

PLANNING STATEMENT

38/40 HIGH STREET, LITTLEHAMPTON



Whaleback Planning & Design
91 Boundary Road
Hove BN3 7GA



Site	38/40 High Street, Littlehampton, BN17 5ED
Project	Prior Approval for the change of use of upper floors from retail (Use Class E) to two flats under Schedule 2, Part 3, Class G.
Applicant	38 High Street Littlehampton Limited
Our Ref	W2610
Date	March 2022
Version	20220322

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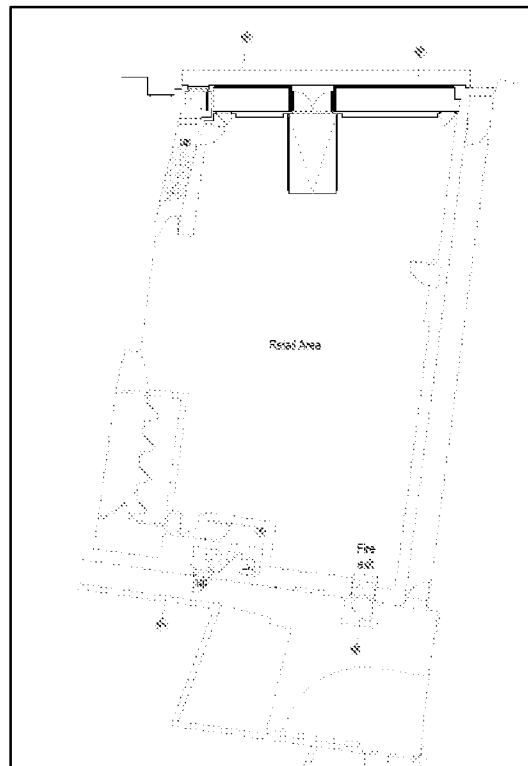
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Introduction

1. Whaleback Planning & Design is instructed by the applicant to prepare and submit an application to confirm whether the prior approval of the Local Planning Authority is required in respect of the change of use of the upper floors of the commercial unit of 38/40 High Street (Use Class E) to two flats, under Schedule 2, Part 3, **Class G** of the General Permitted Development Order (GPDO) 2015 (as amended).
2. This Planning Statement includes a description of the site and the retail use, an explanation of the proposed conversion and building works, and a demonstration that the conversion proposed fully complies with the restrictions set out in the GPDO.
3. A separate application for planning permission has been submitted for minor external alterations associated with the proposed change of use. These two applications should be considered in conjunction with one another.

Site and Surroundings

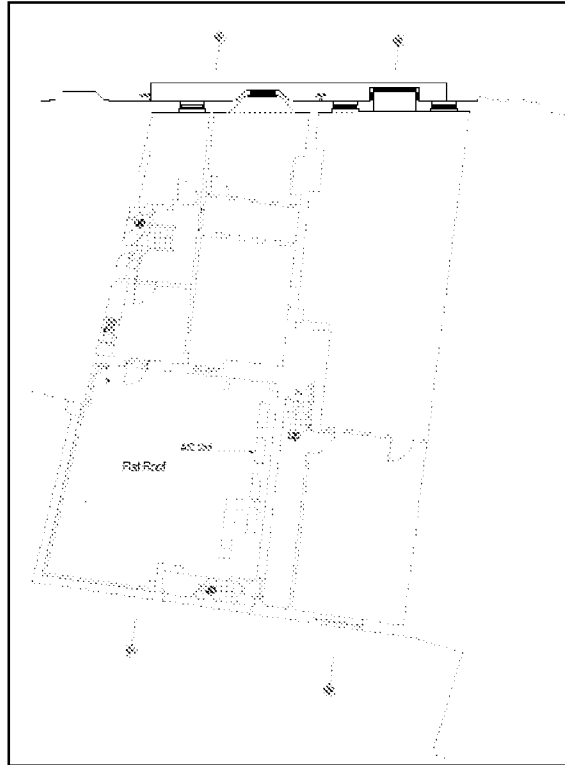
4. The application site comprises a three-storey commercial building located to the west of High Street. The property comprises an open plan clothing shop at ground floor with ancillary offices, storage and staff facilities within the upper floors. The site also contains a service yard to the rear with a separate access from Sparks Court.
5. The building includes a single storey flat roof extension and a hipped roof two storey outrigger to the rear elevation and a dormer window to the rear roofslope. The Use Class of planning unit is Class E(a).
6. The surrounding site contains a mixture of uses– commercial and residential.



