DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO./ADDRESS

30 York Road
Worthing

WB/09/0900/FULL

DESCRIPTION OF DEVELOPMENT

The application was originally submitted as

Change of use of first floor from storage to 2 no. one bedroom flats with storage retained at ground floor level together with alterations including alterations to windows and entrance and formation of a roof terrace and allied roof extensions and balustrading.

However, following negotiations the description has been amended (by email dated 15.12.09) to read;

Change of use of first floor from storage to 2 no. one bedroom flats with storage retained at ground floor level together with alterations including alterations to windows and entrance.

This proposal has been the subject of extensive pre-application discussions and has been revised since submission.

The current proposal entails four new widows on the upper floor on the south side and replacement of all the existing widows with crittal style widows. Whilst the flats are described s one bedrooms they each have a large living room and kitchen dining room and large bathroom.

The existing side pedestrian access would be reconfigured to read as double doors with sun burst deco motif on the doors and canopy and an unspecified coloured dado band would run along the line of the upper floor windows.

The ground floor would be used to store classic/vintage cars and is accessed through the retained but repainted roller shutter doors.

An allied proposal for a new roof terrace has been deleted. This entailed building a glazed extension to accommodation the stairwell with the stairs outletting onto the south side. The extension is 4 metres long and 3 metres wide and is curved at the front. It has a deco style oversailing flat roof and is glazed. The balustrade delineating the roof terrace is also glazed with deco style railings. It is set back from the edge by between 1.5 and 2 metres.

DATE OF SITE VISIT: 14.12.09

NEIGHBOURS CHECKED : Y /~~N~~

ADDITIONAL NEIGHBOUR NOTIFICATIONS (LIST ADDRESSES):

Yes

SITE AND SURROUNDINGS:

30 York Road is a detached art deco styled two-storey warehouse building, on the east side of York Road, just north of the junction with Alfred Place and just east of the town centre. The building's last authorised used was for storage and distribution (use class B8) but has been used in recent years on the upper floor for offices and the ground floor for distribution of a magazines and, latterly, as storage for classic cars. The upper floor has been vacant for some time. The net external floorspace of the building is approximately 300 square metres.

The building is located to the rear of a terrace of commercial properties in Brighton Road, many of which have associated or independent residential flats above. The commercial uses comprise a mix of A3 and A5 uses, plus a public house (A4) and some A1 retail. This situation is reproduced on the north side of Brighton road. These frontages fall within the Town Centre Boundary and also within Central Secondary Shopping area as designated in the Worthing Local Plan. This section of the town centre is a popular and lively leisure, eating and drinking destination for visitors to the town centre, particularly at nigh time. Brighton Road (A259) is a busy through route to for traffic including buses and taxis to and from the town centre.

York Road stands in marked contrast. It runs at right angles to Brighton Road and is wholly residential in character, the exception being the application site itself. It comprises Victorian terraced dwellings of two and three-storeys, a significant number of which have been sub-divided into flats. York road is outside of the designated Town Centre Boundary but within the Steyne Gardens Conservation Area. It is characterised by a relatively intimate and secluded character, graced by an attractive mix of period chamfered bay terraced cottages and taller decorative gable fronted, grander residences. The recently completed Warnes residential development provides a modern but sympathetically designed counterpoint. Views down York road to the seafront provide an attractive vista, introducing light, interest and contrasting openness. Alfred Place offers a similar intimate Victorian residential character, comprising a smaller terrace of listed cottages with small yards facing the application site.

The application site premises are faced by residential properties to the west and the very small rear yards of the residential two storey Victorian cottages to the south, interposed by the rear alley serving this terrace. To the north are the rear yards of the commercial properties fronting Brighton Road and the upper floor, again interposed by a narrow service alley.

York Road is an unclassified highway, with traffic restricted to one-way movement (north-to-south). On-street parking is restricted in places (double yellow lines) with

parking in the remainder of the street restricted to a 1-hour limit or resident permit holders only until 6.00pm. There are pedestrian alleys both to the north and south of the site.

