DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO./ADDRESS

WB/10/0041/Full
1 Crescent Road
Worthing
West Sussex
BN11 1RL

DATE OF SITE VISIT: 9 February 2010

NEIGHBOURS CHECKED : Y

SITE AND SURROUNDINGS:

The property which is the subject of this application comprises retail unit (A1 use) at ground with upper floors used for 'furniture making' (B1 use) situated on the west side of Crescent Road. The surrounding area context is predominantly retail with adjoining uses to the side comprising electrical store and a jewellery shop. The first floor above the electrical store is used for commercial storage, above the jewellery store, is separate residential accommodation accessed from the Crescent Road frontage. The upper floors of the premises to the south, 112 Montague Street (butchers) also provide separate residential accommodation. The rear of the site faces on to 'Blacksmiths Mews' which were formerly commercial units that have been converted to residential dwellings accessed off Montague Street via a gated archway way between retail units at no's 120 and 118.

This part of Montague Street is indicated in the Local Plan Proposals Map as a Secondary Area of the Central Shopping Area where ground floor retail uses are protected. The site is located within a sustainable area with access to a range of services and public transport. The site falls within the Montague Street Conservation Area.

PROPOSAL

The application proposals relate to the change of use and conversion of upper floors to provide 3-self contained residential flats. The flats will be accessed from the rear of the premises from the 'Blacksmiths Mews' via an existing, shared access. The flats will all be 1-bedroom units with 2 habitable rooms. The units will contain shared kitchen/dining areas and separate bathrooms. The floor space schedule will be:

- Flat 1 – 36 sq metres
- Flat 2 – 50 sq metres
- Flat 3 – 35 sq metres

Flat 1 will be situated to the rear of the premises (west elevation) at 1st floor level. The habitable room windows to this property will face over the shared access area with residential properties in the 'Blacksmiths Mews' and the rear of the upper floors of

commercial units along Montague Street. The access to the flat will be via a shared staircase leading from the entrance lobby at the rear of the premises.

Flat 2 will be situated to the front of the property (street facing, east elevation) at 1st floor level and will be the largest of the proposed flats at 50 sq m. The habitable windows face on to Crescent Road and the rear of the commercial units along Montague Street.

Flat 3 will be located at 2nd floor level to the frontage of the property (street facing, east elevation). The habitable room windows will overlook Crescent Road and commercial units along Montague Street.

The existing ground floor access to the upper floor accommodation through the retail unit from Crescent Road will be removed as part of the proposals with primary access to the proposed accommodation being achieved from the rear elevation. The removal of the internal access way would provide a more open plan to the existing retail unit which will be refurbished for furniture retailing by the applicant. The proposals include internal bin storage area adjacent to the lobby entrance.

RELEVANT PLANNING HISTORY:

Application Number	Development Description	Decision	Decision Date	Appeal Decision	Appeal Decision Date
443/65	CHANGE OF USE FROM STORAGE IN CONNECTION WITH RETAIL SHOP TO WORKSHOP FOR MAKING UP SOFT FURNISHINGS AND RENOVATION OF FURNITURE UPHOLSTERY, ETC. FIRST FLOOR 1 CRESCENT ROAD	APPROVED WITH CONDITIONS	06-07-1965		

RELEVANT PLANNING POLICIES:

Saved Worthing Local Plan Polices: Policy BE1,BE25, H18, S10 and TR9.
Regional Spatial Strategy for the South East Policies: BE1, BE6, CC6, SP3, H4, H5, T4 and SCT5.
Planning Policy Statement: 1 Delivering Sustainable Development
Planning Policy Statement 3: Housing
PPG13: Transport

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES:

County Highways Authority – No objection
Economic Development – No objection
EHOS Health and Housing – No objection
'Recommend Informative – the layout to unit 1 may need to be changed to meet fire safety requirements'.
Strategic Housing and Planning Officer – No objection

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that the level of development proposed would not cause undue harm in terms of additional noise, disturbance and loss of privacy and that, on balance, existing residential quality of life would not be adversely affected as a result of the proposal. Accordingly, it is considered that it is acceptable with regard to Article 8 and Article 1.

PLANNING ASSESSMENT:

The principal issues raised by this proposal are:-

- Principle of development,
- Impact on viability of ground floor retail unit,
- Impact on the residential amenity,
- Standard of accommodation/quality of proposed living environment,
- Impact on the integrity of the design of the property and character of the townscape, and
- Highways matters.

Principle of development

The proposed development is considered to be brownfield land within a town centre location where such development is directed. The site falls within an area designated as a secondary part of the central shopping parade, however, as the ground unit will remain in retail use, there would be no conflict with Policy S10. The proposed development will result in the loss of upper floor employment floor space within B1 use which the Local Planning Authority would seek to retain to meet future employment needs, however, given the condition, scale, location of the floor space and the fact the site has been marketed for 12 months with no realistic proposition of the commercial re-use coming forward in the period, the proposed change of use is considered acceptable in principle subject to compliance with remaining parts of the development plan. The Councils Economic Development Officer has raised no objection to the development.

Impact on viability of ground floor retail unit

The conversion of the upper floor to residential accommodation will require some loss of ground floor retail area to provide the residential entrance lobby, however, as the shop will still retain approximately 60 sq m of retail floor space and 25 sq metres of separate storage area, this will be sufficient for retail use. Furthermore, the internal layout will be altered to be provide an open plan format (due to the relocation of the upper floor access to the rear), which would be a significant improvement on the existing layout which appears rather narrow from the street. This would enhance the attractiveness of the premises and improve the display of goods thereby increasing the viability of ground floor for continued retail use. Accordingly, it is considered that the proposed conversion would not have an adverse impact on the viability of the retail premises.

