

Change of Use

**and minor external alterations to former ground floor fast food takeaway restaurant
(sui generis use) to residential use to create 1 no 1 bedroom flat**

at

32 Railway Approach, East Grinstead, West Sussex RH19 1BP

Design and Access Statement

and

Planning Statement

Job No. 1315 Document No. DAP/01

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Design and Access Statement

The Proposal

1. The proposal is for the change of use of the former ground floor takeaway known as 'Chutney Grill and Indian Takeaway' (sui generis use) at 32 Railway Approach, East Grinstead, West Sussex RH19 1BP to residential use to create 1 no. 1 bedroom flat.



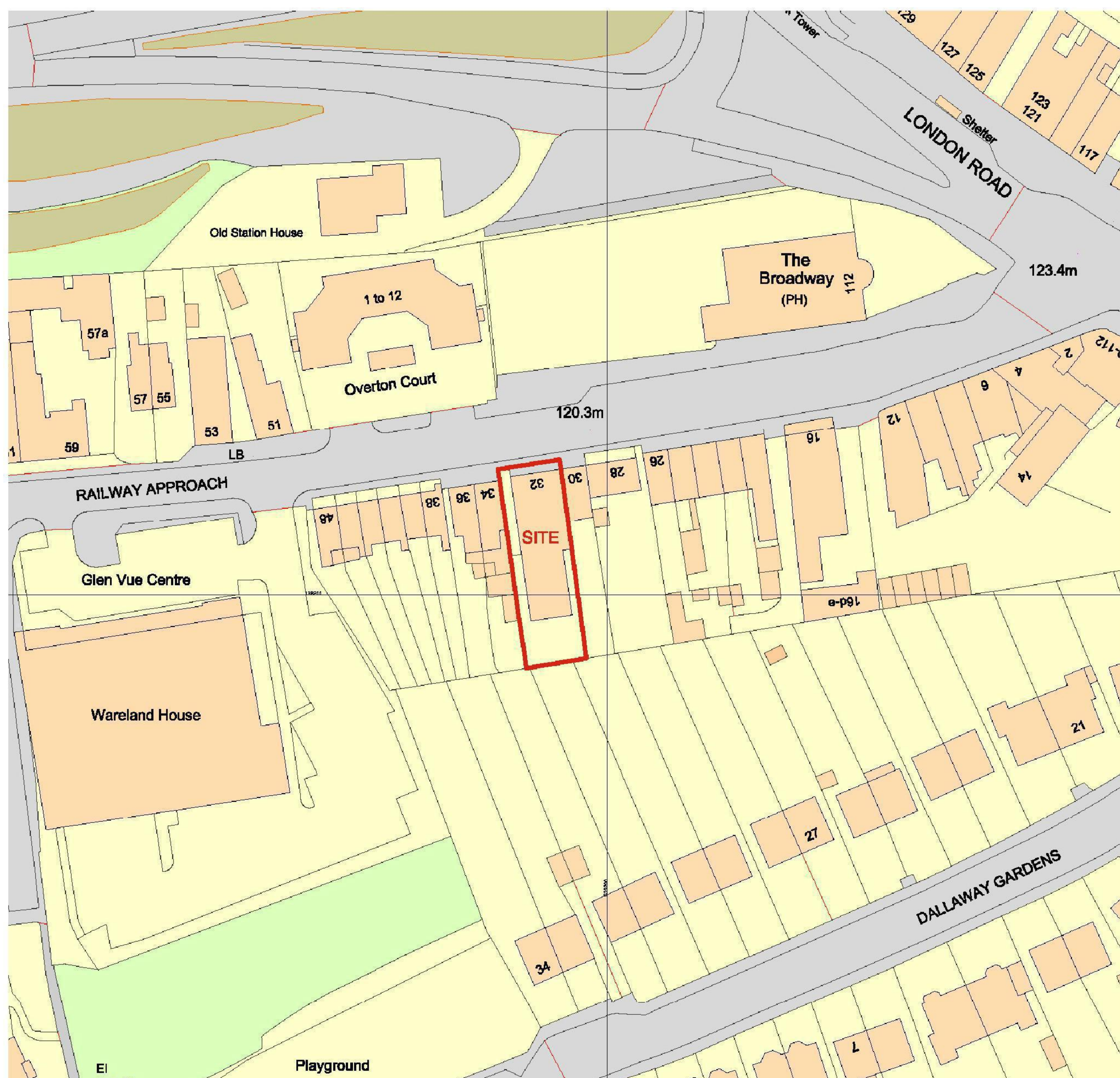
Above: No 32 Railway Approach viewed from the street with the side access path on the right.

