

PLANNING SUPPORT STATEMENT

In relation to:

'Notification for Prior Approval under Class MA for change of use from retail use (Class E[a]) to residential (Class C3) - Conversion of existing retail building into 2 x No. self-contained residential units'

**Village Interiors, 9 Ocean Parade, Ferring,
West Sussex, BN12 5QG**

November 2021

PLANNING SUPPORT STATEMENT

I. INTRODUCTION

- 1.1 Rodway Planning Consultancy Ltd has been instructed to submit a Prior Approval application for the change of use of a retail unit (Class E[a]) to form 2 studio units (Use Class C3).
- 1.2 It is noted that permitted development rights have been introduced under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development Order), 2015 (GPDO) (as amended) to allow the change of use of a building and any land within its curtilage from use as Class A1 (shops) or Class A2 (financial and professional services) to a use falling within Use Class C3 (dwelling house) of the Schedule to the Use Classes Order. **It should be noted that the Use Classes Order was updated in England on 1st August 2021 and the former A1 Retail is now referred to as Class E[a].**
- 1.3 It also provides for deemed consent for works reasonably necessary to convert the buildings to residential use. Importantly, it is noted that the cumulative floor space of the existing building changing use under Class MA must not exceed 1,500 square metres.
- 1.4 The application is accompanied by the following drawings and supporting documents:-
- BCA 1000 Rev 00 Location Plan;
 - BCA 1001 Rev 00 Block Plan;
 - BCA 2000 Rev 00 Existing Site and Floor Plans;
 - BCA 2001 Rev 00 Existing Elevations;
 - BCA 2002 Rev 00 Proposed Site and Floor Plans;
 - BCA 2003 Rev 00 Proposed Elevations.



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2.0 SITE DESCRIPTION

- 2.1 The existing building (No. 9 Ocean Parade) is a two-storey mid terrace building, with a flat roof. The ground floor currently comprises a retail unit (Village interiors), with flatted accommodation above.



Fig 1. Ocean Parade elevation (courtesy of Google Maps)

- 2.2 'Village Interiors' was previously a family business, which operated for over 11 years selling and installing kitchens and bathrooms. The business is no longer trading as a result of the pandemic, with the shop being continuously vacant since February 2021.
- 2.3 The site adjoins two adjacent properties; namely a hairdressers 'Michaels Hair Studio' and a newsagents 'Pinkertons' on the ground floor.
- 2.4 On the facade of the property to the right there is a door accessing flat No.9b above, and on the right at No.9a there is a newsagents. On the left of the property at No.8 there is a hairdressers, with a door on the right of the facade accessing the flat



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No.8b above. No's 4, 5A and 6 are all now residential properties (see planning history below). Opposite the site is Viceroy Court, a large development of apartments.