30 York Road is listed as a Local Interest Building - an Art Deco style warehouse, possibly built originally to store bananas and dating from 1928. The front elevation is the most decorative, comprising a stone clad frontage with a large access door on the ground floor and with three windows above. The parapet is in characteristic ziggurat style with sun blast above. The side and rear are simple brick faced with utilitarian windows. The roof is flat and there is pedestrian access at the side just down the northern alley. It has no grounds. It sits in the Conservation Area and is listed as a positive contributor.

RELEVANT PLANNING HISTORY:

Application Number	Development Description	Decision	Decision Date	Appeal Decision	Appeal Decision Date
05/0396/FULL	Change of use from Use Class B8 (storage) to Use Class A3 (food and drink) with alterations including new glazed frontage with portico.	REFUSE THE APPLICATION	31-05-2005	APPEAL DISMISSED	20-10-2006
09/0900/FULL	Change of use of first floor from storage to 2 no. one bedroom flats with storage retained at ground floor level together with alterations including alterations to windows and entrance and formation of a roof terrace and allied roof extensions and balustrading.	PENDING			
358/81	CHANGE OF USE FROM LIGHT ENGINEERING & ANCILLARY STORAGE TO LIGHT	REFUSED	05-05-1981		

	INDUSTRIAL CLASS III WITH ANCILLARY STORAGE. 30 YORK ROAD		
38/55	CHANGE OF USE FROM WAREHOUSE TO LIGHT ENGINEERING IN CONNECTION WITH MOTOR FACTORS AND STORAGE IN CONNECTION WITH THAT USE. 30 YORK ROAD	APPROVED WITH CONDITIONS	04-01-1955
39/82	CHANGE OF USE FROM LIGHT ENGINEERING & STORAGE (VACANT) TO WAREHOUSE & RETAIL OUTLET IN CONNECTION WITH MAIL ORDER BUSINESS FOR GENTLEMANS CLOTHIERS. 30 YORK ROAD	APPROVED WITH CONDITIONS	23-02-1982
463/82	REFURBISHMENT OF EXISTING WAREHOUSE AND INSTALLATION OF NEW SHOPFRONT. 30 YORK ROAD	APPROVED WITH CONDITIONS	20-07-1982
474/81	CHANGE OF USE FROM LIGHT ENGINEERING WITH ANCILLARY STORAGE TO CLASS III SERVICING, REPAIR AND DISTRIBUTION SAWS &	APPROVED WITH CONDITIONS	16-06-1981

	CUTTERS WITH ANCILLARY STORAGE & SALES. 30 YORK ROAD				
903/54	CHANGE OF USE FROM STOREHOUSE AND WAREHOUSE USE TO LIGHT MOTOR ENGINEERING AND STORAGE OF VEHICLES. 30 YORK ROAD	REFUSED	07-12-1954		
955/81	CHANGE OF USE TO ESTATE AGENTS OFFICE ON GROUND FLOOR WITH OFFICES ABOVE. 30 YORK ROAD	APPROVED WITH CONDITIONS	22-12-1981		
97/0929	CHANGE OF USE OF PREMISES TO SCHOOL OF BALLET AND THEATRE DANCE. 30 YORK ROAD. **APPEAL DECISION**	REFUSED	16-12-1997	REFUSED	22-04-1998
976/81	USE OF PREMISES AS PRINTING WORKS. 30 YORK ROAD	REFUSED	22-12-1981		
99/00306/FULL	Use of wholesale warehouse for storage and distribution of motor cycle parts and accessories incorporating retail sales of small motor cycles by mail order only	GRANT CONDITIONAL CONSENT	25-05-1999		

RELEVANT PLANNING POLICIES:
(Refer to national, structure and local plan policies where relevant)

Saved Worthing Local Plan Policies: BE1, TR9, and H18.
South East Plan Policies SP3; RE3; BE1; CC1; H1; H4; H5; T2; T4; SCT1; SCT 4 and SCT5
Planning Policy Statement: Delivering Sustainable Development
Planning Policy Statement 3: Housing
PPG13; Transport
PPG15 : Planning For The Historic Environment

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES :

Economic Development Officer

This commercial premises (B1 and B8) has been vacant for several years and finding a suitable commercial use as office and allied storage has proved difficult, as the property sit close to a residential area with access/parking issues.