The Site / Building

2. The site lies within the commercial centre of East Grinstead, defined in the Mid Sussex District Plan as primary shopping frontage and within the town centre boundary as defined within the East Grinstead Neighbourhood Plan. It is located within the built-up area of East Grinstead and within 7km of the Ashdown Forest. It is not located within the East Grinstead Conservation Area.
3. It is located on the south side of Railway Approach which links the railway station to the west with London Road to the east. It is within a short walk of the town centre shops and supermarkets and other facilities such as library, sports centre, gyms, cinema, public houses, restaurants, post office and so on. It is within the 5 minute walkband of East Grinstead railway station which has a frequent train service to East Croydon, Clapham Junction and London. It is also a transport node for bus routes serving the surrounding area.
4. The site area is 341 m² (0.0341 hectares). It is roughly three times as long as it is wide.
5. Where it fronts onto Railway Approach the building is 2-storeys in height with a former takeaway use on the ground floor and residential use above. At the rear the site drops away sharply allowing the building to be 3-storeys in height with a lower ground storey occupied by 2 residential flats accessed from the path at the side of the property. At the south of the site the land steps down further at the boundary with 30 and 31 Dallaway Gardens. It then continues to fall towards Dallaway Gardens whose centreline is over 9

metres below that of Railway Approach. Consequently the views from the site to the south are over the roofs of the properties in Dallaway Gardens towards the other side of the valley.

6. Part of the lower ground floor accommodation comprises a sizeable flat-roofed extension with amenity space around 3 sides.
7. The surroundings are largely in commercial and residential use. The ground floors of no. 26 (Reign Gallery Tattoos) and no. 36 (Goldilocks Hair and Beauty) are both now residential. No. 34 is a pet shop (Goughs Pet Store) with associated storage above and no. 30 is a dental practice (The Denture Studio) with a self-contained residential flat on the lower ground floor.
8. The site frontage is part of the remaining built edge to the street at the east end of the south side of Railway Approach. The rest of the built edge at the west end of the south side of Railway Approach has been lost. The built edge to the street at the north side of Railway Approach has been lost but offers a variety of residential development opportunities which in time, taken together with this proposal, could reinvigorate this part of the town.



Above: Site location plan.

9. Railway Approach is in a mixture of architectural styles. The site forms one end of an authentic and intact Victorian terrace of properties. This proposal will secure the site's future. Elsewhere on Railway Approach improvements and redevelopment of the various opportunities that exist will strengthen its function as a gateway into the town from the station.

Relevant Planning History

10. 14/03938/COU Approved 8 May 2015. Change of use and alterations to rear lower ground floor to create a 2 bedroom flat. Rear extension and alteration of ground floor to provide additional kitchen space and a terrace. Rear extension to first floor flat.
11. DM/18/038 Approved 30 October 2020. Retrospective application for change of use and alterations to lower ground floor to create 1 no. 2 bedroom flat and 1 no. 1 bedroom flat. Rear extension and alteration of ground floor to provide additional kitchen space and a terrace. Rear extension to 1st floor flat. Amendment to planning permission 14/03938/COU (Amended plans received on 3 September 2018).

Existing Uses

12. The existing accommodation comprises:
- Lower Ground Level – 1 no. 2 bedroom flat and 1 no. 1 bedroom flat accessed from the path at the side of the property [DM/18/038 and 14/03938/COU].
 - Ground Floor Level -Former 'Chutney Grill and Indian Takeaway' restaurant which fronts onto Railway Approach.
 - First Floor Level – 1 no. flat accessed at ground floor level off Railway Approach.
13. The existing mixed use arrangement proved to be unworkable in practice after causing significant issues. The problems included:
- Noise from late night activity in the kitchen above the bedrooms
 - Fumes and odours that travelled despite the extraction measures
 - Late night antisocial behaviour from customers and staff

In addition to the impact on residents the commercial take-away was struggling financially and is now closed. The current economic climate placed significant pressure on small hospitality businesses and the operator of the take-away restaurant chose not to continue with the business. The set up was not sustainable for those living in the building or for the operator. The owner felt that there was no point continuing commercial use on this plot when there are plenty of empty commercial units closer to the town centre. As a result the vitality and viability of the town centre will not be not harmed by this change of use.