2.5 The property is located within the village of Ferring, west of Goring-by-Sea.

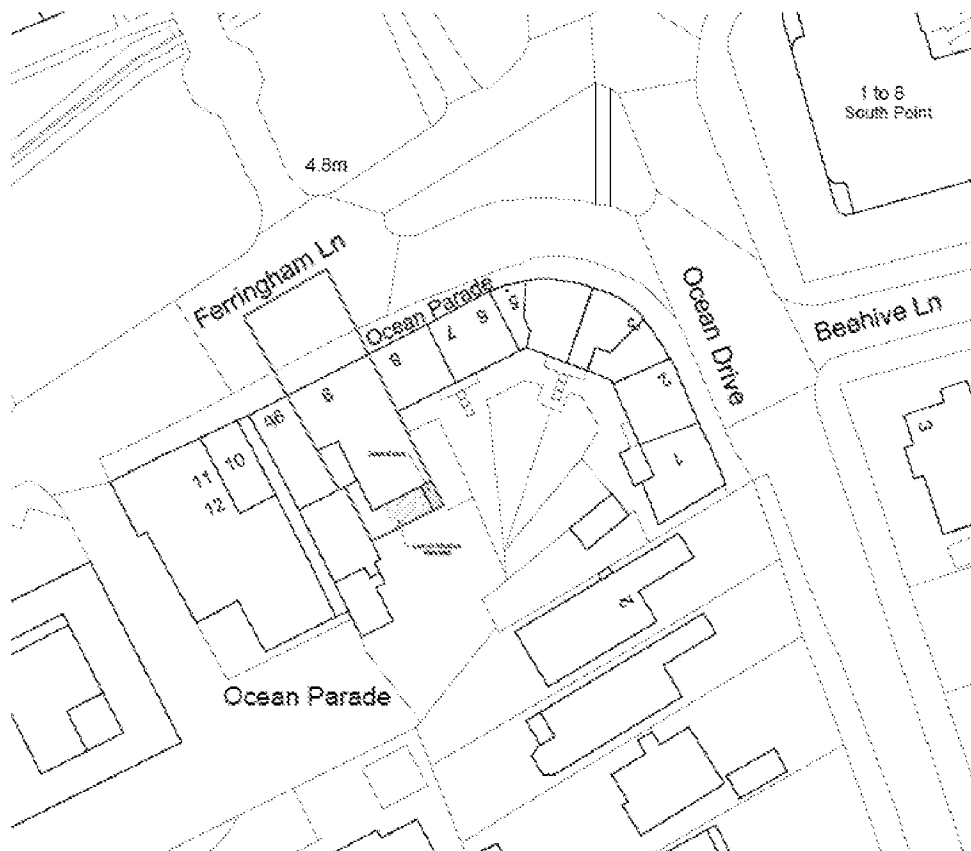


Fig 2. Block Plan showing the site and its surroundings

2.6 The site is located within the defined built up area boundary. To our knowledge, no other constraints or restrictions relate to the site.



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3.0 PLANNING HISTORY

3.1 According to the Council's online records, No. 9 Ocean Parade has the following planning applications relating to it:

(i) Application Site

First Floor Flat, 9 Ocean Parade

- **Planning ref: FG/172/18/PL/:** Change 1 No. window to bi-fold doors & Juliet balcony. Approved Conditionally 12-12-19.
- **Planning ref: FG/66/00/:** Rear extension to 1st floor flat built on existing ground floor extension. Approved Conditionally 09-08-00.

9 Ocean Parade

- **Planning ref: FG/2/90/:** Erection of emergency fire escape staircase & balustrading to enclose existing flat roof area forming travel route of emergency exit from first floor flat. Approved Conditionally 05-02-90.

3.2 According to the Council's online records, a number of nearby sites have been granted permission for change of use.

(ii) Neighbouring Sites

3 Ocean Parade

- **Planning ref: FG/41/17/PD/:** Application for prior approval under Part 3, Class M for change of use from retail (A1) to dwellinghouse (C3). Prior approval not required 10-05-2017.
- **Planning ref: FG/113/16/PD/:** Application for prior approval under Part 3, Class M for change of use from retail (A1) to dwellinghouse (C3). Objection 22-09-16.



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Ocean Drive, 1 Ocean Drive, Ferring

- **Planning ref: FG/85/13/:** Change of use of retail unit (A1 Shops) to 1 No. 2 bed residential flat (C3 Dwelling Houses). Approved Conditionally with S106 19-09-2013.
- **Planning ref: FG/12/11/:** Renewal of unimplemented planning permission FG/25/08/ for conversion of rear rooms at rear of shop into a self-contained one bedroom flat retaining original shop. Refused 11-04-2011.
- **Planning ref: FG/25/08/:** Conversion of rear rooms at rear of shop into a self-contained one bedroom. Approved Conditionally 22-04-2008.

4-7 Ocean Parade, Ocean Drive, Ferring

- **Planning ref: FG/114/12/:** Change of use of 4 No. commercial premises A2 (Financial & Professional Services) and A3 (Restaurants & Cafes) to 2 No. 1 bedroom flats C3 (Dwelling House). Approved Conditionally with S106 23-01-2013.



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4. PLANNING CONSTRAINTS & DESIGNATIONS

- 4.1 The Arun District Local Plan Policies Map (see **Fig 3** below) confirms that the site lies within the built-up area boundary. To our knowledge, no other constraints or restrictions relate to the site.

