing visibility splays.

2.7 The site has an extensive planning history, the most recent of which is relevant for consideration in the determination of this application is set out below:

Reference	Description	Decision
<b>WN/5/85</b>	Use of barn for sale of motor vehicles	Permitted
<b>WN/32/91</b>	Renewal of permission & variation of condition 05 on WN/5/85 for sale of & display of 14 motor vehicles	Permitted
<b>WN/47/97</b>	Removal of condition 1 from WN/32/91	Permitted
<b>WN/8/02</b>	Variation of conditions 4,5,6 & 7 on WN/32/91 relating to the number and location of vehicles on the site	Permitted
<b>DC/14/0135</b>	Proposed replacement vehicle sales workshop	Permitted
<b>DC/15/1200</b>	Proposed replacement vehicle sales workshop and relocation of vehicular access	Refused
<b>DC/16/2375</b>	Erection of a 7 new residential dwellings in two blocks with associated parking and amenity space	Refused, Appeal Dismissed
<b>DC/17/2652</b>	Change of use for existing building to Class B1 (office) and Class B8 (storage) uses	Approved 24.01.2018
<b>DC/18/0590</b>	Erection of a new open bay, timber garage building	Refused

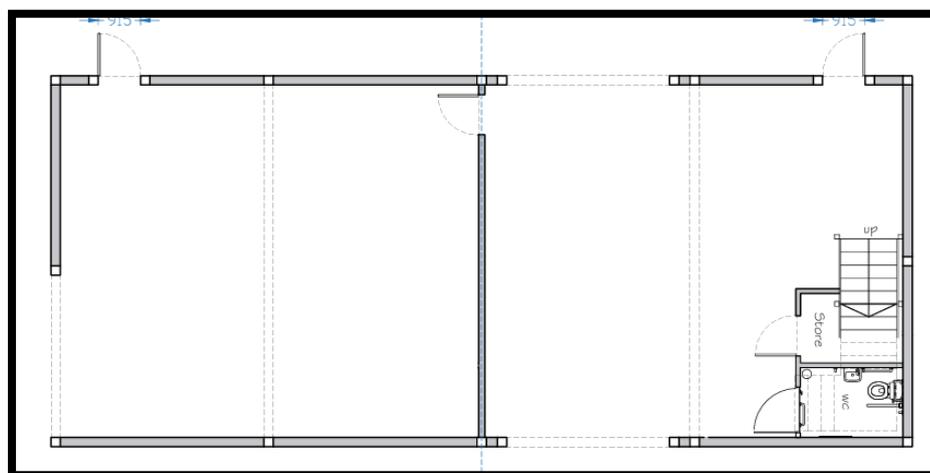
2.8 The most relevant decisions pertinent to the determination of this current application are **highlighted red** in the table above.