Proposed Uses

14. The proposed accommodation comprises:
- Lower Ground Level – 1 no. 2 bedroom flat and 1 no. 1 bedroom flat accessed from the path at the side of the property. [COMPLETED UNDER DM/18/038 and 14/03938/COU]
 - Ground Floor Level – 1 no. 1 bedroom flat accessed off Railway Approach. [CHANGE OF USE]
 - First Floor Level – 1 bedroom flat. [EXISTING UNCHANGED]
15. This revision to the mix of accommodation accords with objective 4 of the East Grinstead masterplan which seeks to provide residential accommodation within the town centre to increase and diversify its resident, visitor and workplace populations.
16. The retail frontage towards the east end of the south side of Railway Approach gives way to residential frontage towards the west end. Moving from east to west the last retail unit on the south side of Railway Approach was 'Goldilocks' hairdressers at 36 Railway Approach however this unit was granted retrospective planning permission for change of use from a hairdressers to a residential flat on 7 June 2022 under permission DM/21/4040 and is now in residential use.
17. 34 Railway Approach forms one half of a single structure with 36 Railway Approach which is physically separated on both sides from 38 and 32 Railway Approach. 34 Railway Approach remains in retail use as a pet shop.
18. Whilst it presents as an end of terrace, 32 Railway Approach appears also once to have been a single structure. It is physically separate on one side from 34 Railway Approach and 30 Railway Approach on the other side appears to be a historic infill. Conversion to residential at ground floor level need not

therefore be seen as the conversion of part of a terrace but the conversion of an original stand alone building which will retain its own presence within the streetscape.



Above left: The east end of the south side of Railway Approach with no. 32 in the centre of the picture.

Above right: The west end of the south side of Railway Approach with no. 32 in the centre of the picture



Above left: Nos 34 and 36 Railway Approach (the former 'Goldilocks' hairdresser now converted to residential use) viewed from the street.

Above right: Residential uses on the south side of Railway Approach from the former 'Goldilocks' hairdresser (now converted to residential use) to East Grinstead railway station.

19. There are no nearby commercial premises which are likely to give rise to any noise which would have an adverse impact on future residential occupiers. The change of use of the former 'Chutney Grill and Indian Takeaway' restaurant to residential will not cause harm to the amenities of existing nearby residents instead it will remove the significant issues that this property imposed on neighbours on account of noise, air and light pollution. No harm will be caused to the character of the street scene as a result of this proposal.

Sustainability

20. The project is in an inherently sustainable location. It makes use of existing urban land and infrastructure. It would bring much needed investment and diversity through sustainable residential use to a part of the town that is in need of reinvigoration.
21. The project promotes a sustainable 'car free' town centre lifestyle that is attractive to young single people and couples. There is sufficient sustainable access to the property by rail, bus and bicycle without the need for the use of a car and the change of use would not give rise to transport impacts.
22. There will be no increase in rainwater run off as the roof area will remain the same such that surface water drainage will remain unaltered. Foul water drainage will remain unaltered as the single wc provision will not change. The utilities intakes will be retained and upgraded as necessary.
23. Most of the existing built fabric will be retained. The new work will be 'sustainably' constructed using locally available and, where possible, locally manufactured 'traditional' materials and modern standards of

thermal insulation, airtightness and energy efficiency in order to conserve fuel and power. Effective, simple to use controls will be provided e.g. TRVs and time clocks. Low energy lighting will be used. Water efficient fittings e.g. low/dual flush wcs, spray taps and an aerated shower heads will be used. Class A/A* appliances will be used.

