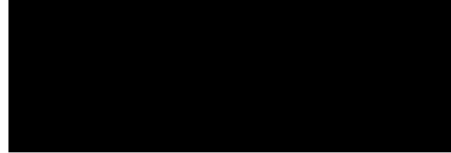


# DAVID HARRIS BTP. MRTPI.

## Chartered Town Planner

### Planning & Development Consultant

45, Langley Grove,  
Aldwick,  
Bognor Regis,  
West Sussex,  
PO21 4LJ.



My Ref. PD/BR/13

30<sup>th</sup> April 2013.

Dear Sir/Madam,

**Application for a Lawful Development Certificate for a Proposed Use as two flats at Nos. 1 and 2, Sidlaw Terrace, Clarence Road, Bognor Regis, West Sussex.**

I refer to the above and enclose herewith the completed application forms together with drawings showing the existing and proposed floor plans. It will be noted that there are no changes proposed to the elevations.

Each flat would comprise entrance hall with living room and kitchen, bedroom and bathroom with a small store at the rear. Access would remain as at present, up the frontage steps from Clarence Road.

For information purposes, photographs showing the existing office (A2) use at lower ground floor are submitted as part of the application. The entrance door to the offices via steps down from Clarence Road has a sign indicating the Company name.

A cheque to the value of £385 is enclosed being the required fee.

The premises the subject of the application have been vacant for four years and were previously occupied by an A2 user being a firm of Chartered Accountants.

Whilst Clarence Road is not within the town centre shopping area it is nevertheless within a town centre location. As long ago as the early 90's the Government recognised that significant areas of first floor accommodation above shops in town centres were vacant, leading to wasted floorspace as well there being an opportunity to introduce residential accommodation into town centres that would add to the vitality of the area as well as increasing security at night by having people living there.

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Accordingly, an initiative was launched by the Government known as the "Living above the shop scheme" that was funded by various bodies including some Local Authorities. This met with limited success.

In order therefore to make residential accommodation more easily achievable, amendments were made to The Town and Country Planning (General Permitted Development) Order 1995 that not only applied to vacant space above shops but also above A2 users.

Schedule 2 Part 3 Class F to the Order states :-

**Permitted development**

*Development consisting of a change of a use of a building-*

- (a) to a mixed use for any purpose within Class A1 (shops) of the Schedule to the Use Classes Order and as a single flat, from a use for any purpose within Class A1 of that Schedule;*
- (b) to a mixed use for any purpose within Class A2 (financial and professional services) of the Schedule to the Use Classes Order and as a single flat, from a use for any purpose within Class A2 of that Schedule;*
- (c) where that building has a display window at ground floor level, to a mixed use for any purpose within Class A1 (shops) of the Schedule to the Use Classes Order and as a single flat, from a use for any purpose within Class A2 (financial and professional services) of that Schedule.*

**F.1 Conditions**

*Development permitted by Class F is subject to the following conditions -*

- (a) some or all of the parts of the building used for any purpose within Class A1 or Class A2, as the case may be, of the Schedule to the Use Classes Order shall be situated on a floor below the part of the building used as a single flat;*
- (b) where the development consists of a change of use of any building with a display window at ground floor level, the ground floor shall not be used in whole or part as the single flat;*
- (c) the single flat shall not be used otherwise than as a dwelling (whether or not as a sole or main residence) -*
  - (i) by a single person or by people living together as a family, or*
  - (ii) by not more than six residents living together as a single household (including a household where care is provided for residents).*

The Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2012 amended the above 1995 Order to allow "up to two flats".

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**Page 2.**

**From the submitted drawings and photographs it can be seen that the lower ground floor of the premises comprises accountant's offices and none of that lower ground floor area is to be used as part of either of the proposed two flats.**

**Given the above information and references to the relevant legislation it is submitted that a Certificate of Lawfulness for the use of Nos. 1 and 2, Sidlaw Terrace, Clarence Road, Bognor Regis as flats should be granted.**

**Please let me know if you require any further information.**

**Yours faithfully,**



**David Harris.**