



Smith  
Simmons  
& Partners

# PLANNING DESIGN & ACCESS STATEMENT

Change of use of upper floors at no. 1 Sudley Terrace and additional storey to match nos. 3-4 Sudley Terrace to provide 4 no. 1-bed flats and associated works

1&2 Sudley Terrace Bognor Regis PO21 1EY

MAY 2025



Planning, Architecture & Land Promotion



RTPI  
Royal Town Planning Institute



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## 1.0 INTRODUCTION

- 1.1 This Planning, Design & Access Statement accompanies a full planning application for the change of use of the upper floors of no. 1 Sudley Terrace and the provision of an additional storey to match nos. 3 & 4 Sudley Terrace to provide 4 no. 1-bed flats and associated works at 1 and 2 Sudley Terrace, Bognor Regis PO21 1EY.
- 1.2 The application has been prepared with due regard to the character and appearance of the site and the surrounding area; its relationship with existing neighbouring properties and relevant planning policy. The application site is located within the Built-Up Area Boundary of Bognor Regis, one of the main settlements within Arun District and considered to be highly sustainable. The proposal seeks to provide units of accommodation in this location, in a car free development, where the site is located close to the services and facilities of the town; its parks, gardens and beaches; its strong transport links and mainline railway station.
- 1.3 The Council's most recent 5-year housing land calculation taken from the draft Annual Monitoring Statement dated January 2025 indicates that ADC 5 year Housing land supply has dropped from 4.17 to 3.41 and in this respect the Local Plan is not up to date. The presumption in favour of sustainable development (the tilted balance) is therefore engaged for the proposal with regards to paragraph 11 (Part D) of the NPPF.
- 1.4 Plans and information submitted in support of the application comprise the following:
  - Location Plan, no. 1817/DP01 Rev 01
  - Block Plan, no. 1817/DP02 Rev 01
  - Existing Ground & First Floor plan, 1817/DP03 Rev 01
  - Existing Second Floor & Roof Plan, 1817/DP04 Rev 01
  - Existing South Elevation, 1817/DP05 Rev 01
  - Existing North & East Elevation, 1817/DP06 Rev 01
  - Proposed Ground & First Floor Plan, 1817/DP07 Rev 01
  - Proposed Second & Thrd Floor Plan, 1817/DP08 Rev 01
  - Proposed Roof Plan, no. 1817/DP09 Rev 01
  - Proposed South Elevation, no. 1817/DP10 Rev 01
  - Proposed North & East Elevations, plan no. 1817/DP11 Rev 01
  - Proposed Bin Store Plans, plan no. 1817/DP12 Rev 01
  - Planning Design & Access Statement prepared by Smith Simmons & Partners
  - Phase 1 Day Time Bat Survey, prepared by Dr J Denton dated March 2025
  - Highways Technical Note TN01, prepared by Motion dated May 2025



## 2.0 THE SITE & SURROUNDINGS

- 2.1 1 & 2 Sudley Terrace are located at the eastern end of Sudley Terrace on the High Street within the major town of Bognor Regis. The proposal relates to the change of use of the first and second floors of no. 1 Sudley Terrace from a solicitor's office to 2 no. 1-bed flats and the provision of an additional storey across the pair of properties, to match the additional storey at 3 & 4 Sudley, to create a further 2 no. 1-bed flats.
- 2.2 1 & 2 Sudley Terrace currently comprises three storeys with white painted rendered elevations with flat roof set behind a parapet. No. 1 features a bay window at first floor level to the front (south) elevation. The attached properties at 3 & 4 Sudley Terrace have an additional storey within a mansard roof with dormer windows within the front and side elevations. The building on the opposite side of Sudley Road on Albert Terrace also features a third floor with mansard roof, in the same style. The neighbouring building to the east of 1 Sudley Terrace is relatively modern with brick elevations and is also four storeys in height, whilst projecting slightly forward of 1 Sudley Terrace. The area is characterised by close knit development mainly of traditional design with some modern infill of varying height mainly between three and four storeys.
- 2.3 The site is sustainably located within the town centre of Bognor Regis and within Flood Zone 1, being at the lowest risk from flooding, however, within an area at risk of ground water flooding. The properties are not listed and are not located within an area of special character. The Bognor Club at no. 2 Sudley Road to the northwest of the site is the closest listed building to the site.
- 2.4 As illustrated on the site location plan below at Figure 1 the existing property is set back from the road frontage and in line with the adjoining properties comprising the rest of the terrace to the west. Limited car parking is available forward of the ground floor units. The site is sustainably located close to local parks and gardens and transport links such as the mainline train station.