Layout

24. The existing gross internal area (GEA) of the former 'Chutney Grill and Indian Takeaway' restaurant is 53.34m². Allowing for the thickness of improved thermal insulation to the external walls and fire protection to the walls to the stair to the 1/F flat to meet Building Regulations requirements the GEA for the proposed 1 bedroom flat is 51.55m². This meets the National Space Standard applied by Mid Sussex District Council of 50.00m² for a 1 bedroom, 2 person flat.
25. The internal layout of the proposed 1 bedroom flat comprises a combined living / dining / kitchen area at the front of the plan which is entered directly from Railway Approach and a generous double bedroom and bath / shower room at the rear of the plan. This layout fits comfortably into the available space.
26. The form, scale and setting of 32 Railway Approach remain unchanged and an attractive and appropriate residential frontage to the public realm will be created.

Appearance and external materials

27. The external frontage of the proposed 1 bedroom flat will remain similar to the existing appearance but with the overtly 'commercial' elements such as the large illuminated sign and large second 'shopfront' window revised to a more 'residential' expression. These changes will enhance the sense of a residential place and the character and scale of the surrounding buildings and streetscape.
28. At the front (north) of the building the illuminated sign will be removed entirely being replaced with a new cornice to the bay window in a style reflective of residential bay windows. The large second 'shopfront' window will be reduced in size to a more vertical expression and the bay window will be replaced. Some of the glass areas will be frosted for privacy and the rest afforded privacy by internal 'Venetian' blinds. The red and white external glazed ceramic tiling will be removed and replaced with painted external render. No alterations will take place to the side (west) elevation. At the rear (south) of the building the galvanised steel extract duct / flue will be removed entirely. The two windows to the kitchen of the former 'Chutney Grill and Indian Takeaway' restaurant will be replaced with windows of a similar size relocated to suit the internal residential layout. These windows are 58 metres from the nearest windows to the south at the rear of the properties in Dallaway Gardens.

Access

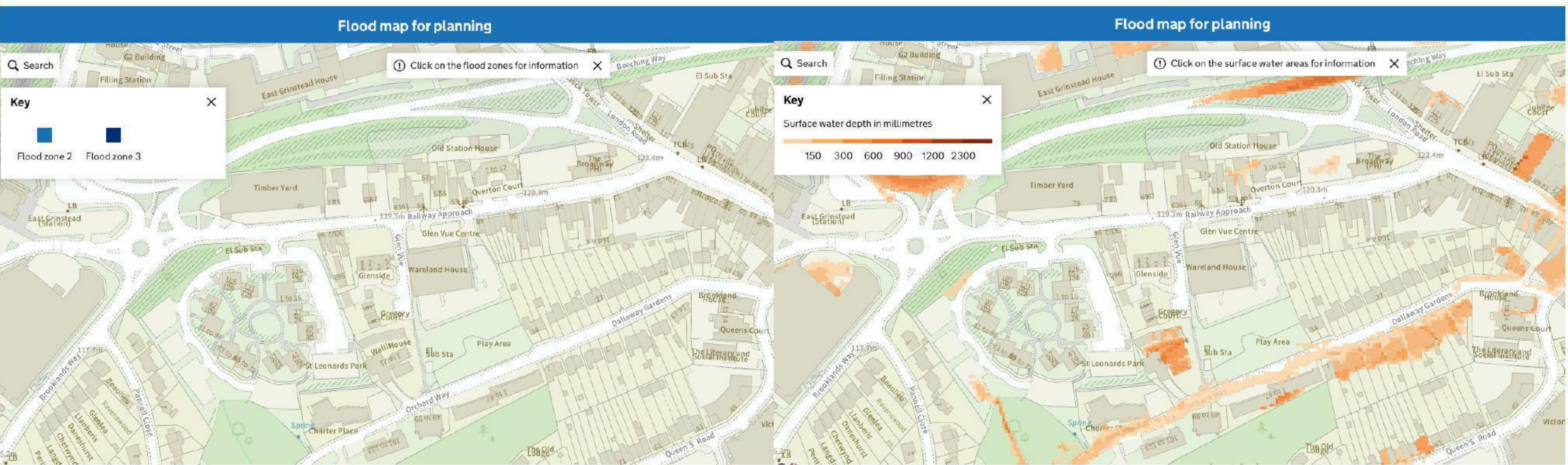
29. Pedestrian, goods and deliveries access to the front portion of the building will be directly off Railway Approach.
30. The external steps at the side of the property provide access to the lower ground floor flats at the rear.
31. Fire Brigade access will be provided from Railway Approach. On account of the fact that fire tender access is not available to the perimeter of the building an agreed alternative approach to access to the rear portion of the building will be required to be reached with the Fire Brigade.
32. Refuse collections will be from Railway Approach. Bins provision will comprise 1 no food waste bin plus 1 no. mixed recycling bin and 1 no. rubbish bin. Bins will be located at the front of the property as elsewhere on Railway Approach.
33. Covered storage for 1 no. bicycle will be provided at the side of the side steps. In order to ensure that the occupants of Flat 1 at lower ground floor level are not unduly disturbed the residents of the proposed new flat accessing their bicycle an additional gate will be added to the side path.
34. In common with most urban sites, access for construction, storage and deliveries is restricted however good site management based on a construction management plan can minimise disruption. Timings of deliveries and collections and methods of construction can be selected (such as the use of small components rather than large prefabricated components) to allow the physical constraints of the site to be overcome.