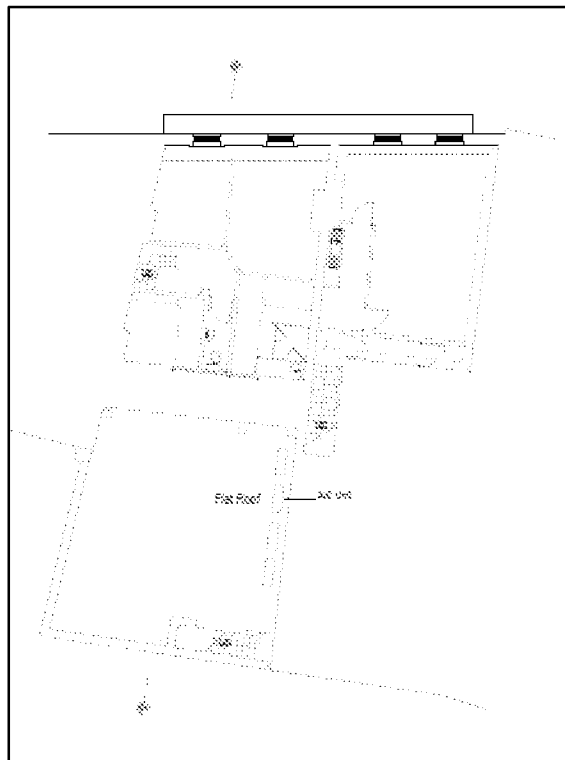
Existing ground floor

Constraints and Designations

7. The site is not within a conservation area and there are no Listed Buildings nearby. The site is located within the Primary Frontage of the Littlehampton Town Centre; however, this has no bearing on this application.