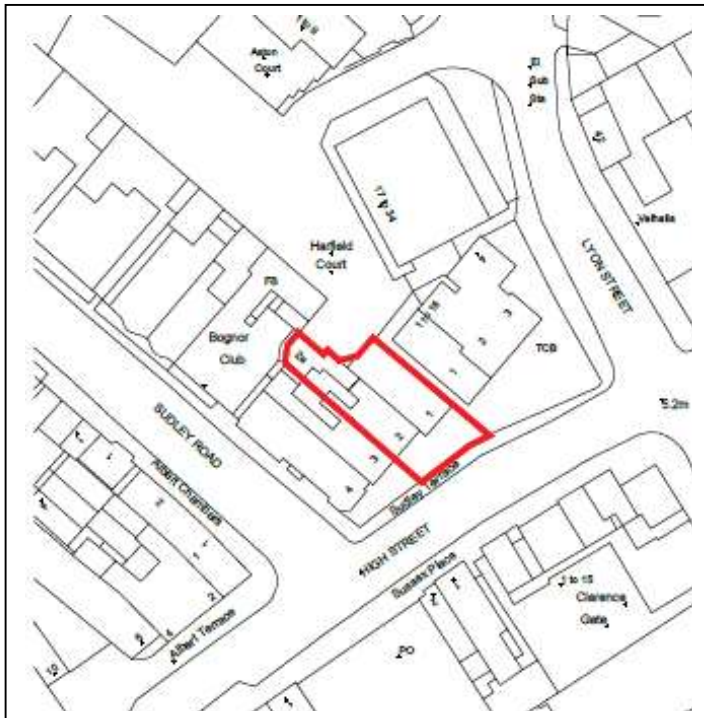


Figure 1. Site location plan



## 3.0 PLANNING HISTORY OF THE SITE

- 3.1 The first and second floors of 2 Sudley Terrace received planning permission for conversion into two self-contained one-bedroom flats under LA Ref: BR/260/00. Following subsequent planning permission LA Ref: BR/328/02 Shelley House (3 & 4 Sudley Terrace) was converted at first and second floors from redundant office space to 6 no. 1-bed flats in 2003. The amount of residential accommodation was subsequently increased by implementation of planning permission LA Ref: BR/207/03 for 2 no. two bedroom flats on the roof of Shelley House which was approved in July 2003.
- 3.2 It has therefore been accepted that residential uses are appropriate within the upper floors of these properties and a precedent for an additional storey has been established. The potential for carrying out the change of use from office has been considered in relation to prior approval criteria. In terms of the change of use the proposals for the change of use of the upper floors of 1 Sudley Terrace would be covered under Class MA of the GPDO. There is no limit to the area of floor space that can be converted under Class MA and there is no requirement for the building to have been vacant for a period prior to submission of an application for prior approval. In all respects the change of use at 1 Sudley Terrace complies with the criteria of Class MA.
- 3.3 In relation to the additional storey, this is covered by Class AB of the GPDO, and development is not permitted under Class AB if the building was constructed before 1st July 1948. There is history on ADC's website for the properties at 1 & 2 Sudley Terrace dating back to 1950 when change of use was sought and, whilst it has not been possible to confirm the buildings age, it is assumed that the properties pre-date 1948. As such the change of use and the additional storey are submitted as one application for completeness, however the fallback position is that the change of use could occur via Prior Approval rather than an application for full planning permission.



## 4.0 RELEVANT PLANNING POLICIES

### National Planning Policy

- 4.1 The National Planning Policy Framework (NPPF) was updated in December 2024. Paragraph 11 confirms that at the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking this means:
- approving development proposals that accord with an up-to-date development plan without delay; or
  - where there are no relevant development plan policies, or the policies which are most important for determining the application area out-of-date, granting planning permission unless:
    - the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed,
    - or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 4.2 Paragraph 90 requires decisions to support the role that town centres play at the heart of local communities and part (f) states policies should recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.
- 4.3 Section 11 para 124 sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes. Section (d) supports promotion and development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively, and part (e) supports opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions – including mansard roofs – where the development would be consistent with the prevailing form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.
- 4.4 The importance of maintaining a 5-year housing land supply is set out in section 5 of the NPPF. Paragraph 60 states that to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Paragraph 68 requires planning authorities to identify a five-year supply of deliverable sites for housing.
- 4.5 The Council's most recent 5-year housing land calculation taken from the draft Annual Monitoring Statement dated January 2025 indicates that ADC 5 year Housing land supply has dropped from 4.17 to 3.41 and in this respect the Local Plan is not up to date. The presumption in favour of sustainable development (the tilted balance) is therefore engaged for the proposal with regards to paragraph 11 (Part D) of the NPPF. Applications should only be refused where there are other policies protecting assets or areas of particular importance that provide a clear reason for refusing it or there are other adverse impacts that outweigh the benefits.