Ecology and Biodiversity

- 35. As the building is already developed great crested newt mitigation measures are not required.
- 36. As the building is already developed there is no baseline biodiversity and no biodiversity net gain is required.

Flood Risk

- 37. The Government’s Flood Maps for Planning indicate that the site is not within flood zones 2 or 3 or in an area at risk of surface water flooding as confirmed in the extracts below.



Above left: Zones 2 and 3 flood map

Above right: Surface water flood map

Impact on the Ashdown Forest

- 38. As the site is located within 7km of the Ashdown Forest, the proposal will require the payment of a financial contribution to protect the forest from extra visitors. These payments involve contributions towards local Suitable Alternative Natural Green Space (SANGs) and the Strategic Access Management and Monitoring (SAMM) strategy.

END

Planning Statement

(to be read in conjunction with Design and Access Statement above which outlines how the following Policies have been addressed)

The Proposal

39. The proposal is for the change of use of the former ground floor takeaway known as 'Chutney Grill and Indian Takeaway' (sui generis use) at 32 Railway Approach, East Grinstead, West Sussex RH19 1BP to residential use to create 1 no. 1 bedroom flat.

Relevant Planning History

40. In May 2015, planning permission was granted for a change of use and alterations to the rear lower ground floor (from a dance studio and beauty salon) to create a 2 bedroom flat, together with a rear extension and alteration of ground floor to provide additional kitchen space and a terrace, plus rear extension to first floor flat (14/03938/COU). This permission was implemented in separate phases (as the first floor flat was associated with the takeaway use) in order to ensure that the Ashdown Forest mitigation was limited to the additional unit only (being in separate ownership). However, the lower ground floor flat which was permitted to be converted into 1 unit was converted into 2 by utilising much of the space beneath the takeaway.
41. Retrospective planning permission was granted in October 2020 for change of use and alterations to the lower ground floor to create 1 no. 2 bedroom flat and 1 no. 1 bedroom flat together with the rear extension and alteration of the ground floor to provide additional kitchen space, a terrace and a rear extension to the first floor flat (Amendment to planning permission 14/03938/COU) (DM/18/0385).

Relevant Planning Policies

42. The Council will need to have regard to the following Development Plan policies:

Mid Sussex District Plan 2014-2031 (Mar 2018)

Policy DP2: Town Centre Development

Policy DP4: Housing

Policy DP6: Settlement Hierarchy

Policy DP17: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)

Policy DP21: Transport

Policy DP26: Character and Design

Policy DP27: Dwelling Space Standards

Policy DP28: Accessibility

Policy DP29: Noise, Air and Light Pollution

Policy DP38: Biodiversity

Policy DP39: Sustainable Design and Construction

Policy DP41: Flood Risk and Drainage

<http://www.midsussex.gov.uk/planning-building/mid-sussex-district-plan/>

East Grinstead Neighbourhood Plan (Nov 2016)

Policy EG3: Promoting Good Design

Policy EG5: Housing

Policy EG11: Mitigating Highway Impact

Policy EG12: Car Parking

Policy EG16: Ashdown Forest SAC and SPA

<https://www.midsussex.gov.uk/planning-building/neighbourhood-plans/>

43. In addition, the Council will need to have regard to other material considerations. These include:

Mid Sussex District Plan 2021-2039 - Submission Draft (Regulation 19)

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021-2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the

relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and the Stage 1 hearings were concluded on 31 October 2024. There are unresolved objections to some of the Policies in the draft District Plan and as such, only minimal weight can be given to the Plan.

