

Recommendation Report for Planning Permission

REF NO: LU/195/25/PL

LOCATION: 1 & 2 Norfolk House
Beach Road
Littlehampton
BN17 5HZ

PROPOSAL: Change of use from offices to 2 No. 1 bedroom flats. This application is in CIL zone 4 (zero rated).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks a change of use from offices to 2 No. 1 bed flats.

SITE CHARACTERISTICS The site has a retail unit and a restaurant at ground floor, with offices above. The site is at the end of a terrace.

CHARACTER OF LOCALITY The site is in Littlehampton Town Centre. Properties along Beach Road generally have retail and other commercial uses at ground floor level, with offices and some residential uses at first floor.

RELEVANT SITE HISTORY

LU/222/22/PL	Change of use from first floor offices to two one bedroom flats.	ApproveConditionally 24-11-22
LU/316/18/PL	Installation of new shopfront & shutters with new shop door position	ApproveConditionally 17-12-18
LU/153/11/	Proposed Indian tandoori restaurant with new extraction system & disabled w/c (Resubmission of LU/43/11)	ApproveConditionally 28-07-11

Planning history noted. This application seeks to renew the planning permission granted for the conversion of the first floor into 2 No. flat under LU/222/22/PL.

REPRESENTATIONS

Littlehampton Town Council - No objection.

No representations were received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ENVIRONMENTAL HEALTH - Holding objection, due to potential noise impacts on future occupiers. Conditions recommended.

ECONOMIC REGENERATION - No comment.

ENVIRONMENT AGENCY - No objection. Conditions recommended to ensure that the development is carried out in accordance with the Flood Risk Assessment.

WSCC HIGHWAYS - No objection.

PRIVATE SECTOR HOUSING - No objection, advice provided on compliance with other legislation.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Conditions recommended by Environmental Health and Environment Agency added.

POLICY CONTEXT

Designation applicable to site:
 Town Centre Retail Boundary
 Economic Growth Areas
 Built Up Area Boundary
 Flood Zone 3
 Surface Water Flood Risk

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

- DDM1 D DM1 Aspects of form and design quality
- DDM2 D DM2 Internal space standards
- DDM4 D DM4 Extensions and alter to exist builds (res and non-res)
- DSP1 D SP1 Design
- WDM2 W DM2 Flood Risk
- ENVDM5 ENV DM5 Development and biodiversity
- EMPDM1 EMP DM1 Employment Land: Development Management
- ECCSP1 ECC SP1 Adapting to Climate Change
- ECCSP2 ECC SP2 Energy and climate change mitigation

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) The Presumption in Favour of Sustainable Development

Littlehampton Neighbourhood Plan 2014 Policy 2 A Spatial Plan for the Town

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that the proposal provides residential accommodation in a sustainable location.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS**PRINCIPLE**

The site lies in the built-up area boundary, where residential development is acceptable in principle in accordance with Arun Local Plan (ALP) policy SD SP2 and Littlehampton Neighbourhood Development Plan (LNDP) policies 1 and 2. The proposal is acceptable provided it is in accordance with other policies of the ALP.

LOSS OF COMMERCIAL FLOORSPACE

The proposals result in the loss of office space on the first floor of the premises. ALP policy EMP DM1 (2)

requires the protection of existing employment sites and the loss of employment space should be resisted where there remains a reasonable prospect of employment use.

Although the first floor would be converted to residential use, commercial uses would remain at ground floor level. The application states that the office space has historically been difficult to let, and has not been active or intensive employment use for some years. The site already benefits from a planning permission for the change of use, which expires on 24 November 2025, and Arun's Economic Development Team have no objection. A proposed change of use of the offices may be permitted development under Schedule 2, Part 3, Class MA. This allows for the conversion of commercial, business and service uses to dwellinghouses, subject to the conditions specified under this Class.

Given that the loss of this commercial space could occur without the need for planning permission, and the ground floor retail units would remain, the proposals are compliant with ALP policy EMP DM1.

CHARACTER AND VISUAL AMENITY

The area around Beach Road contains a mix of land uses, with various commercial uses, and some residential use at first floor level. The street is characterised by this mix of uses, and the proposed change of use would not harm the character of the area.

