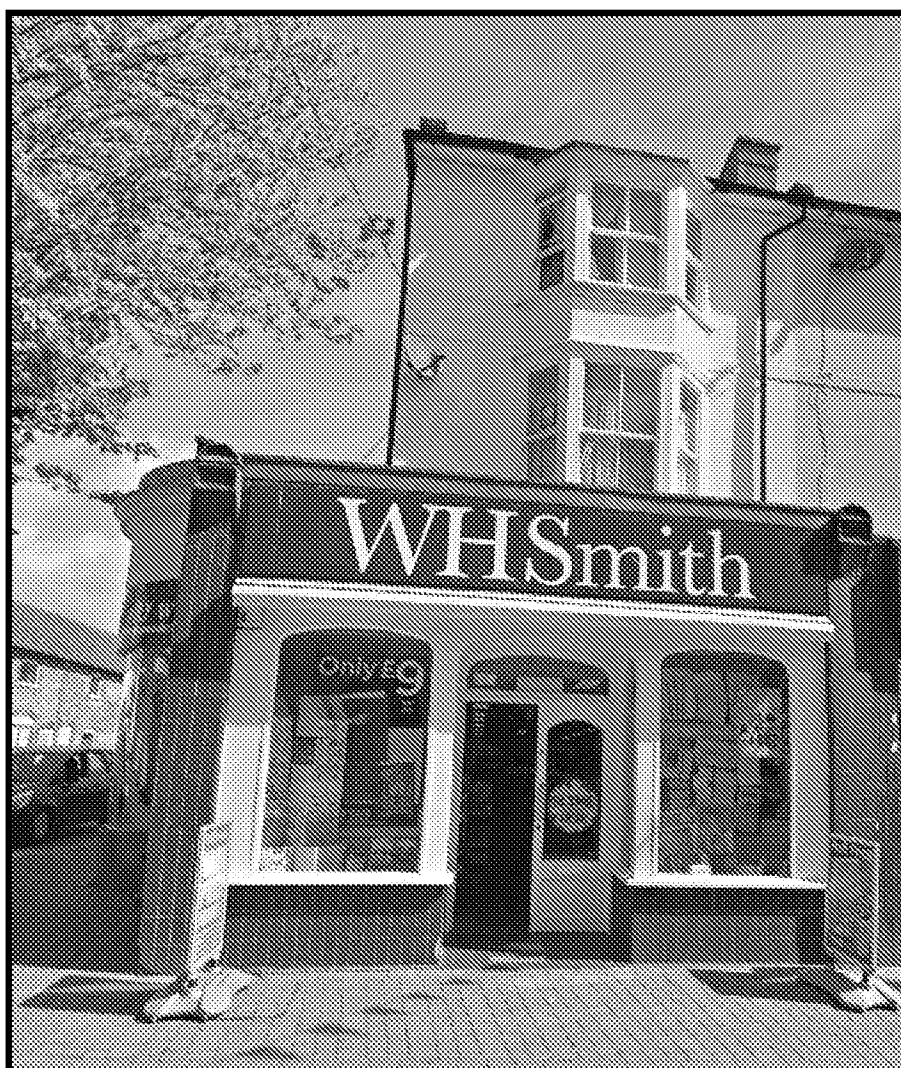


PLANNING STATEMENT

APPLICATION FOR PRIOR APPROVAL

BY HARDWICK HARTLEY PARTNERSHIP

SITE: 42 HIGH STREET, LITTLEHAMPTON, BN17 5EJ



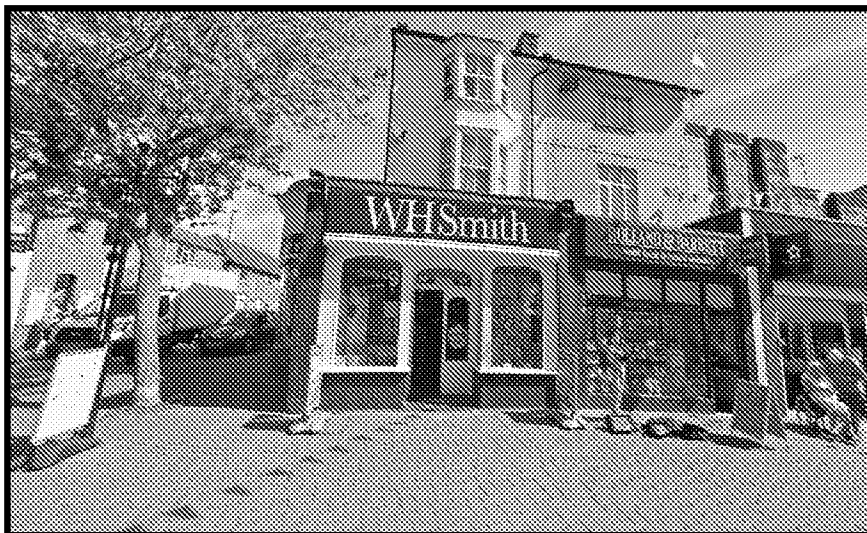
APRIL 2022

1.0 INTRODUCTION

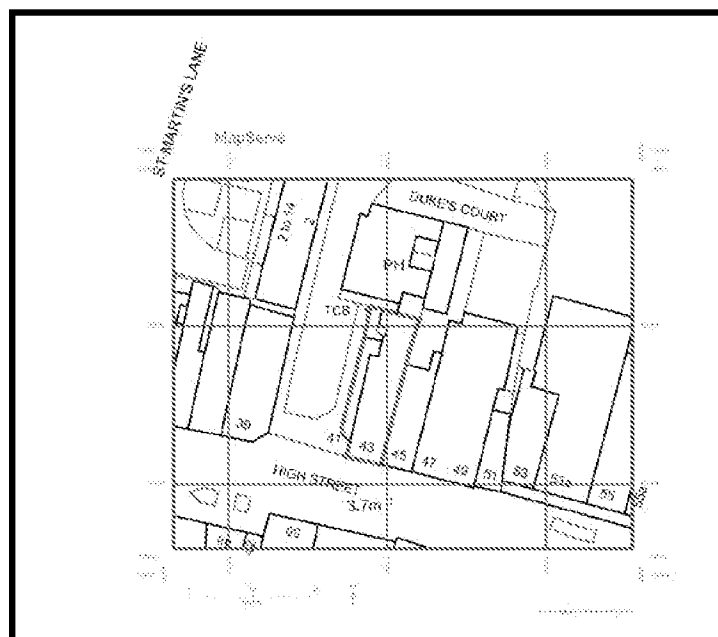
- 1.1 This statement is submitted in support of the application for prior approval by Hardwick Hartley Partnership relating to the site at 42 High Street, Littlehampton, BN17 5EJ.
- 1.2 Prior approval is sought for a proposed change of use from offices Class E to a dwellinghouse (Class C3).
- 1.3 The resultant change of use would provide for 1 new self-contained residential unit on the first floor of the building.
- 1.4 The application is made under *Schedule 2, Part 3, Class MA - commercial, business and service uses to dwellinghouses* of The Town and Country Planning (General Permitted Development) (England) Order (GPDO).
- 1.5 This statement should be read in conjunction with the following documents and drawings. Drawings are provided by DVD Building Design:
- Application form
 - 2021-29-01: Existing ground and first floor plans
 - 2021-29-03: Existing elevations
 - 2021-29-05: Site location plan
 - 2021-29-06: Proposed floor plan
 - Flood Risk Assessment by Ashfield Solutions Group