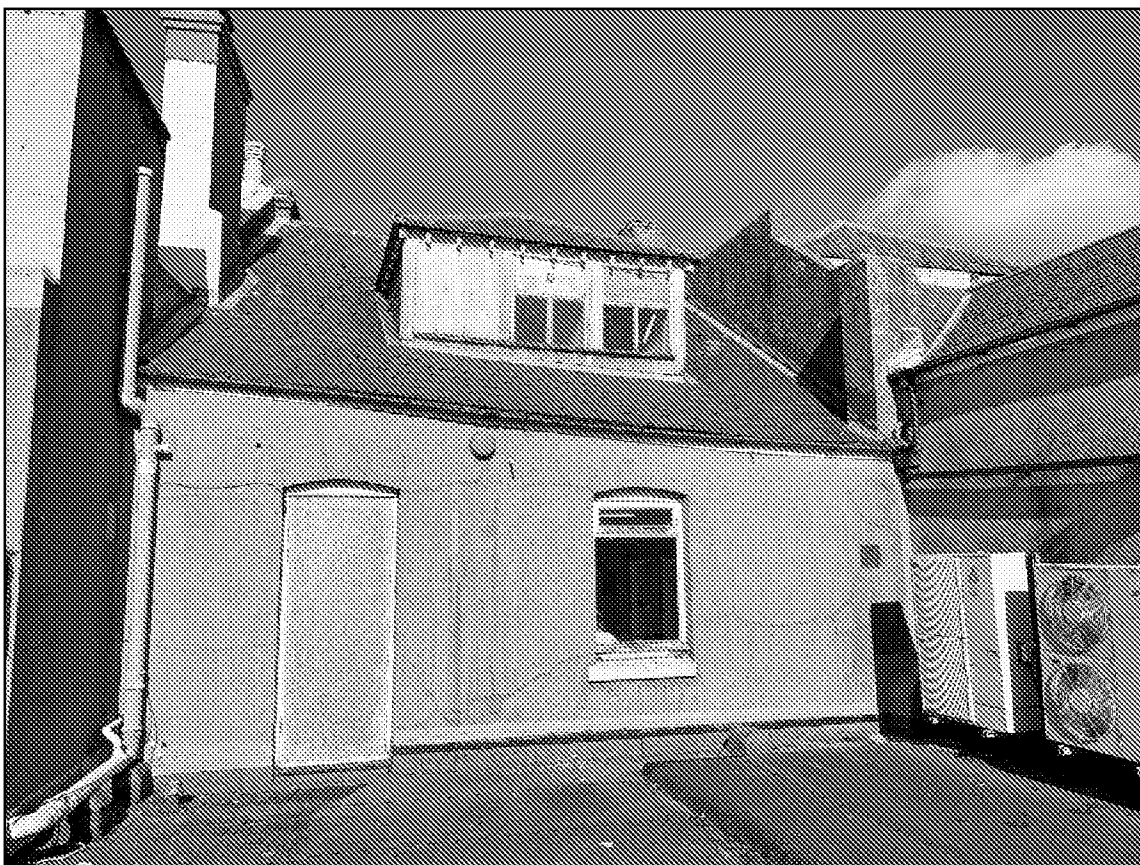
Existing first floor



Existing second floor



Front elevation



Part rear elevation

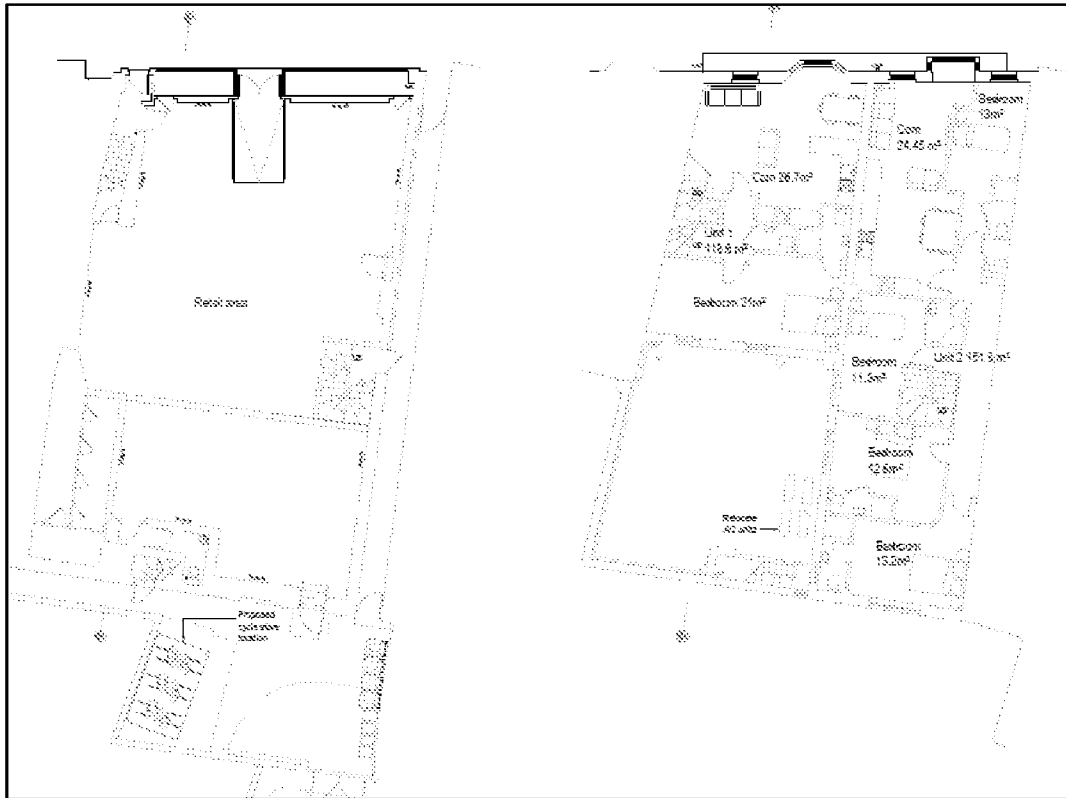


Rear elevation and access

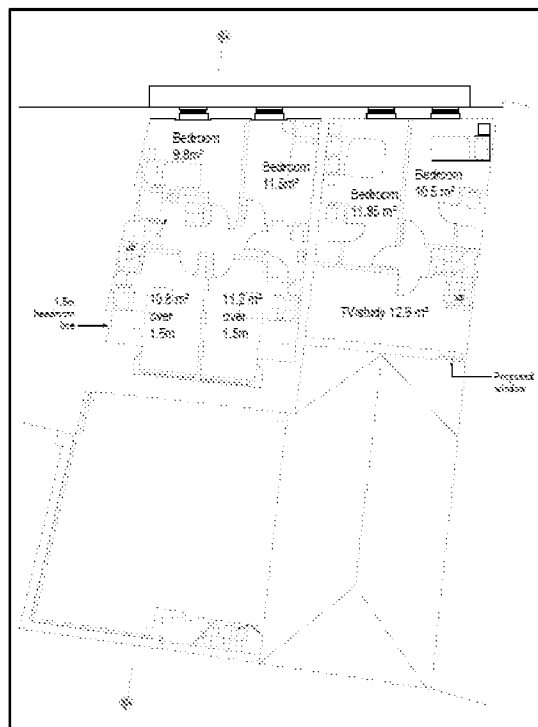
Development Proposal

8. It is proposed that the first and second floor (Use Class E) be converted to two flats. Unit 1 would include an ensuite bedroom, W.C. and an open plan kitchen/living/dining room at first floor level in addition to four further bedrooms and two bathrooms at second floor level. Unit 2 would include four ensuite bedrooms and an open plan kitchen/living/dining room at first floor level and two bedrooms with additional communal space at second floor level.
9. The total GIA of each unit is as follows:
 - Unit 1 - 118.6sqm
 - Unit 2 - 151.6sqm