We are aware that this property has been actively marketed since 2007 and has featured in the Council's commercial property register. Unfortunately, therefore, the Economic Development Team are unable to raise objection to the change of use to residential on the first floor.

The Executive Head of Health and Community Safety

No objections subject to refuse storage details

Strategic Housing and Planning Manager

BE 1: Design quality
H 18; Amenity

The principle of this proposal appears to be sound.

The conversion however should be carried out with due regard to Policy BE1 in terms of the conversion being sympathetic to the overall appearance of the building and not causing a loss of amenity to neighbouring properties..

Highway Authority

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals which include up to 5 residential units or extensions to single units accessed from roads that do not form part of the Strategic Road Network (SRN). As such the comments provided

by Local Development should be considered to be advice only, with respect to this planning application.

West Sussex County Council was consulted previously on Highway Matters for this location under planning application no. WB/396/05 to which highway objections were raised.

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

The proposal is for the change of use the first floor of this property to provide 2x1-bed flats. From an inspection of the plans alone, the site is situated in a sustainable location with good links to public transport and a range of services within walking distance.

Bin storage is proposed to be provided within the storage area on the ground floor, and it is recommended that this storage area is secured by condition. This is to ensure that if a future application splits the ownership of the ground floor and first floor levels, adequate bin storage outside of the public highway can be provided.

The proposal seeks to park two vehicles at the ground floor level, which is within standards, however the layout of this parking is not clear. If the cars are to be parked end-on to each other then a potential safety issue could arise if one vehicle has to reverse out onto the highway in order for the other to exit the site. The proposed parking layout should allow both vehicles to leave independently of each other, and it is recommended that the LPA secure this by condition as such an arrangement appears to be achievable.

In summary, WSCC has no highway safety concerns regarding this application, however it is recommended that the LPA attach conditions securing parking and bin storage at this site. WSCC can advise on the appropriate wording for this these conditions.

Conservation Area Group

No objections.

9 Alfred Place and Flat 1, 23 York Road raise the following concerns and objections

- Supportive of principle of residential use of building and stylish conversion of art deco building
- Concern over impact of flats on amenity
- Loss for privacy from south facing windows overlooking bedroom and bathroom and to overcome this windows should be high level or obscure glazed and non-opening
- Potential disturbance from use of roof garden and overlooking and controls to prevent this and limit intensity of use are necessary
- Dado strip should be a neutral colour
- Additional parking pressure from flats in heavily parked road and congested road.

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: (Include any impact on Crime & Disorder and Issues identified above)

The principal issues raised by this proposal are

- Loss of employment floorspace and provision of flats
- Impact on character and appearance of locally listed building and Conservation Area and setting of listed buildings
- Impact on neighbours and future occupiers' amenity
- Impact on access and parking

Loss of employment floorspace and provision of flats

South East Plan policy RE3 resists the loss of accessible and well located employment premises with a good prospect of employment use. A recent study for the Council to inform the Local Development Framework has reiterated the need to retain existing viable good quality employment premises generally to ensure the towns' economic needs are met.

However, whilst the premises enjoy a prestigious and convenient location close to the town centre and seafront, they are poorly sited for modern business needs. Sitting in a pleasant, historic residential area, cheek by jowl with small cottages and opposite a residential terrace, any use but a very low key business use would cause unacceptable disturbance to nearby residents. Lacking off street parking and constrained by the narrow width of the street, access and parking are also very problematic. The long periods of vacancy in recent years are indicative of problems of viability and attractiveness to business. Evidence of extensive marketing over a long period (2006 to 2009) submitted in support of the application underlines this conclusion. That said, the ground floor would remain in business use and the proposal would help secure this residual business function. In these circumstances, the small of floorspace involved could be acceptable in relation to Policy RE3 and is supported by the Economic Development Manager.

Conversion to flats would help meet the target set out in the South East Plan for new dwellings and small flats proposed would meet the continuing need for this type of accommodation around the town centre as indicated in the Strategic Housing Market Assessment and is compatible with the use and character of the area.