### 3.0 PROPOSED DEVELOPMENT

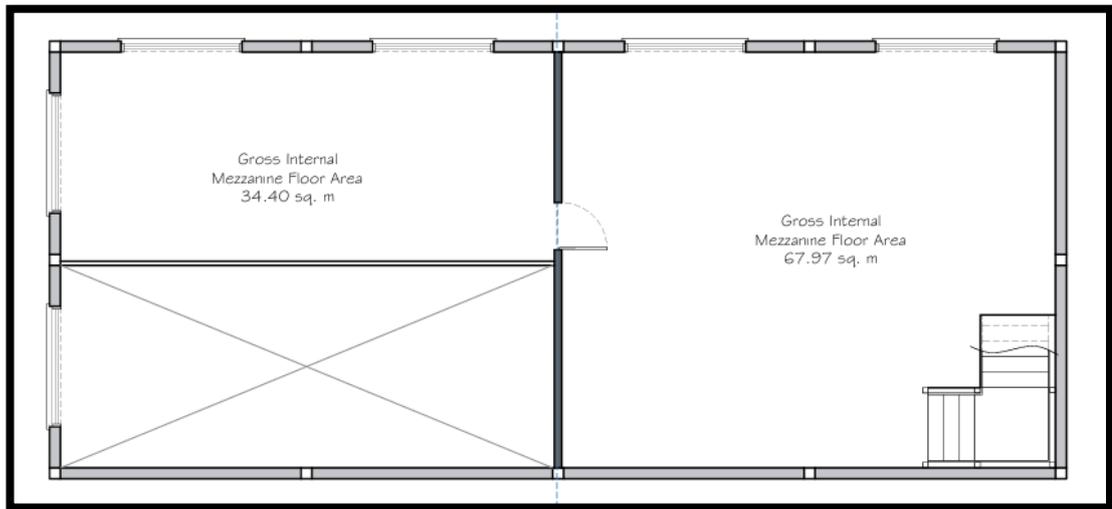
- 3.1 This application seeks planning permission for a flexible / dual use, which will allow the building to be used for both Class E(g) and a vehicle sales/valeting/preparation workshop (sui generis) uses.
- 3.2 This flexible permission would allow the applicant to switch between the two authorised uses as many times as needed within the timeframe (10 years) without needing a new permission. This is controlled under permitted development rights (Class V of Part 3 of Schedule 2) of the General Permitted Development (England) Order (2015) as amended. At the end of the 10 year period, whichever use is functioning at the time becomes the permanent lawful use of the building.
- 3.3 The building is currently in use as a vehicle sales/valeting/preparation workshop (sui generis), as approved under application DC/14/0135. A Class B1 office (was approved under application DC/17/2652. This is now classified as a Class E(g)(i) use. This application also seeks permission for use of the building as an MOT Centre, another Class E(g) use, under subsection (iii).
- 3.4 Minor external alterations are also proposed, with new windows proposed to the South and West elevations. A mezzanine floor will also be added. All of these alterations have previously been considered acceptable by the LPA and approved under application DC/17/2652.

#### Amount and Layout:

- 3.5 The floor plan extract below shows the proposed ground floor layout:



3.6 The proposed first floor mezzanine is shown below:



Access and parking:

3.7 Access to the site will remain unchanged. Vehicles will access the building from both the principal (West) elevation, i.e., the elevation facing into the yard and the South elevation. Both of these elevations have existing vehicular access doors.

Scale and Appearance:

3.8 New windows are proposed on the South and West elevations. These are identical to those previously approved under application DC/17/2652.

Landscaping:

3.9 The site around the building is almost entirely laid to hardstanding. No alterations are proposed to these hardstanding areas.

#### 4.0 **PLANNING POLICY**

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.

4.2 The National Planning Policy Framework (NPPF) 2024 is a material consideration in the determination of this case and the following are considered relevant:

- Chapter 6: Building a strong, competitive economy
- Chapter 11: Making effective use of land
- Chapter 12: Achieving well designed places

4.3 Paragraph 88 states:

*“Planning policies and decisions should enable:*

*a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;*

*b) the development and diversification of agricultural and other land-based rural businesses...”*

4.4 The development plan comprises the Horsham District Planning Framework (HDPF) and the following policies are relevant:

Policy 1: Strategic Policy: Sustainable Development

Policy 3: Development Hierarchy

Policy 7: Strategic Policy: Economic Growth

Policy 10: Rural Economic Development

Policy 26: Countryside Protection

Policy 33: Development Principles

## 5.0 PLANNING ASSESSMENT

### Principle of development

#### 5.1 Policy 1 states:

*“When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.*

*Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.”*

#### 5.2 Policy 3 states:

*“within built-up area boundaries development is accepted in principle, whereas land outside these boundaries is considered to be in the countryside and development will be more strictly controlled”.*

5.3 It is acknowledged that the site is located outside of the built-up area, within the countryside. However, all relevant policies from the HDPF must be viewed as a whole. These are considered in the following paragraphs.

5.4 Policy 7 encourages the *“Redevelopment, regeneration, intensification and smart growth of existing employment sites”*.

5.5 Paragraph 5.15 states *“it is important to recognise that the rural character of the district means that the wider rural economy is also important”*.

#### 5.6 Policy 10 states:

*“Sustainable rural economic development and enterprise within the district will be encouraged in order to generate local employment opportunities and economic, social and environmental benefits for local communities. In the countryside,*

*development which maintains the quality and character of the area, whilst sustaining its varied and productive social and economic activity will be supported in principle.”*

- 5.7 This proposal does not result in the loss of existing employment floor space but will allow for an appropriate re-use of a rural building and result in a more effective use of an existing employment site.
- 5.8 It is acknowledged that the site is located outside of the built-up area. However, the site is a long and well-established commercial site. It is not an undeveloped countryside site and the proposed commercial uses would respect the established residential uses which surround the site to the North, South and West.