10. The existing ground floor commercial unit and shopfront would be retained, and an existing front access door would be utilised for access to Unit 1, whilst an additional access door is proposed to the western side elevation for Unit 2.
11. This new door and other minor external alterations are sought under a separate application for planning permission.
12. The other minor works comprise the installation of a replacement rear dormer window, the installation of three new windows at first floor level to the western side elevation, the installation of one new window to the rear elevation at second floor level, the relocation of the AC units to the rear flat roof, and the installation of cycle storage and refuse and recycling storage to the rear.

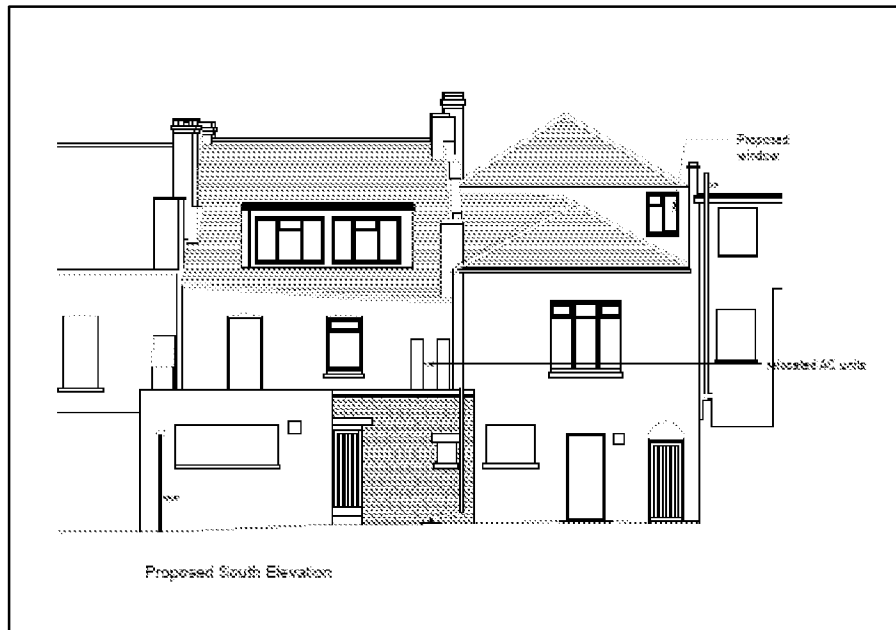
13. The separate application for planning permission should be read in conjunction with this application for prior approval.



