

Planning Support Statement

Prior notification under Class O for Change of Use from B1(a) office to 1 No.2 Bed flat (C3)

9A Beach Road,
Littlehampton,
West Sussex
BN17 5HZ



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1. Background

- a. The unit was originally constructed as a commercial premises at ground floor level with residential accommodation on floors one and two between 1900 and 1910. In 1992 the second floor was used as offices after receiving planning consent, the first floor continued as residential accommodation.
- b. The cleaning business ceased trading from the premises and the top floor has remained empty for a number of years.
- c. There is no demand for office space in Littlehampton and so the current owner seeks to revert the use of the top floor back to a residential use.
- d. The works would convert the second floor office into a 2 bedroom flat above Chopsticks restaurant at 9A Beach Road Littlehampton. No off street parking is to be provided.

2. Site description and context

- a. Site area – The site area is 188 sq.m but the second floor flat covers only 76.7sq.m.
- b. Built form - Three storey building forming part of Beach Road shopping parade. Restaurant at ground floor level with first floor residential accommodation and ancillary offices at second floor level. Timber framed shop front with red brick elevations above. Gable roof.
- c. Use - Located within the principle shopping area of Littlehampton. Solicitor's offices to south and betting office to the north. Various other retail and commercial uses noted within the locality. The ground floor of this premises operates as an A3 Restaurant.

3. Planning history

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| LU/57/92 | Change of use from 1 No. 2 bedroom flat to offices to be used in connection with cleaning contractors. |
| LU/195/14/PL | A previous planning application was granted to convert the use of the property from B1 offices to A2 solicitor's offices however no change of use occurred to A2 so the existing use is given as cleaning company offices. |
| LU/325/16/PD | An earlier application for Prior notification under Class O for Change of Use from B1(a) office to 1 No.2 Bed flat (C3) was not permitted. This application accepted that the proposed change of use complies with Section 0.1 of Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in respect of a development consisting of a change of use of a building and any land within its curtilage to a use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order from a use falling within Class B1 (a) (offices) however it was considered that due to insufficient information in relation to flood risk and noise impacts of the development the local authority raised objections to the granting of |

permitted development and required a further prior approval application in respect with additional information to be provided in that application in relation to flood risk and noise issues as required by Section 0.2 of the Act.

4. Existing and proposed floor plans

- a. Please refer to drawing 2013-SL-28 which shows the existing and proposed floor plans. This application seeks to change three rooms back from offices space to two bedrooms and a lounge. The existing kitchen and bathroom will be retained.

5. Flood Risk

- a. The environmental agency flood zone classification shows the site lying within Flood Zone 3.
- b. The Environment Agency requested that the application LU/325/16/PD be refused because the flood risk resulting from the proposed development has not been considered.
- c. This new application includes a Site Specific Flood Risk Assessment prepared by Archibald Shaw.
- d. This report states the highway levels fronting 9 A Beach Road are estimated to lie in the region of 2.5m AOD assuming ground floor to 2nd floor height equates to 5.0m, the 2nd floor flat level will approximate to 7.5m AOD, which lies 2.6m above the estimated flood level of 4.9m AOD.
- e. Given the proximity of the flood plain to 9A Beach Road the most likely course of action to be taken by tenants would be to sit out the flood event, which would be expected to last no longer than 12 hours.
- f. Emergency access can be sought from the east from Church Street or Maltravers Road. At the estimated peak depth of 2.4m access by boat would be required. Noting that 9A Beach Road lies to the northern extent of the tidal flood plain it is most likely that the local speed of flood waters will be low and therefore safe to traverse.
- g. They conclude that the second floor flat of 9A Beach Road lies some 2.6m above tidal flood levels predicted for the year 2115. Therefore the flat can be considered reasonably safe from flooding and that emergency access to 9A Beach Road can be sought from the east in times of high flood with low flow.

6. Transport and Highways impact of the development proposed

- a. The previous use as Offices was a more intensive use as it accommodated up to 6 staff that could travel to work.
- b. The proposed use will reduce the number of potential vehicular movements.

- c. This development does not benefit from dedicated vehicular parking however a public carpark, Manor House Car Park is located to the rear of the property and limited temporary parking is provided directly to the front of the property.
- d. For access to public transport, Anchor Springs bus stop is 0.1miles away where the 700 bus travels from Littlehampton to either Portsmouth or Brighton as well as being the bus stop for more local bus journeys and Littlehampton railway station is 0.3miles away and this accesses the national train network.
- e. When consulted under application LU/325/16/PD the Highway Authority did not raise any objections to the application. They commented that no parking was required due to the town centre location of the proposed apartment. They requested a condition on cycle parking but as the application was refused this could not be imposed.

7. Contamination risks

- a. This is an existing development with a COU sought for the second floor of an existing building. Therefore there is no contamination risk. This was agreed by Arun District Council when consulted under application LU/325/16/PD.

8. Impact of noise from commercial premises by the development.

- a. Under application LU/325/16/PD the Councils Environmental Health Department requested an Acoustic Report prior to the development commencing which the planning officer considered to represent insufficient information to determine the application.
- b. So a report, prepared in accordance with the provisions of BS4142, to predict noise levels at the facade of the proposed residential unit, with particular attention to the nearby mechanical air extraction flue from Chopsticks restaurant has been commissioned. Such a report to detail any mitigation that may be possible to prevent any adverse effect.
- c. Residential Acoustic Assessment (Report Reference: B4633 20170411 R) has been prepared by Acoustical Control.
- d. The restaurant plant consists of an extract fan with accompanying flue for the restaurant kitchen, along with two AC units on the flat roof, these are all visible from the proposed lounge. There is also an AC unit for the restaurant kitchen, visible and audible from the proposed flat kitchen but it is significantly screened from the lounge and bedrooms and was not audible in these rooms.
- e. It is proposed that the two bedrooms will be at the front and the lounge, bathroom and kitchen at the rear.
- f. The acoustic environment at the front of the restaurant is characterised by road traffic on Beach Road, pedestrian activity – sometimes particularly loud, sea gulls and church bells on the hour. At the rear it's characterised by car park activity, sea gulls, some distant building work, pedestrian activity, church bells on the hour, a substation and third party plant.

- g. The report concludes that the rating level from the restaurant plant is 11dBA above the measured background level and thus could indicate a significant adverse impact, depending on the context. However the internal ambient and residual sound levels were also measured and provided evidence that even with the windows open, the ambient sound levels are within the limits set out in BS8233:2014 for ensuring adequate daytime resting conditions.
- h. Due to the lack of outdoor amenity space at the proposed development, it is suggested that the internal sound levels are more relevant and as they were measured to be suitable, no acoustic treatment of the plant is deemed appropriate. Additionally, there were discrete events in the car park that at times masked the specific sound from the plant.

9. Conclusion

- a. An earlier application for Prior notification under Class O for Change of Use from B1(a) office to 1 No.2 Bed flat (C3) was not permitted. This application accepted that the proposed change of use complies with Section 0.1 of Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in respect of a development consisting of a change of use of a building and any land within its curtilage to a use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order from a use falling within Class B1 (a) (offices).
- b. A site specific flood risk assessment and noise survey / report as required under Section 0.2 of the Act show there is no Flood Risk increase or impact from the development to the Flood Risk zone and there are no significant adverse impact from sound on the property.
- c. It had previously been agreed that there is no detrimental impact to the existing transport and highways network / infrastructure and there is no contamination risk posed by the development or to the development.
- d. Therefore there is no reason why the permitted development rights in respect of the change of use of premises from a B1(a) office use to C3 residential use should now not be approved.

Report prepared by Nash and Partners Limited

12 April 2017