- 1.6 This statement demonstrates that prior approval should be granted for the proposed use. Analysis is provided of:
- The site and area
 - The proposed use
 - Compliance with the GPDO criteria
 - Considerations of Class MA: transport and highways; contamination risks; flooding risks; impacts of commercial noise; provision of adequate natural light; impacts of industrial or storage and distribution uses; loss of nurseries or health centres; fire risk; and Space Standards.

2.0 SITE & AREA

- 2.1 43 High Street is an existing, ground floor self-contained shop (Class E) which is currently vacant. The first floor above contains two office units (Class E).



(43 High Street: Google Streetview)



(Site location plan: DVD Building Design)

- 2.2 The application for prior approval for change of use from offices to residential relates to the first floor of the building. The shop (Class E) on the ground floor is to be retained.

- 2.3 The site is amongst a long high street of ground floor shops with predominantly residential and office units on the first floor. This central portion is defined as the town centre in the Littlehampton Neighbourhood Plan, containing a variety of small shops, restaurants, cafes and banks.



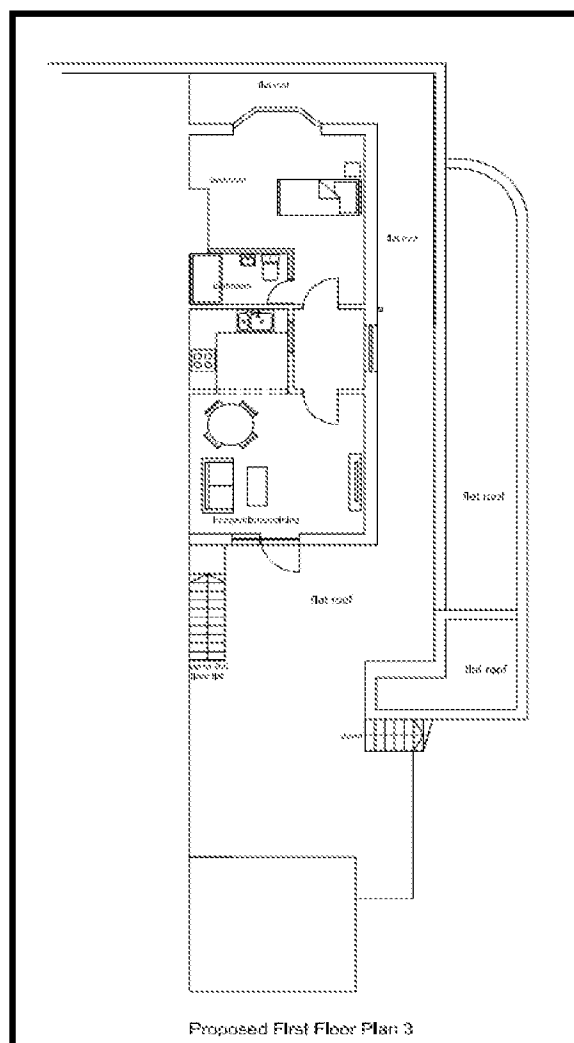
(Aerial image of site and surrounds: Google Streetview)