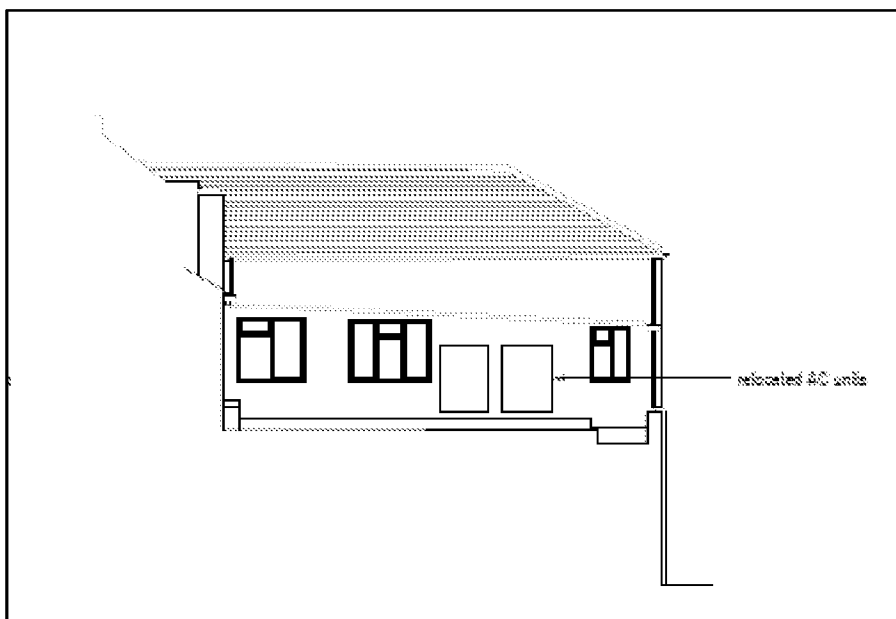
Proposed ground and first floors



Proposed first floor plan



Proposed rear elevation



Proposed western side elevation

Relevant Planning History

14. **LU/209/96** – New Shopfront to existing Mackays shop. Approved 14/11/96
15. **LU/507/86** - Change of use from office to photographic studio. Approved 19/12/96

Class G Restrictions

16. The proposed change of the first and second floors of a retail unit (Use Class E) to residential in the form of two self-contained six-bedroom flats complies entirely with the restrictions set out in Class G, as demonstrated below.

Class G – commercial, business and service or betting office or pay day loan shop to mixed use

Permitted Development

G. Development consisting of a change of use of a building—

(a) from a use within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order, to a mixed use for any purpose within that Class and as up to 2 flats;

(c) from a use within article 3(6)(n) (betting office) or 3(6)(o) (pay day loan shop) of the Use Classes Order, to a mixed use for any purpose within Class E (commercial, business and service) of Schedule 2 to that Order and as up to 2 flats;

(e) from a use falling within article 3(6)(n) (betting office) or 3(6)(o) (pay day loan shop) of the Use Classes Order to a mixed use falling within article 3(6)(n) (betting office) or 3(6)(o) (pay day loan shop) of the Use Classes Order and as up to 2 flats.

17. The application unit; the first and second floors of 38/40 High Street, Littlehampton, is of a lawful retail use (Use Class E). The site is currently in use as retail (M&Co.) and business rates records from 2010 and 2017 list the site as 'shop and premises'. The lawful use of the planning unit is therefore not in question and the unit benefits from the rights set out in Class G.

Conditions

G.1 Development permitted by Class G is subject to the following conditions—

(a) some or all of the parts of the building used for a use within, as the case may be, article 3(6)(n) (betting office) or 3(6)(o) (pay day loan shop) of, or Class E of Schedule 2 to, the Use Classes Order is situated on a floor below the lowest part of the building used as a flat;

18. The existing retail use (class E) at ground floor level will be retained below the upper floors of the building to be converted to flats.