The proposal is for the conversion the office space, and will entail some alterations to fenestration. The existing glass block window on the north elevation would be replaced with a standard casement window of the same size and on the west elevation the first floor windows will be replaced with windows of the same type and configuration. Alterations on the east elevation include the addition of windows below existing windows, and blocking up two smaller windows in the centre of the wall. The existing roof lanterns on the lower section of roof will also be removed. These alterations are minor, and would have a minimal impact on the appearance of the area, maintaining the character of the property in accordance with ALP policies D DM1 and D DM4.

INTERNAL SPACE STANDARDS

The proposals meet internal space standards set out in the Technical Housing Standards (Nationally Described Space Standard), in accordance with ALP policy D DM2. The standards state that a one bedroom flat occupied by two people should have an area of 50sqm. Both flats will exceed this requirement.

Section H.04 of the Arun Design Guide (ADG) sets out standards for outdoor amenity space. For flats, the ADG advises that developments should provide at least 3sqm of useable space. Both flats have a private patio/balcony which exceeds this, and the site is close to open spaces, parks and the seafront for recreational activities. The layout will provide a good standard of amenity for future residents and is acceptable.

RESIDENTIAL AMENITY

The residential use will not generate a negative impact on nearby residential amenity. There are no neighbouring residential occupants to the north. To the south there are flats at first and second floor, the introduction of two additional flats will not give rise to a level of activity beyond that already generated by existing flats nearby or by the current commercial use. Minimal external works are proposed. The alterations to fenestration only introduce additional fenestration on the east elevation, close to existing windows. The proposals will not result in harmful overlooking impacts. The proposal will not impact neighbouring amenity in accordance with policies D DM1 and QE SP1.

The Environmental Health comments on the application raise concerns about the impact of noise and odour from the downstairs commercial uses and surrounding traffic on the amenity of future occupiers. They recommend conditions to ensure that the levels of noise experienced by future occupiers will not be

harmful, in accordance with ALP policies QE SP1 and QE DM1.

FLOOD RISK

The site is in Flood Zones 2 and 3, and is at risk from surface water flooding. The application is accompanied by a Flood Risk Assessment, although this does not consider climate change. All residential accommodation proposed by the application is at first floor level, meaning that the flats are away from the areas with the greatest flood risk. The proposal does not involve an increase in the building footprint, and would not result in any alteration to existing surface water drainage arrangements. The development would not increase flood risk elsewhere, in accordance with ALP policy W DM2. Although safe access and escape routes cannot be provided in this instance in partial conflict with NPPF para 181(e), in a flood event, residents would be able to remain safely inside their homes. Residual flood risk can be acceptably managed. The Environment Agency had no objection, subject to condition. The development would be kept safe from flood risk, and would not increase flood risk elsewhere in accordance with ALP policy W DM2, and the NPPF.

TRANSPORT AND PARKING

Policy T SP1 seeks to ensure that development provides safe access on to the highway network and promotes sustainable transport. The Council also has a Parking Standards SPD. The site is within Parking Behaviour Zone 4, meaning each flat would require 1 space and 20% visitor parking.

No parking spaces are provided as part of the proposal. No parking spaces were provided for the commercial offices, and the loss of any parking demand generated by the commercial offices will result in a neutral impact when balanced against any parking demand generated by the two flats. The SPD states that a more flexible approach will be taken with schemes that incorporate flats and on sites close to urban centres. This site is in a town centre location, close to a variety of transport modes, future occupiers would not be reliant on the use of a private motor vehicle. A lack of parking in this location is not sufficient to warrant refusal on parking grounds. There is controlled on street parking on Beach Road, several car parks nearby and uncontrolled on street parking within a short walk of the site.

The proposal complies with ALP policy T SP1.

CLIMATE CHANGE

Policy ECC SP2 requires that all new residential and commercial development be energy efficient and incorporate decentralised, renewable, and low carbon energy supply systems. ECC SP1 requires that new development be designed to adapt to impacts arising from climate change. The application is not accompanied by information on energy efficiency, and a condition is therefore imposed to ensure compliance with ALP policies ECC SP1 and ECC SP2.