Impact on character and appearance of locally listed building and Conservation Area and setting of listed buildings

The proposed works are respectful of the building's art deco character. They not only safeguard the important features but enhance its appearance by replacing unsympathetic utilitarian windows with period crittal windows and upgrade the side entrance to art deco sun bursts motif and canopy. The roller shutter would be retained and repainted and the simple industrial character of the building preserved. Details of the crittal windws, door and canopy, and dado band may be secured by condition.

Impact on neighbours' and future occupiers' amenity

The flats are close to the rear of the cottages in Alfred Place but the windows are high level and this prevents any loss of privacy to these and the flats to the north. Refuse/recycling storage is shown in the ground floor but it is unclear how residents would access this. This may be addressed by condition. Residents' access to the flats on the northern flank exploits an existing access and is remote from any residential neighbour. No new extensions are proposed.

There is no private outdoor amenity space for future residents, following deletion of the roof terrace but the seafront and Steyne Gardens are very close and the size of the flat and location are unlikely to be attractive to households with small children. Nevertheless, there is clear scope for a roof terrace to exploit the large flat roof area and sea views and if suitably delineated and screened could avoid overlooking adjacent housing and disturbance. This would, however, be the subject of a separate future application.

The ground floor storage of classic cars use is relatively innocuous. However conditions will need to be imposed to regularise trading hours compatible with its residential location and to prevent any use for motor repairs, testing, and MOTs and no maintenance or car cleaning, other than commensurate with the use.

Parking and access

The site is sustainably located, very close to the town centre and excellent public transport and A259.

Residential parking is available to meet any residential demand on- street in residential permit parking bays. The car storage provides its own parking and is unlikely to attract significant customer parking. The storage space is limited but is functionally adequate.

Space for cycle parking is shown within the ground floor but details are absent , including how residents would access these. Details may be secured by condition.

Pedestrian access is convenient and safe and is externally lit.

RECOMMENDATION:

Grant planning permission subject to following conditions

1. time
2. trading hours: 8am to 6pm M-F and 9am to 5pm Sat; no working on Sundays of public holidays
3. Notwithstanding the Uses Classes Order 1987 as Amended Town and Country Planning Act 1990 As Amended, the ground floor of the premises shall not be used for any storage use other than storage of classic or vintage cars. The following shall not be undertaken at the site or adjacent highway:

a) Sales of vehicles to the public or trade or viewings of vehicles by the public or trade
b) Vehicle repairs or maintenance, except minor works incidental to the storage of vintage or classic cars
c) Vehicle cleaning or valeting, except as incidental to the storage of classic cars
d) MOT testing.

Reason: To prevent disturbance to adjacent residential dwellings,

Details of cycle parking

4. Details of refuse/recycling storage
5. Window cills in flats no less than 2.1 metres above floor levels.
6. Details of coloured dado band; crittal windows and lintels, new external door and canopy
7. No roof terrace or roof extension or use of roof as such.
8. communal aerial

Notwithstanding the General Permitted Development Order 1995 as Amended or subsequent amendments, no aerial, satellite dish or other antennae shall be placed on or attached to the premises other than a communal facility for both flats as approved in writing by the Local Planning Authority in advance.

Reason : In the interest of visual amenity

REASONS FOR RECOMMENDATION:

The proposal accords with the relevant policies of the Development Plan and there are no other compelling material considerations which justify refusal. The loss of employment floorspace is justified due to the constrained location and residential character of the area and history of vacancy and unsuccessful marketing. Flats would contribute towards housing provision targets and are compatible with the character of the area and demand for town centre living. The conversion is sympathetic to the character of the building and the Conservation Area and setting of listed building and relevant details are secured by condition. Neighbour amenity is safeguarded by high level windows and suitable controls on the storage use and the proposal enjoys acceptable access.

IS RECOMMENDATION CONTRARY TO LETTER(S) OF REPRESENTATION?

Y / N

DELEGATED

Case sign..... [redacted] ....Date..... 21.12.09 Officer

Authorising sign..... [redacted] ....Date..... 21.12.09 Officer