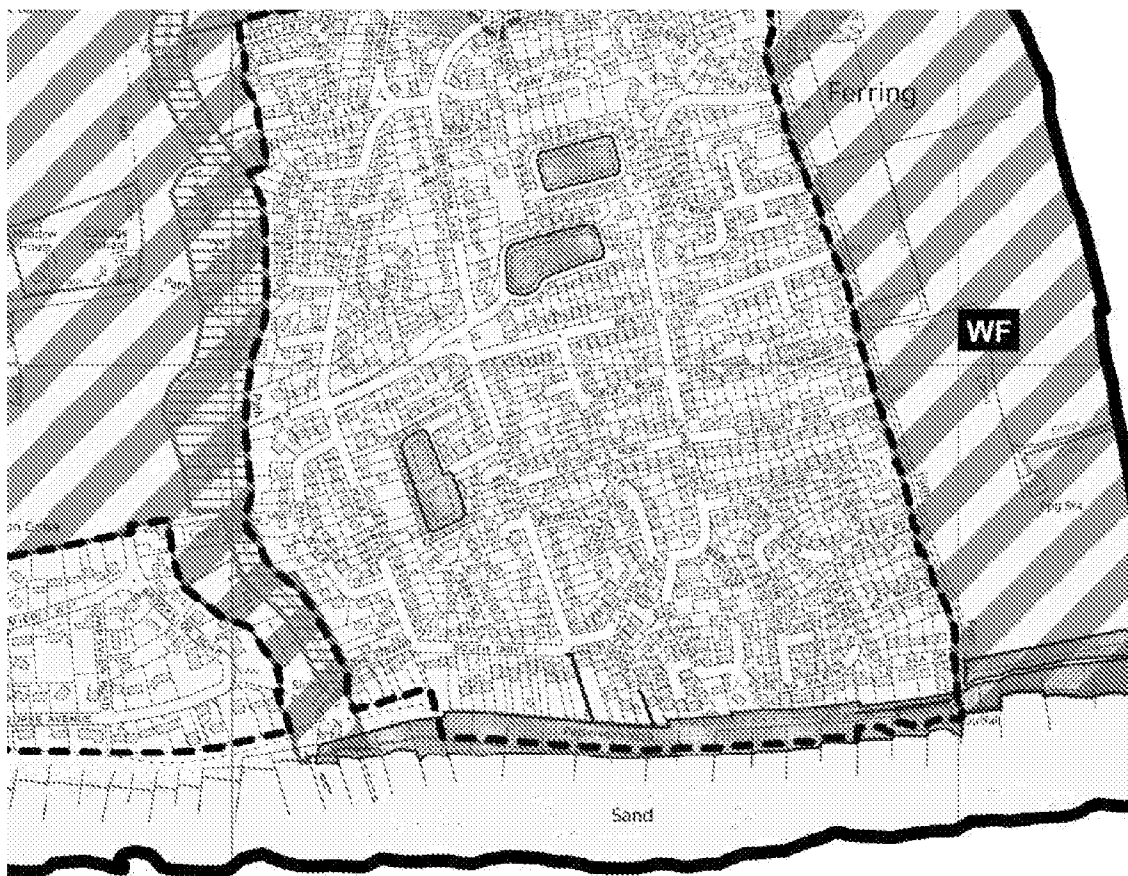


Fig 3. Extract of Arun Policies Map 4: Littlehampton & Surrounding Area

- 4.2 The Environment Agency online flood map for planning (see **Fig 4**) confirms that the site does not lie within an area identified as being at risk of flooding (i.e. flood zones 2 and 3).



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Fig 4. Environment Agency flood map

- 4.3 The premises are not a listed building, and according to Historic England online map (refer to **Fig 5**) there are no Listed Buildings within the surrounding locale.



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Fig 5. Historic England online Listed Building map

- 4.4 To our knowledge, the property does not have any planning conditions removing permitted development rights. We are not aware of any Article IV Direction on the property removing permitted development rights for Class MA i.e. Class E[a] Retail to C3 residential.