- 4.6 Paragraph 129 achieving appropriate densities requires development to make efficient use of land. Section 12 concerns design and informs that achieving well-designed places is one of the key components of achieving sustainable development.
- 4.7 The proposal would help meet future housing needs and create/maintain construction jobs and result in additional spending to support the town centre by future residents
- 4.8 On design, paragraph 135 of the NPPF requires decisions to ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 4.9 The Conservation and Enhancement of the Natural Environment is covered in section 15 of the NPPF and part 16 refers to the historic environment. Paragraph 212 states that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be), irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'

## Arun Local Plan 2011-2031

- 4.10 Local Plan policy relates to the Arun Local Plan. The relevant policies are Policy D DM1 Aspects of Form and Design Quality, D DM2 Internal Space Standards, D DM4 Extensions & Alterations to Existing Buildings, D SP1 Design, ECC SP1 Adapting to Climate Change, ENV DM2 Pagham Harbour, EMP DM1 Employment Land, RET SP1 Hierarchy of Town Centres, QE SP1 Quality of the Environment, HER SP1 The Historic Environment, HER DM1 Listed Buildings, SD SP1 Sustainable Development, SD SP2 Built-up Area Boundary, T DM1 Sustainable Travel and Public Rights of Way, T SP1 Transport and WM DM1 Waste Management.
- 4.11 Policy D SP1 requires all development proposals to make efficient use of land and reflect character, density and scale. Policy D DM1 sets out that development proposals will be considered with regard to character, appearance, adaptability, layout, density and scale will be considered and policy D DM4 requires extensions to be sympathetically related to and visually integrated with the existing building in terms of the existing building in siting, massing, design, form, scale and materials; the extension or alteration is visually



subservient to the main building and provide a high standard of amenity;. the extension or alteration does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties.

- 4.12 In order to maintain a supply of good quality commercial sites and premises to meet the needs of businesses and the local economy policy EMP DM1 seeks to protect and enhance existing employment sites and existing employment sites and premises where there remains a reasonable prospect of employment use. Uses will not be permitted unless it is demonstrated that the site is no longer required and is unlikely to be re-used or re-developed for industrial/commercial purposes. This should include clear demonstration of marketing, viability appraisal and the suitability of the site to accommodate the proposed use. However, the policy acknowledges that permitted development rights provide an exception, and these have been expanded since publication of the Plan.
- 4.13 Policy RET SP1 seeks to maintain the hierarchy of centres in Arun by supporting and promoting measures which reinforce their role in meeting community needs and providing a focus for a range of activities including: retail, leisure, commercial, office, tourism, cultural, community and residential development. This range of activities will promote economic resilience for the vitality of centres.

## Bognor Regis Neighbourhood Plan 2015

- 4.14 Policy 4 refers to reducing the underuse of properties in the town centre and is therefore relevant. The development proposals are concerned with the reuse of empty and or/underused property above shops and commercial premises. Whilst this site is located outside of the primary and secondary retail frontages it is within the town centre on the High Street performing an important supporting role. The NP sets out that applicants should, where appropriate, apply for improved access, extensions, sub-division of plots and energy efficiency measures to increase the suitability and marketability of town centre properties and lands for local employment and residential uses. The justification given is that the Neighbourhood Development Plan intends to support the reuse of currently empty and/or underused properties to make more space for local people to work and live in the highly accessible wider town centre area. Overall, the policy seeks to contribute to more vitality and activity in the town centre and a greater provision of services during the day and into the evening hours.

## Other Guidance

- 4.15 SPD11 Arun Parking Standards 2020 -- Arun Design Guide 2024 SPD



## 5.0 CONSIDERATIONS FOR THE DEVELOPMENT PROPOSAL

- 5.1 The proposed development involves the change of use of the first and second floors of 1 Sudley Terrace, with 2 Sudley Terrace already in residential use over the upper floors, from a solicitor's office to 2 no. 1-bed flats and the addition of an upper floor to create a further 2 no. 1-bed flats. The proposal would make more efficient use of the site and result in an extension of high-quality design and sustainable construction. It makes the best possible use of the roof area, and the proposal reflects the character of the site and the surrounding area, in terms of its scale, massing and design approach.
- 5.2 It is worth noting that the proposed change of use would constitute permitted development within the Town and Country Planning (General Permitted Development) (England) Order 2015 and subsequent (Amendment) Order 2021. Conversion of the upper floors to residential is permitted development requiring prior approval under Sch. 2 Pt. 3, Class MA and the change of use meets the criteria of the GPDO in this respect. However, the additional storey has been reviewed under Class AB of the GPDO and does not meet the criteria in relation to the age of the property. Permitted development does not apply to property constructed before 1st July 1948 and whilst the age of the building is unknown it is considered to pre-date 1948. As such both aspects of the proposal are included on the application for completeness.