<https://www.midsussex.gov.uk/planning-building/mid-sussex-district-plan/district-plan-review/>

The National Planning Policy Framework (NPPF) (Dec 2024)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Technical Housing Standards: Nationally Described Space Standard (Mar 2015)

<https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

West Sussex County Council: Guidance on Parking at New Developments (Aug 2019)

<https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/pre-application-advice-for-roads-and-transport/#additional-information>

Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

<https://www.midsussex.gov.uk/planning-building/supplementary-planning-documents/>

Assessment

44. The Council will need to have regard to the following Development Plan policies:

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan (as set out above) unless material considerations indicate otherwise.

a. Development Plan

Policy DP2 of the Mid Sussex District Plan states (in part):

'Primary shopping frontages are areas considered to be the principal shopping areas, predominantly for retailing. Proposals should enhance the shopping facilities available and not undermine the retail function of the area. Within primary shopping frontages as defined on the Policies Map change of use will be permitted where:

- *A clear predominance of Class A1 shop uses would be maintained;*
- *The nature of the proposed use would sustain and enhance the vitality and viability of the centre; and*
- *The location and prominence of the proposed use would not lead to a significant break in the continuity of the shopping facilities.*

Changes of use to B1a offices or residential use at ground floor level will be resisted.'

Therefore the proposal would not be considered favourably against this policy.

b. Material Considerations

NPPF

The proposed residential use isn't a 'main town centre use' as defined by the NPPF; however, the NPPF recognises that residential development often plays an important role in ensuring the vitality of centres and encourages residential development on appropriate sites.

Retail Study 2022

The Retail Study (2022) undertaken to support the Draft District Plan provides the most up to date evidence and supports the development of the emerging District Plan draft Policy DPE5: Within Town and Village Centre Boundaries and draft Policy DPE6: Development within Primary Shopping Areas.

The Retail Study states that national policy has moved away from adopting primary and secondary frontages within town centres and therefore recommends that a Primary Shopping Area is adopted in each of the town centres.

Draft DPE5: Within Town and Village Centre Boundaries; and Draft DPE6: Development within Primary Shopping Areas

Draft Policy DPE5 supports the development of 'main town centre uses' as defined by the NPPF.

Draft Policy DPE6 states (in part):

'2. Residential uses will be supported at upper storeys. Residential uses at ground floor level will be resisted unless it can be demonstrated that all of the following apply:

- a) The vitality and viability of the centre is not harmed.*
- b) An attractive and active frontage to the public realm is maintained.*
- c) No harm would be caused to the character of the street scene.'*

The site is proposed to be sited just outside the proposed Primary Shopping Area although it will remain within the proposed Town Centre Boundary.

Conclusion

- 45. It is recognised that the proposed residential use is not a 'main town centre use' as defined by the NPPF; however, it is also recognised that national policy has moved away from adopting primary and secondary frontages within town centres, to just Primary Shopping Areas.
- 46. Although the proposal site is within the Town Centre Boundary and currently within a Primary Shopping Frontage, the proposal is not proposed to be within a Primary Shopping Area.
- 47. It is also recognised that the properties to the west of the site (nos 38-48 Railway Approach) are in residential use and are within the Town Centre Boundary.
- 48. Considering the change in national policy, the most recent evidence base (Retail Study 2022) and the location of the proposal site outside of the proposed Primary Shopping Area, it is unlikely that the change of use in this location to residential would negatively affect the vitality of the town centre.
- 49. In determining any planning application under the current policies, the council will therefore need to weigh up if material considerations outweigh the conflict with the Development Plan. The applicant suggests that this should be the case and expects that the proposed change of use will be treated favourably and planning permission for the change of use of the former ground floor takeaway known as 'Chutney Grill and Indian Takeaway' to residential use to create 1 no. 1 bedroom flat will be granted.

END