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5. THE PROPOSAL

- 5.1 This application seeks prior approval for the conversion of the ground floor of the existing 2 storey building to a residential use comprising a total of 2 No. units of accommodation. The size of the site is approximately 0.031 hectares (306 square metres).
- 5.2 Each of the flats would comprise 1 No. bedroom, bathroom and an open plan living/ dining room. There would be a communal hallway to the proposed flats; together with a separate communal hallway to the flats above.

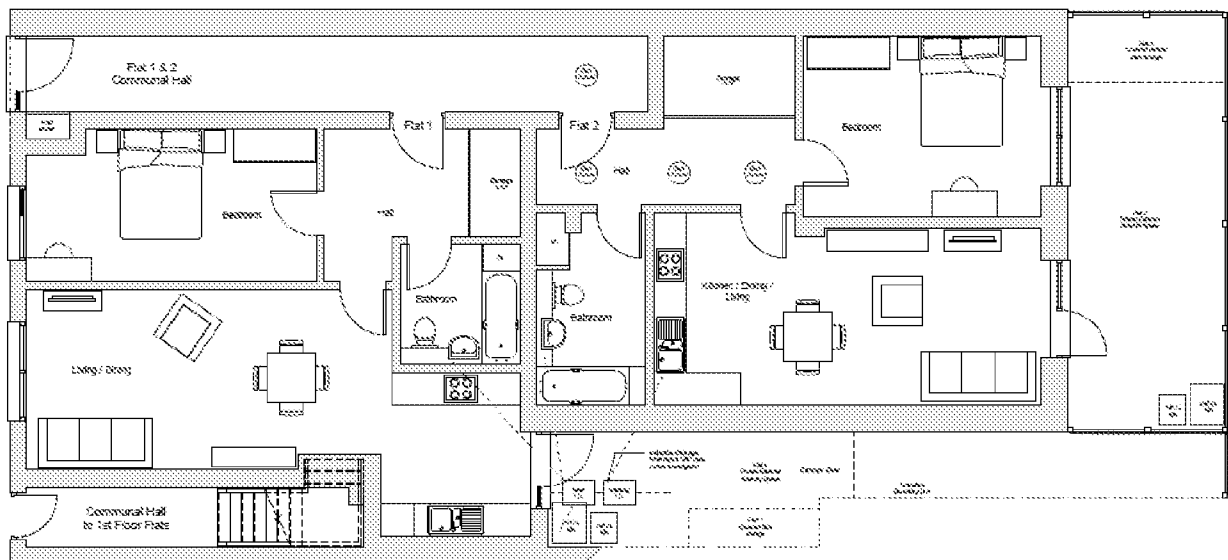


Fig 6. Proposed Ground Floor Plan

- 5.3 Flat 1 would have a gross internal area of 59.5m², whilst flat 2 would have a gross internal area of 58.5m². **The building would have a total footprint of 140m².**



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- 5.4 The proposal will involve no extensions or significant alterations to the building. Externally, the existing shop front will be removed and there will be alterations to the existing fenestration details.