### Design & Appearance

- 5.3 The proposals for the conversion and extension follow a site analysis and appraisal of the context of the premises to ensure the roof extension is respectful of the existing character and massing of adjacent buildings. There would be no external impact from the conversion, with the additional floor glimpsed within the street scene from wider view. The form, design and materials of the proposed roof extension would replicate that of the 2003 extension to the adjoining property at 3 & 4 Sudley Terrace and visually integrate within the wider terrace. As such the roof addition would not appear prominent or out of context in the street scene. The quality and finish proposed would be to a high standard and would raise the quality of built form along the streetscape, by providing a sympathetic addition, see the proposed south elevation included below at Figure 2.



Figure 2. Proposed front elevation



- 5.4 The extension would feature dormer windows within a mansard roof set back from the front elevation of the building. This reduces the visual presence of the additional storey and allows it to sit comfortably in the street scene. The elevated position also minimises visual prominence when viewed from the street below. It also ensures that the extension appears subservient in nature and is in keeping with the character of the area. The contrasting materials also assist in reducing the dominance of the additional floor and contribute to its subordinate appearance, whilst tying it into the terrace as a whole.
- 5.5 The proposed extension has been designed to integrate with the established building height and scale along Sudley Terrace as well as to respect the existing relationship with neighbouring properties. The proposals have been carefully designed in terms of the Council's Design Guide. The extension responds positively to and respects its surrounding context through materials, design details and form and massing, including variations in height which respond to the street hierarchy and uses materials which are fully compliant with Building Regulations and follow the guidance in Section L.01 of the Design Guide.

## Layout & Scale

- 5.6 The offset upper floor provides a spacious appearance within the street scene. The siting of the extension would sit comfortably within the general building height along this part of Sudley Terrace. The proposals introduce an additional storey into the site whereas built form is currently three storey to this section of the Terrace. However, the site adjoins four storey development to the east and west. As such the principle of development of the height proposed in this location is acceptable.
- 5.7 The first floor flat has an internal floor area of 58 square metres which exceeds the standard for a 1-bed, two person flat. The second and third floor flats proposed accord with the Nationally Described Space Standards for a 1-bed one person flat with shower room of 37sqm.
- 5.8 The proposals provide no outside amenity space due to the limited size of the plot, and it is not possible to provide balconies due to the need to protect visual amenity and the character of the area. The central location of the site means that residents will be a short distance from the seafront and parks. Although Arun Design Guide suggests the provision of outside space this is guidance only and not policy. The site is close to a range of external amenity space in the form of public open space at Hotham Park and the seafront and the neighbouring flats at 3 & 4 Sudley Terrace also provide an example of residential accommodation without access to private outside space.

## Access

- 5.9 The development benefits from being located in a highly sustainable location close to the existing public transport services including a railway station, bus stops and cycle routes. It will reduce the need to travel by car and the associated congestion, positively impacting climate change and promoting healthy lifestyles. The proposal is located within a key town centre destination with easy access to places of work, education and leisure.
- 5.10 The proposal will not result in the loss of any existing parking spaces and there is limited parking to the front forecourt which is shared with the commercial uses. The application is supported by a Highways Technical Note which assesses the existing on-street parking and the additional demand to demonstrate the net loss is acceptable. It concludes that the parking stress within the area is considerably below the threshold and the additional 4 no. one-bed flats without additional car parking would not have a significant impact on the local highway network. The report identifies that the proposal would not cause further parking stress in the local area as there is capacity on-street. Further, it is worth noting that the former office would have



generated a demand for car parking which should be offset against the proposed demand. Cycle parking is included within the proposal with 1 no. cycle space available per 1-bed flat.

## Amount & Use

- 5.11 The proposed development comprises the addition of generously proportioned one bedroom flats. Whilst the building mass will increase, the amount of development it is considered to be appropriate in context with the surrounding pattern of residential/commercial and the wider environs and readily comparable to that consented on the adjoining site.