Impact on neighbouring residential amenity

The proposed development would result in the habitable room windows facing onto other residential windows of the upper floor accommodation of the commercial units along Montague Street and the residential housing to the rear 'Blacksmiths Mews' which would result in some loss of privacy, however, this would not be considered so significant that it would warrant refusal of this application. To further protect the privacy of neighbouring and future occupiers of the property, a planning condition will be added to the planning approval ensuring the insertion of part obscure glazing on the east facing living room and bedroom windows to apartment 1.

The external development is limited therefore there would be no adverse impact on the amenity of neighbouring properties by way of loss of light or outlook. The proposed development would be accessed via an existing archway shared with the occupiers of 'Blackfriars Mews' and would situated above commercial premises but given the number of additional residential units does not exceed 3 in total, the development would not have an undue impact on neighbouring residential amenity by way of increased noise or disturbance from future occupiers.

Furthermore, it is noted the existing B1 consent could have potential to be a bad neighbour with the existing residential accommodation with the 'Blacksmiths Mews' and upper floor residential accommodation on adjacent commercial premises, therefore the conversion to residential use is considered more preferable in respect of potential impact on residential amenity.

Standard of accommodation/ quality of proposed living environment

The proposed accommodation will result in habitable rooms with windows containing a limited outlook to the east, facing the upper rear elevations of commercial properties along Montague Street, which can be considered undesirable in the creation of high quality living environments, however, as they will contain access to a reasonable level of the sunlight, on balance, it is considered acceptable and would not warrant refusal of this application.

Two of the proposed residential accommodation units will provide a level of internal space for future occupiers that would be more acceptable if increased to 40 sq metres, however, in the absence of specific SPG/SPD on residential design standards it is would be difficult to justify refusal of the scheme on basis of inadequate internal space. Flat no. 2 will be more spacious then flats 1 and 3 at 50 sq metres. The bedroom sizes are indicated to be a minimum of 10 sq metres.

The proposed development will not provide any external amenity space which is desirable for new residential accommodation, however, as the site is located within walking distance of the Worthing Seafront and other open space at Norfolk Street and Steyne, this is considered acceptable. It is also acknowledged, the vast majority of upper floor residential accommodation in town centres do not contain external amenity space.

Impact on the design of the property and character of the townscape

The development will facilitate the comprehensive internal refurbishment of the premises. The external development will be limited to replacement of external door on the rear elevation at ground floor level and insertion of replacement window to the first floor rear elevation facing the internal courtyard. No details have been submitted, however, it is considered that this issue can be dealt with by way of planning condition.

Overall, the proposed development will maintain the architectural integrity of the property and local townscape character.

Highways Matters

The application proposals do not provide any additional off road parking for the future occupiers of the proposed accommodation, however, given the sustainable location of the site. The proposed development would encourage the use of transportation modes other then by car in accordance with PPG13. Furthermore, the County Highways Authority has raised no objection to the scheme.

Conclusion -

The proposed development will ensure the re-use of upper floors within a sustainable towncentre location where development is directed, will not have significant impact on the viability of the ground floor retail premises, supply of employment land or surrounding residential amenity. The development would not have an adverse impact on the architectural integrity of the premises, the character of local townscape or have a detrimental impact on highway safety or traffic generation in the locality.

The quality of the proposed accommodation falls short of what would be considered ideal but given the current condition of the premises and potential impact on neighbouring residential amenity from commercial re-use, in considering the scheme as a whole, it is on balance considered acceptable.

The proposed development meets the requirements of the development plan as a whole, and in the absence of any other material considerations to lead me to a different conclusion approval is recommended.

RECOMMENDATION:

Approval subject to:

1) CIAREV
2) Window and door details
3) Retention internal bin storage area.
4) No external bin storage on public highway.
5) Obscure glazing on lower part of windows.

REASONS FOR RECOMMENDATION:

In the consideration of this application, the Council has had regard to the following policies

Worthing Borough Local Plan (adopted September 2003)

Policy BE1,BE25, H18, S10 and TR9.

South East Regional Spatial Strategy (adopted May 2009)

Policy BE1, BE6, CC6, SP3, H4, H5, T4 and SCT5.

The Council find that:-

- The propose development would be constructed on previously developed land and in a location within a settlement boundary where facilities exist so as to reduce reliance upon the private car; and
- the proposed development would not have such an adverse impact on the amenities of other residences that it would justify refusal of planning permission; and
- the proposed development would maintain the architectural integrity of the property; and
- the proposed development would result in the creation of a living environment that is below what would is normally considered acceptable by the Local Planning Authority but as it would facilitate the re-use and refurbishment of the premises in very poor condition coupled with the absence of any residential design standards contained within any relevant SPG/SPD it would not justify refusal of planning permission on this issue alone; and
- the proposed development would not have an adverse impact on the character of the local townscape or the visual amenity of the street scene; and
- the proposed development would preserve the character and appearance of the Montague Street Conservation Area; and
- the proposed development would not have an adverse impact on the viability of the ground floor retail premises; and
- the proposed development would not have an adverse impact on the overall supply of employment land within the borough; and
- the proposed development complies with all the relevant planning policies referred to above and that there are no justifiable reason to refuse planning permission.

IS RECOMMENDATION CONTRARY TO LETTER(S) OF REPRESENTATION?

N

DELEGATED

Case Officer sign..... ...Date.....

Authorising Officer sign..... ...Date..... 10.3.10.....