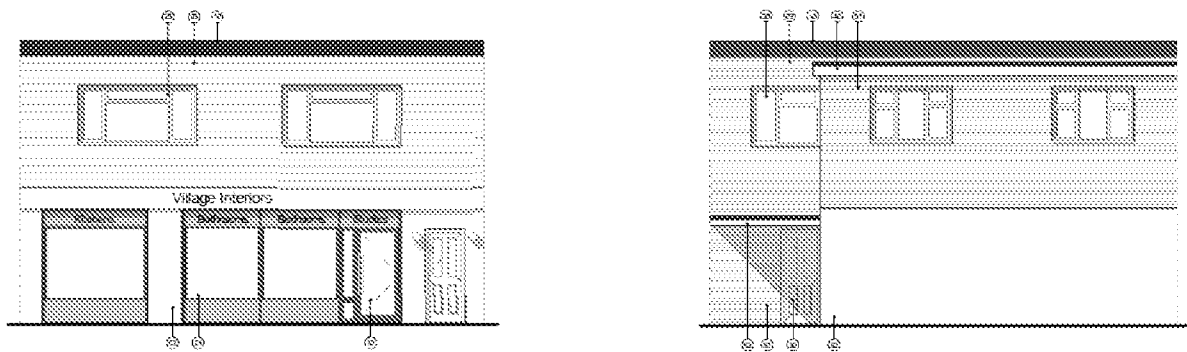


Fig 7. Existing North and South Elevations

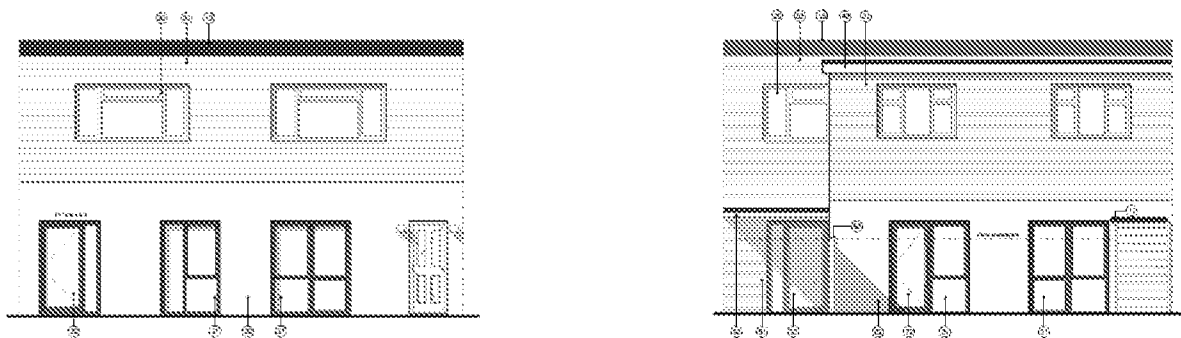


Fig 8. Proposed North and South Elevations

- 5.5 As part of the proposal, 4 parking spaces (2 designated and 2 visitor) are to be demarcated on the privately owned area currently used for parking in front of the existing shop.
- 5.6 This Prior Approval submission is accompanied by drawings which detail the development proposals in full.



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6. ASSESSMENT AGAINST PERMITTED DEVELOPMENT CRITERIA

- 6.1 This is a Prior Notification Application for the conversion of an existing building in retail use (Class E[A]) to a residential use comprising a total of 2 No. flats under Part 3, Class MA of The Town and Country Planning (General Permitted Development) (amendment and Consequential Provisions) (England) Order 2015.
- 6.2 For the purposes of clarification, the legislation is listed below in full, together with our notations relating to the development proposal.

Class MA – commercial, business and service uses to dwellinghouses

Permitted development

MA. 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.

Development not permitted

MA.1.—(1) Development is not permitted by Class MA—

(a) unless 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;

We can confirm that the shop has been continuously vacant since February 2021.

(b) unless the use of the building fell within one or more of the classes specified in sub-paragraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;

The building fell within one of the classes specified in sub-paragraph (2); namely (i) Class A1 (shops), for a continuous period of at least 2 years prior to the date of the application for prior approval.



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The client has confirmed that prior to the use being vacant, the ground floor has always been a shop use and the upstairs a flat (C3 residential) since it was built (many years ago).

(c)if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;

Criteria met. The cumulative floor space of the existing building changing use under Class M is 140m².

(d)if land covered by, or within the curtilage of, the building—

(i)is or forms part of a site of special scientific interest;

Criteria met. The site is not located within an SSSI.

(ii)is or forms part of a listed building or land within its curtilage;

Criteria met. The building is not listed, and nor does it lie within the curtilage of a listed building.

(iii)is or forms part of a scheduled monument or land within its curtilage;

Criteria met.

(iv)is or forms part of a safety hazard area; or

Criteria met. The site does not form part of a safety hazard area.

(v)is or forms part of a military explosives storage area;

Criteria met. The site does not form part of a military explosives storage area.



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(e) if the building is within—

(i) an area of outstanding natural beauty;

Criteria met. The building is not within an area of outstanding natural beauty (AONB).

(ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981(3);

Criteria met. The building is not located within an area specified by the Secretary of State for the purposes of section 41(3) of the wildlife and Countryside Act 1981 (3).

(iii) the Broads;

Criteria met. The building is not located on the Broads.

(iv) a National Park; or

Criteria met. The building is not located within the South Downs National Park.

(v) a World Heritage Site;

Criteria met. The building is not located on a World Heritage Site.

(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

Criteria met. The site is not occupied under an agricultural tenancy.

(g) before 1 August 2022, if—

(i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and

Class O is Office Use. As such, this point is not relevant.



(ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.

Not relevant.

(2) The classes mentioned in sub-paragraph (1)(b) are the following classes of the Use Classes Order—

(a) the following classes of the Schedule as it had effect before 1st September 2020—

(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(e) (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink;

(b) on or after 1st September 2020, Class E (commercial, business and service) of Schedule 2.

Conditions

MA.2.—(1) Development under Class MA is permitted subject to the following conditions.

(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—



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(a) transport impacts of the development, particularly to ensure safe site access;

Car Parking

As part of the proposal, 4 x parking spaces (2 designated and 2 visitor) are to be demarcated on the privately owned area currently used for parking in front of the existing shop.

The WSCC Parking Standards document identifies that the site lies within 'Parking Behavioural Zone 2', and in such locations residential units that have 1-3 habitable rooms, as is the case here, have a parking demand of 1.4 spaces per unit. In this case, this results in a parking demand of 3 spaces – which is less than that which would be required to serve the existing retail use at the site. Therefore, it is clear that the proposed residential use will not lead to a materially increased parking demand over and above that existing at this site. Indeed, it is instead likely the parking demand emanating from the use of the site will actually be reduced.

Sustainable Travel & Proximity to Services

It is generally accepted that walking and cycling provide important alternatives to the private car, and should be encouraged to form part of longer journeys via public transport. Indeed, it is noteworthy that the Institution of Highways and Transportation (IHT) have prepared several guidance documents that provide advice with respect to the provision of sustainable travel in conjunction with new developments. Within these documents it is suggested that:

- Most people will walk to a destination that is less than one mile [1.6 km] (Planning for Walking, 2015);
- The bicycle is a potential mode of transport for all journeys under five miles [8km] (Planning for Cycling, 2015); and
- Walking distances to bus stops should not exceed 400 metres, whilst people are prepared to walk twice as far to rail stations (Planning for Walking, 2015).



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The site is accessible by the more sustainable modes of travel including foot, cycle and public transport. There is a variety of shops and services immediately adjacent to the site. The closest railway station is at Goring-by-Sea, 1 mile from the site. This service provides regular rail services to the south coast, London and Gatwick airport.

There are a host of bus services close to the site, as detailed below. This includes stops to Ferringham Lane, Ocean Drive, Beehive Lane and South Drive.



Fig 9. Map showing the location of closest bus stops (*Courtesy of NextBusses*)

With regard to cycling, the local highway in close proximity to the site is flat in nature and as such is considered to be suitable for cyclists.



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In terms of proximity to other services and facilities, the site is situated as follows:

Education

Primary Schools

Ferring CofE Primary School	0.5 miles
Goring-by-Sea Primary School	1.4 miles
East Preston Infant School	1.4 miles
East Preston Junior School	1.4 miles

Secondary Schools

St Oscar Romero Catholic School	1 mile
The Angmering School	1.8 miles
Durrington High School	2.4 miles

Medical

Doctors

Barn Surgery	850 yards
Willow Green Surgery	1.8 miles
Dr Thompson and Partners	1.9 miles

Dentists

The Sea Road Dental Practice Partnership	1.4 miles
Imagine Dental	1.8 miles
Oakgates Dental Surgery	2 miles

Opticians

Asda Opticians	0.9 miles
Individual Eyes	1.3 miles
Vision Express	2.1 miles



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Hospitals

Goring Hall Hospital	0.9 miles
Meadowfield	3 miles
Acre Day Hospital	3 miles

Access Arrangements

Existing pedestrian access to the site is to be maintained as existing.