(b) where the development consists of a change of use of any building with a display window at ground floor level, the ground floor must not be used in whole or in part as a flat;

19. The building has a display window at ground floor level and no part of the ground floor would be used as a flat.

(c) a flat must not be used otherwise than as a dwelling (whether or not as a sole or main residence)—

(i) by a single person or by people living together as a family, or

(ii) by not more than 6 residents living together as a single household (including a household where care is provided for residents).;

20. Both flats would be occupied by no more than 6 residents living together as a single household.

(d) before beginning development, 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—

(i) contamination risks in relation to the building;

21. There are no known contamination issues associated with the application site. The retail use of the site is unlikely to have caused any contamination of the land.

(ii) flooding risks in relation to the building;

22. The application site is categorised by Environment Agency mapping as Flood Zone 1 and is therefore at low risk of flooding.

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

23. The site is not located nearby to any commercial uses which are likely to generate significant noise levels. There is a public house garden located to the south of the site, however it is set a sufficient distance away to ensure that harmful disturbance would not result.

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

24. Both open plan living/kitchen/dining rooms would be well served by bay windows and secondary windows. All bedrooms would have vertical windows, and therefore would also be well served with natural outlook. All habitable rooms would benefit from a good standard of natural light

(v) arrangements required for the storage and management of domestic waste.

25. Refuse and recycling storage would be provided for both units within the rear amenity area.
26. In addition to the restrictions set out within Class MA, Article 3 (Permitted Development) of the GDPO sets out additional requirements for new dwellings, as set out below.

(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.

27. The proposal includes one 6-bedroom 6 person unit and one 5-bedroom 5-6 person unit. The Nationally Described Space Standards require a minimum gross internal floor area (GIA) of 116sqm for a six-bedroom two storey unit, a minimum floor area of 7.5sqm and a minimum width of 2.15m for a single bedroom, and a minimum floor area of 11.5sqm and a minimum width of 2.55m (with at least one room with a width of 2.75m) for a double bedroom. The proposed accommodation schedule is set out below:

Unit 1 – 5-bedroom, 5-6 person – 118.6sqm

- First floor double bedroom – 21sqm, 3.3m wide
- Second floor single bedroom – 9.8sqm, 2.5m wide
- Second floor single bedroom – 11.5sqm, 2.4m wide
- Second floor single bedroom – 10.8sqm, 3.2m wide
- Second floor single bedroom – 11.2sqm, 3.2m wide

Unit 2 – 6-bedroom, 6 person – 151.5sqm

- First floor double bedroom – 13.2sqm, 4.1m wide
- First floor double bedroom – 12.6sqm, 2.8m wide
- First floor single bedroom – 11.3sqm, 2.7m wide
- First floor single bedroom – 13sqm, 2.5m wide
- Second floor double bedroom – 11.96sqm, 2.7m wide
- Second floor single bedroom – 10.5sqm, 2.8m wide

28. The proposal would therefore exceed the Nationally Described Space Standards.

Conclusion

29. The proposed development complies fully with the restrictions set out in Class G. It has been demonstrated that the site benefits from class G rights. There is no known contamination risk associated with the building and the development. The site is acceptable in terms of flood risk. There would be no harmful noise impact from commercial premises on future occupiers, the proposed units would receive good natural light levels, refuse and recycling storage is proposed, and both units would meet the Nationally Described Standards.
30. For these reasons it is respectfully requested that the Local Planning Authority grants prior approval without undue delay.

Engagement with the Local Planning Authority

31. This planning statement has been prepared to assist the Local Planning Authority in the determination of the application with regard to national and local planning policy. However, in the event that the Local Planning Authority should wish to discuss any element of the scheme, including potential amendments, the applicants would welcome a discussion prior to the determination of the application. Correspondence can be sent to Whaleback Ltd via the contact details set out below.

Whaleback Planning & Design
 The Old Bank
 257 New Church Road
 Hove
 BN3 4EE

