

Proposed Prior Approval for the Change of Use of a Ground Floor Restaurant to a Dwelling House to 103 Upper Bristol Road, Weston-s-Mare, North Somerset BS22 8DN

Clients: Mr & Mrs S & L O’Flaherty

April 2024 – Planning Application Issue

Overview

The existing property at 103 Upper Bristol Road is a mid terraced late Victorian era building wholly in the ownership of Mr & Mrs O’Flaherty that is split into a ground floor Class E restaurant area (ex-Duets) with a separate self-contained flat on the upper floor level. There is a rear courtyard area that is used for a single vehicle parking slot, plus a covered area for bicycle & bins/re-cycling storage.

The building sits on a flat site along Upper Bristol Road within an existing mixed use area. Duets restaurant had been in continuous use since October 1987 (over 36 years) but has been vacant since 31st December 2023.

It is not in either a Conservation Area, an Area of Outstanding Natural beauty (AONB) or Site of Special Scientific Interest (SSSI). The property is within a Bat Zone C area.

Concept and Access Statement and Class MA Permitted Change of Use

The main entrance to the property is to the main front elevation on the South East facing elevation and is accessed from the public domain Upper Bristol Road Lower road by a few concrete steps. There is no proposed alteration to this. The Part M class 1 level access will be to the rear elevation entrance.

There are no proposed external works or alterations, only relatively minor internal room changes & adaptations. The resulting 1 bed 2 person property will be a 89.1M² or 959 sq ft apartment, with 7.54m² of internal storage & a double bedroom of 14.85M² floor area – against DCLG national described space standards requirements of 1.5M² of storage & 11.5M² double bedroom space.

- As noted above, the restaurant has been vacant for over 3 months
- The building had been used as a restaurant for over 36 years
- The floor space is less than 1500M² (actual 89.1M²)
- The building is not within any specialist designated areas or categories or has any agricultural tenancies

Permitted Change of Use Assessments

- a) Transport impacts of the development, particularly to ensure safe site access
The proposed access and parking arrangements are unchanged. The level of previous restaurant Customer on-road car parking use has been eliminated so the proposal will not give rise to any adverse transport or highway safety impacts so are presumed acceptable.
- b) Contamination risks in relation to the building

There are no contaminant risks to the property. There are no external works proposed. The ex-kitchen extract system will no longer vent any mass restaurant food & preparation smells or odours – so lowering any perceived air contamination – but will be retained & altered internally for practical re-use as the new bathroom & kitchen extracts.

c) Flooding risks in relation to the building

The property falls within the Strategic Flood Risk Zone 1. There are no proposed external alterations or building works – only internal, therefore the proposal will not increase the flood risk to the plot or elsewhere.

d) Impacts of noise from commercial premises on the intended occupiers of the development

There is a continued diminution of nearby commercial properties, so much so that residential use is clearly more dominant in an existing well established community. The immediate neighbouring buildings either side are all in residential use, with the nearest commercial neighbour to the West being the corner shop (with Furland Road) & with an Accountant 3 doors away to the East.

The small, quiet & mixed used area still enjoys the commercial provision of a licenced premises (pub), launderette, Chinese take away, funeral director & a barber shop. There is currently no noise nuisance or anti-social behaviour issues which could adversely impact the living conditions of the potential occupants, so that any mitigating measures are not necessary or suitable. Therefore it is considered that this change of use proposal is appropriate for the location after taking into account the likely & cumulative effects of pollution on health, living conditions & the natural environment & the wider area.

e) Where the building is located in a conservation area and the development involves change of use of the whole or part of the ground floor, the impact of that change on the character or sustainability of the conservation area

The property is not within a conservation area.

f) The provision of adequate natural light in all habitable rooms of the dwellinghouse

The layout of the living, dining & kitchen area is contemporary & open plan which enjoys the use of the large front elevation bay window. The double bedroom has a double casement fire escape window too opening onto the rear garden/courtyard area. There is also a large roof window offering natural light & ventilation to the internal corridor & utility room.

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

Not applicable

h) Where the development involves the loss of services provided by a registered nursery or 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

Not applicable

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

The existing restaurant meets all the necessary building fabric fire protection requirements, plus also previously installed enhanced sound proofing measures (suspended sound quilt insulated ceiling, parge coat & battened out sacrificial party walls) necessary to continue providing a safe mid terraced building

Flood Risk Assessment

The position of the existing property is sited within a 'Little or no risk' Flood Zone 1 – as identified by the North Somerset Strategic Flood Risk Assessment deeming this development with an annual Flood probability of 0.1% (1 in 1000) or greater. There are no proposed external alterations or building works – only internal, therefore the proposal will not increase the flood risk to the plot or elsewhere.

However, the property owners will be encouraged to register with the Environment Agency for the Direct Flood Warning System, so allowing them provision to either evacuate the area, or take necessary flood defence action in the very unlikely event of a flood.

Parking Provision and Hardstanding Details

The existing property currently has 1 off road parking space available on the concrete rear courtyard & access to Furland Road. There is an external store also to the rear courtyard that is & can continue to be used for secure bicycle & bin/recycling storage. This store will have a spur added to the electrical supply there to be able to insert an EV charging point to it.