Two proposed uses:

Sui generis:

- 5.9 The building is currently in use as a vehicle sales/valeting/preparation workshop (sui generis), having been deemed an appropriate use for the site and granted planning permission under application DC/14/0135. The applicant wishes to retain the flexibility of using the building for this use.

Class E(g) (office and MOT centre):

- 5.10 A Class B1 office was approved under application DC/17/2652. This is now a Class E(g)(i) use. The applicant wishes to retain the flexibility of using the building for this use.
- 5.11 This application also seeks permission for use of the building as an MOT Centre (another Class E(g) use).
- 5.12 The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories.
- 5.13 Traditionally, MOT centres have been classified as B2 uses. In the 1987 version of the Use Classes Order, Class B2 (General industrial uses) were defined as “*carrying on of an industrial process other than one falling within class B1 above or within*”

*classes B3 to B7 below.” As such, they were not considered to be appropriate within residential areas.*

5.14 However, changes were made to the Use Classes Order in 2020; these changes are relevant to the determination of this application, as the definition of what constitutes an industrial process has been revised.

5.15 Under The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (Statutory Instrument (SI) 2020 no.757) B2 General industrial was redefined as follows:

*“Use for the carrying on of an industrial process other than one falling within the uses described in Schedule 2, Class E, sub-paragraph (g).” (our emphasis)*

5.16 This SI can be viewed at:

<https://www.legislation.gov.uk/uksi/2020/757>

5.17 Paragraph 7.7 of the accompanying Explanatory Memorandum to the SI highlights that Class B2 remains unchanged “ *except for a new cross reference in B2 to the new ‘commercial’ class.*”

5.18 New Use Class E was added - Commercial, Business and Service – and the relevant criteria for the purposes of this application is (g):

*(g) for—*

*(i) an office to carry out any operational or administrative functions,*

*(ii) the research and development of products or processes, or*

*(iii) any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.” (our emphasis)*

5.19 The proposed use of the application building as an MOT centre falls under the definition of Class E(g), i.e., it is a use that can be carried out in a residential area without detriment to the amenity of that area.

5.20 Car and motorcycle repairs tend to involve industrial processes that might include noise, chemicals, fumes, etc.. These uses are likely to be considered B2 (as per their previous, traditionally defined uses).

- 5.21 However, an MOT centre operates very differently. At an MOT test centre, a qualified technician performs a safety and environmental check of vehicles, inspecting critical components like brakes, lights, steering, tires, and suspension to ensure they meet roadworthiness standards. There is no servicing of vehicles, and no repairs take place. There is therefore no noisy equipment being used that could harm the residential amenities of neighbouring residents.
- 5.22 The use of the building as an MOT centre is therefore significantly and materially different to a building being used for car and motorcycle repairs. An MOT centre can operate in a residential area without detriment to the amenity of that area. This MOT centre use therefore falls under Use Class E(g).
- 5.23 We therefore contend that the use of the building as a Class E(g) MOT centre is entirely appropriate and acceptable for this site.

## **6. SUMMARY AND CONCLUSION**

- 6.1 This statement has set out the details of the proposal, which involves the change of use of a detached building located at the front of the site to a flexible use, to include Class E(g) office, Class E(g) MOT centre and sui generis vehicle sales/valeting/preparation workshop.
- 6.2 It has been demonstrated that the principle of development is acceptable, being an appropriate re-use of a rural commercial building. It is material to note that that the vehicle sales/valeting/preparation workshop use has existed on site since it was granted permission in 2014. Furthermore, the LPA granted planning permission for a B1 office, now Class E(g), in 2017 after deeming the use appropriate and acceptable.
- 6.3 It has been shown that the recent 2020 update to the Town and Country Planning Use Classes Order, i.e., the amended definition to Class B2 and the introduction of Class E, means that the MOT centre use can be classed as a Class E(g) use. This is an entirely acceptable use in a residential area.
- 6.4 We trust that the LPA agrees with this assessment and can issue a flexible permission for the Class E(g) and sui generis uses described.