## Employment Considerations

- 5.12 The upper floor of 1 Sudley Terrace has been occupied by a solicitors practice with the firms imminent closure due to retirement. Policy EMP DM1 of Arun Local Plan seeks to protect existing employment sites where there remains a reasonable prospect of employment use excepting permitted development rights. This is the fallback position for this application. The proposal for conversion would fall within Schedule 2, Part 3 Class MA of the Town and Country Planning (General Permitted Development Order) (England) (Amendment) Order 2021 where 'Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order' constitutes permitted development and there is no requirement to demonstrate the building is vacant or not viable for commercial use. Indeed, the contrary applies as development is not permitted by Class MA unless the office/commercial use of the building took place for a continuous period of at least 2-years prior to the date of the application for prior approval.
- 5.13 Conversion of the upper floors would accord with the approved residential use of the upper floors of no. 2 Sudley Terrace and neighbouring properties and would provide a supporting role for the town centre. Paragraph 90 of the NPPF requires decisions to support the role that town centres play at the heart of local communities and part (f) recognises that residential development often plays an important role in ensuring the vitality of centres and encourages residential development on appropriate sites.

## Town Centre/Retail Considerations

- 5.14 The proposal would provide a supporting role to the retail and other sectors which reinforce the community needs within the town centre providing economic resilience for the vitality of centre. It would assist in maintaining the hierarchy of centres in Arun by focusing and supplementing the range of activities available which include retail, leisure, commercial, office, tourism, cultural, community and residential development.
- 5.15 Policy RET DM1 of Arun Local Plan and Policy 4 of the Bognor Regis Neighbourhood Development Plan both support the re-use of vacant floorspace on the upper levels above shops and commercial premises for residential, commercial and community purposes. The proposal complements the retail function of the town centre area by increasing footfall in and around the town centre which could result in a boost to sales of local shops. A populated building in a central location adds an element of passive surveillance at times when the area is least inhabited, and this can help reduce antisocial behaviour in town centres.

## Heritage Considerations

- 5.16 The application property is situated in the vicinity of 1 Sudley Road, which is a Grade II listed building however is separated from the listed building by intervening property and does not share any boundary. The extension



is focused on the eastern end of the terrace building and is sensitively sited to reduce the impact on the views or setting of the listed building as it would adjoin the existing extension at fourth floor level.

- 5.17 The proposed extension would be visible from the front (south) elevation of nos. 1 & 2 Sudley Terrace and would be seen from the junction of Sudley Road and Sudley Terrace from where the listed building can also be seen. However, it would not affect views of the building or its setting as there are intervening structures of the same height and extent between the application site and the listed building which screen the proposal from the listed building and ensure its impact is negligible. The sympathetic design, position and size of the extension preserves the setting and character and appearance of the host property retaining its historic interest and the terrace as a whole and this in turn reduces its impact on the listed building.
- 5.18 Overall, the scale and nature of the proposal are such that the character and setting of the heritage asset would be maintained and enhanced by the positive contribution made to the appearance of the building by the design, size and siting of the proposed extension.

## Natural Environment

- 5.19 A Preliminary Bat Appraisal accompanies the application and confirms that the site has no potential for bat roosts, and no further survey work is suggested.
- 5.20 The site lies within the 5km buffer of Pagham Harbour Special Protection Area (SPA). Given the scale of the existing building and proposals and the dense urban grain of the area, this proposal would not incur any direct harms to the SPA. The proposal is a residential development within Pagham Harbour Zone B and a contribution of £950 per new residential unit is required. The applicant is willing to pay the necessary contributions secured by S.106 agreement to mitigate recreational pressures within the Pagham Harbour SPA that may arise from the construction of the new residential units.



## 6.0 CONCLUSION

- 6.1 The proposal seeks consent for the change of use of the upper floors of no. 1 Sudley Terrace and the provision of an additional storey across nos. 1 & 2 Sudley Terrace to match nos. 3 & 4 Sudley Terrace, to provide 4 no. 1-bed flats and associated works. The site is situated in a sustainable location within the town centre and the proposal would provide a supporting role by increasing the number of residents utilising the shops increasing the vitality of the town centre.
- 6.2 The proposal has been fully informed by the development management policies of the Local Plan and National Planning Policy. The proposed change of use and extension to provide 4 no. 1-bed flat on the site would represent the efficient reuse of the building resulting in much needed small units of accommodation in a District which cannot demonstrate a 5-year housing land supply.
- 6.3 The extension would be to a high-quality and of a design to match the neighbouring property, allowing for its successful integration within its setting. It is considered the development would be visually respectful of the site and its wider context and would not result in harm to neighbour amenities. The resultant building would assimilate with existing built form, without detracting from residential amenity or the character and appearance of the locality.
- 6.4 For all the above reasons the application proposal complies with the policies of the Local Plan and the overarching objective of the National Planning Policy Framework to deliver appropriate sustainable development. As such we therefore request that the application is granted planning permission at the earliest opportunity.