BIODIVERSITY

ALP policy ENV DM5 requires proposals to seek to achieve a net gain in biodiversity and protect habitats on site. The site is an existing building within a town centre location, and limited alterations to the exterior of the building are proposed. Although the proposals do not include measures to increase biodiversity, the applicant has demonstrated that options for increasing biodiversity have been explored. Given the nature of the proposal, this is acceptable in this instance.

SUMMARY

The proposed development would represent a small boost to the Council's current Housing Land Supply shortfall, meets the definition of sustainable development and is generally policy compliant (with the exception of parking provision). The additional two dwellings has moderate weight in the planning balance.

Although there is some technical conflict with NPPF para 181, as the proposal cannot demonstrate safe

access and egress from the property during a flood event, the residential accommodation would be kept safe from flood risk and the proposal provides significant benefits in terms of the re-use of an underutilised existing building to provide residential accommodation within a sustainable location. The adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The proposal is in accordance with relevant development policies, and is recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

CIL DETAILS

This application is not CIL liable.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location plan
- Block plan S - (13)02
- Proposed floor plans P - (03)01

- Proposed elevations P - (04)01
- Proposed roof plan 02 E - (03)02
- Biodiversity enhancement statement and Economic development statement

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 3 Construction work shall not begin until a scheme for protecting the proposed residential accommodation from noise from the existing noise climate has been submitted to and approved in writing by the Local Planning Authority. All such works which form part of the scheme shall be completed before any part of the residential accommodation is occupied.

Reason: To safeguard the amenity of residents in accordance with Arun Local Plan policy QE DM1. This must be a pre-commencement condition because it is necessary to have such mitigation measures in place before the buildings are occupied.

- 4 The development shall be carried out in accordance with the submitted flood risk assessment (dated October 2022) and the mitigation measures it details. All sleeping accommodation shall be at first floor level or above. Finished floor levels shall be set no lower than existing.

These mitigation measures shall be fully implemented prior to occupation and shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

- 5 The sound insulation of the floor/ceiling between the first and ground floors shall achieve a minimum airborne sound insulation value of 50 dB (DnT, w + Ctr). Before the residential unit is occupied, a test report completed by a competent person shall be submitted to and approved in writing by the Local Planning Authority to demonstrate compliance with this level. The approved insulation shall be retained and maintained in perpetuity.

The applicant should review the Planning Noise Advice Document - Sussex, November 2023: <https://www.arun.gov.uk/download.cfm?doc=docm93jjjm4n19846.pdf&ver=24686>

Reason: To protect the amenity of local residents in accordance with the Arun Local Plan policy QE SP1

- 6 No internally or externally located plant, machinery equipment or building services plant shall be operated on the site until an assessment of the acoustic impact arising from the operation of all such equipment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014+A1:2019 and shall include a scheme of attenuation measures to mitigate the adverse impacts identified in the acoustic assessment. The scheme shall ensure that the rating level of noise emitted from the proposed building services plant is 5 dB less than the prevailing background sound level (LA90). The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter. Any agreed attenuation measures shall be permanently maintained in good working condition.

The applicant should review the Planning Noise Advice Document - Sussex, November 2023: <https://www.arun.gov.uk/download.cfm?doc=docm93jjjm4n19846.pdf&ver=24686>.

Reason: To protect the amenity of local residents in accordance with the Arun Local Plan policy QE DM1.

- 7 The approved development shall include energy efficiency measures that reflect the current

standards applicable at the time of submission and decentralised, renewable or low carbon energy supply systems. Any physical features that are required as part of the works must be installed prior to the occupation of each dwelling and shall be thereafter permanently maintained in good working condition.

Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and Arun Local Plan policy ECC SP2.

- 8 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 9 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the NPPF.

- 10 INFORMATIVE: Please note the recommendations and comments of the ADC Private Sector Housing Team on the ADC website dated 07/11/2025 which include guidance on fire safety, the requirements of the Housing Act 2004, other hazards and standards.