- 2.4 The area is particularly well served by bus services, with many routes alighting on Anchor Springs north of the site. In addition, Littlehampton Mainline Station is located within a 10-minute walk of the site.

3.0 PROPOSED USE

3.1 The proposed use for which prior approval is sought is the conversion of the first floor of 43 High Street from Class E offices to one self-contained flat (C3). Illustrative proposed plans are submitted with the application to show the proposed layout of the building. The plans show that the proposed unit will provide a good standard of residential accommodation that provide an internal floorspace of approximately 39.15sqm. The conversion would create an open plan living/dining/kitchen area and a bathroom to the front and a large bedroom with a floorspace of approximately 13.53m² to the rear.

3.2 No alterations to the exterior of the building or extensions are proposed.



(Proposed ground floor plan)

4.0 COMPLIANCE WITH GPDO

- 4.1 To demonstrate the proposed change of use is permitted development for which prior approval should be granted the conditions of Schedule 2, Part 3, Class MA of the GPDO will now be addressed. The relevant extract detailing the permitted development right from the GPDO is included below with comments following in blue. The further conditions relating to the prior approval process of Class MA will be analysed in section 5.0 of this statement.

Class MA – commercial, business and service uses to dwellinghouses

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;

The shop at 43 High Street has been vacant since May 2021 – a period of 12 months.

- (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;

Sub-paragraph (2) includes use class E (commercial, business and service). Which includes office use.

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

Approximately 39.15m² of floorspace would be converted to residential use.

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

- (i) is or forms part of a site of special scientific interest;
- (ii) is or forms part of a listed building or land within its curtilage;
- (iii) is or forms part of a scheduled monument or land within its curtilage;
- (iv) is or forms part of a safety hazard area; or
- (v) is or forms part of a military explosives storage area;

The site is not subject to any of the above designations.

(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

There is no agricultural tenancy known to be related to the site.

(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

(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.

There is no Article 4 direction in effect which prevents this permitted change of use.

(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.

5.0 CONDITIONS OF CLASS MA

5.1 The above has demonstrated that the proposed change of use at 43 High Street is eligible under Class MA of the GPDO. However, the permitted development right is subject to further conditions and considerations that the local planning authority must make in relation to the prior approval process. These additional considerations will now be addressed to show the proposed use is acceptable on these grounds. The relevant extract from the GPDO is again included in *italics* below. An assessment of each area follows.

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—*

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

(b) contamination risks in relation to the building;

(c) flooding risks in relation to the building;

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

(e) where—

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

(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;

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

(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;

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

(i) a registered nursery, or

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

(i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

Transport & Highways

- 5.2 The site benefits from very good transport links. It is located within a 10-minute walk of Littlehampton Mainline Station and there are several bus stops in the immediate vicinity of the site which serve the wider town and beyond.
- 5.3 This availability of non-car borne transport options will encourage the use of sustainable transport modes and it is feasible that future occupiers would not need a private car. As such the proposed use is unlikely to have an adverse impact on local transport or the highways network.
- 5.4 In any case, it is unlikely that the proposed use would generate a significant increase in trips over the existing use. The current lawful use as offices necessitates a similar level of people coming to and from the site daily in comparison to that which would occur through the proposed use as one self-contained apartment.

Contamination Risk

- 5.5 The previous use of the site is very unlikely to have caused land contamination at the site. There are no known or no obvious sources of contamination at the site. Additionally, no ground would be broken through the development, which consists only of internal alterations on the first floor. It is therefore not considered that there would be any issues with contaminated land that warrant refusal of this application.

Flood Risk

- 5.6 43 High Street is in Flood Zone 2. The site is within a 'Low' risk flood zone for surface water flooding and for flood risk from rivers or the sea as confirmed by the Flood Risk Assessment (FRA) by Ashfield Solutions Group.