Servicing Arrangements

Our clients own all the land in front of the shop out to the middle of the road; including the pavement, the forecourt and the road to the centre. Our client pays a donation to Ferring Roads Association for the upkeep of this. The refuse for the ground floor is collected from the front as there is no rear access. The flat above has the refuse collected from the rear. An anomaly to this is that the upstairs flat next door has no rear access, ergo their bin is always on the pavement in front of the newsagent.

This existing service arrangement is proposed to be retained for the new residential units that will be formed by the change of use.

Traffic Generation

It is clear that the proposed change of use from retail floor space to smaller (studio) residential units will not result in a net increase in trip generation linked to the site. On this basis it is not considered that the proposal will prejudice road safety or the free-flow of traffic or operation of the neighbouring highway.

(b) contamination risks in relation to the building;

The site does not comprise contaminated land as described in Part 2A of the Environmental Protection Act 1990(b).



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The existing building is well established and prior to being in vacant use, was in use for a significant period as retail. The proposal is not considered to be at risk from any significant contamination, and we are confident that there would be no contamination issues arising from the proposed change of use.

(c) flooding risks in relation to the building;

The proposed development lies outside of any area that is subject to flood risk. The Environment Agency flood map (see Fig 4 above) confirms that the site in question lies outside of any area designated as Flood Zones 2 and 3.

(d) impacts of noise from commercial premises on the intended occupiers of the development;

As previously outlined, residential flats are located above the site at first floor level. To our knowledge, the ground floor units to either side of the site are occupied by a hair salon and newsagents, with residential units above. These neighbouring Class E[a] uses (formerly Use Class A1) are low impact developments, which would be expected to operate within traditional opening hours. Neither of the uses would generate undue noise or disturbance.

(e) where—

(i) the building is located in a conservation area, and

The building is not located within a conservation area.

(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;

Not applicable.



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(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;

An assessment of the submitted drawings will confirm that all habitable rooms are to be provided with adequate natural light from existing window/openings that serve the building.

(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; and

The property is located within the village of Ferring, west of Goring-by-Sea. Ocean Parade traditionally comprises retail/ commercial units at ground floor level, with primarily residential uses above. In recent years, a number of retail units have been converted to residential. There is no general or heavy industry, waste management, storage and distribution within the immediate vicinity.

(h) where the development involves the loss of services provided by—

(i) a registered nursery, or

Not applicable.

(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006(4), the impact on the local provision of the type of services lost.

Not applicable.

(3) An application for prior approval for development under Class MA may not be made before 1 August 2021.

Criteria met.





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(4) The provisions of paragraph W (prior approval) of this Part apply in relation to an application under this paragraph as if in the introductory words in sub-paragraph (5), for “and highways impacts of the development” there were substituted “impacts of the development, particularly to ensure safe site access”.

Noted. These points have been addressed in full above.

(5) Development must be completed within a period of 3 years starting with the prior approval date.

Noted and agreed.

(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.

Noted and agreed.



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7. OTHER RELEVANT MATTERS

External Alterations

- 7.1 It is understood that Class MA of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is clear that it only allows for a change of use, and no external alterations.
- 7.2 Therefore, if any changes to the existing building or site is required by the Applicant, then it is understood that this would need to be dealt with via a separate planning application submission.



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8. SUMMARY

- 8.1 This application to change the use of an existing retail use (Class) E[a] (formerly Use Class A1) to form 2 No. residential units is in complete accordance with the requirements set out under Part 3, Class MA of the Town and Country Planning (General Permitted Development) Order 2015 (As amended), and we respectfully request that Prior Approval consent is now granted.
- 8.2 This application for prior approval is made in accordance with the provisions of paragraph W. It is demonstrated above that there are no transport and highways impacts arising from the proposed development; there are no contamination risks at or adjacent to the site; residential amenities will not be harmed, specifically via noise and the provision of light to internal habitable rooms; and there is no flood risk in this area.
- 8.3 Consequently, our opinion is that prior approval for this change of use should now be approved.

November 2021