5.7 Ashfield Solutions Group set out in the FRA:

The EA Flood Map for Planning shows that the site is located within Flood Zone 2, land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding; or land having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding. The Flood Zones do not include representation of any flood defences that exist. The EA Risk of Flooding from Rivers and Sea mapping (which does account for the effects of local flood defences) locates the site within a 'Low' risk area. Low means that each year this area has a chance of flooding of between 0.1% and 1%.

Flood risk from tidal flooding is considered low-moderate (for the flat access at ground floor level) in future from sea level rise, with fluvial, groundwater and artificial sources all considered to pose a low risk. Surface water is considered to pose a very low risk and reservoir flooding considered to pose a negligible risk to the site.

The development does not remove/reduce flood storage as a result of the existing building footprint remaining the same, following the change of use proposals. The development will therefore not increase flood risk elsewhere. (March 2022 FRA by Ashfield Solutions Group).

Flood Source	Flood Risk Assessment
Fluvial	Low
Tidal	Low to Moderate
Surface Water	Low
Reservoir Failure	Negligible
Groundwater	Low
Artificial Sources	Low

(Flood Risk Summary: Ashfield Solutions Group)

5.8 This demonstrates that risk of flooding should not be a reason to withhold approval under the prior approval procedure.

Impacts of noise on occupiers

- 5.9 The site is within an established mixed-use area where residential and commercial uses co-exist. Therefore, it is not considered any adverse impacts would occur to future occupiers.

Impact on character of conservation area

- 5.10 Not applicable as the site is not in a conservation area.

Provision of adequate natural light

- 5.11 The dwelling will benefit from the existing large bay window to the front, providing adequate natural light to the bedroom. The apartment will therefore provide ample natural light to the habitable spaces (living, dining, and sleeping area) of the new dwelling.

Impact on occupiers of general or heavy industry, waste management, storage and distribution uses

- 5.12 The site is not within an area where industrial, waste management or storage and distribution uses exist.

Loss of nurseries or health centres

- 5.13 The development would not involve the loss of a registered nursery or health centre.

Fire risk condition

- 5.14 The building is less than 18 metres tall and contains fewer than 7 storeys, so a Fire Safety Report is not required.

Nationally Described Space Standards

- 5.15 In addition to the specific conditions of Class MA, Article 3, Paragraph 9(A) of the GPDO includes the following provision for all permitted development changes of use to residential:

(9A) Schedule 2 does not grant permission for, or authorise any development of, any new dwellinghouse—

(a) where the gross internal floor area is less than 37 square metres in size; or

(b) that does not comply with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015.

(9B) The reference in paragraph (9A) to the nationally described space standard is to that standard read together with the notes dated 19th May 2016 which apply to it.

- 5.16 The architect's drawing confirmed that the proposed flat will provide approximately 39.15m² of floor space. This is greater than the 37m² required for a one-bedroom, one-person flat in the Nationally Described Space Standards and the minimum floor area permissible in the GPDO.
- 5.17 As such, the proposed flat complies with the general space standards condition of the GPDO.

6.0 CONCLUSIONS

- 6.1 Prior approval is sought under Schedule 2, Part 2, Class O of the amended GPDO for the proposed change of use of the site from E Class offices to C3 single dwelling at 43 High Street Littlehampton.
- 6.2 The proposal has been shown above to be eligible for conversion to dwellings under Class MA.
- 6.3 The further considerations of the prior approval process have also been shown to be acceptable. These considerations are: transport and highways; contamination; flood risk; impact of commercial noise; provision of natural light; impact of industrial or storage and distribution uses; provision of nurseries and health centres; fire risk; and Nationally Described Space Standards.
- 6.4 Regarding transport the residential conversion would create minimal, if any, additional vehicular trips over the office use. Also, the site is sustainably located which would encourage the use of public transport and cycling.
- 6.5 There is very low risk of land contamination as the office use is very unlikely to have caused contaminated land and no ground would be broken in any phase of the development.
- 6.6 The site is in flood zone 2 so there is minimal risk of flooding.
- 6.7 The site is in an established mixed-use area where residential and small-scale commercial uses co-exist.
- 6.8 Ample natural light will penetrate the dwelling through a large bay window at the front of the property.
- 6.9 The site is not within an area where industrial, waste management or storage and distribution uses exist.
- 6.10 No loss of a nursery or health centre would occur.

- 6.11 The building is less than 18 metres high and contains fewer than 7 storeys so does not meet the fire risk condition.
- 6.12 The 39.15m² of floor space exceeds the 37m² required for a one-person flat in the Nationally Described Space Standards.
- 6.13 As can be seen, the development proposed satisfies all considerations of Class MA of the GPDO.
- 6.14 In light of the above Arun District Council is respectfully requested to grant prior approval for the proposed use without undue delay.

Lewis & Co Planning
April 2022