

Development Management – Delegated Officer Report

Application Number: AWDM/0694/26

Recommendation: – APPROVED

Site: 3 Liverpool Gardens Worthing Central Worthing West Sussex

Proposal: Change of use of part ground floor from office use (Use Class E) to a flexible commercial, business and office use (Use Class E) and/or education and training (Use Class F1(a))

Date of Site Visit: 30.06.26

Neighbours Checked:Y

Additional Neighbours Notified:N

Site and Surroundings

3 Liverpool Gardens was constructed in the 1970s, alongside 1 Liverpool Gardens, and is split into 6 office suites over ground, first and second floors, and with pedestrian access from Liverpool Gardens.

Parking is provided under-croft and in garages to the rear and is shared with 1 Liverpool Gardens (also known as Arundel Lodge and Arundel House). Parking is primarily accessed from Shelley Rd, with a secondary access on Liverpool Gardens. There is lift access to the offices from the car park.

The application site covers 2 of the 3 ground floor suites. The northeast suite is approx. 74 sqm and the northwest suite 107 sqm. The lettable floorspace of the building extends to approx. 747sqm.

The office suites are currently vacant.

It is within a Key Office Location and the Chapel Road Conservation Area.

Proposal

The application proposes a flexible use for Use Classes E and/or F1(a)

The applicant indicates that :

In light of recent interest from training providers, a flexible use is now sought to additionally seek Use Class F1(a) for these two suites, whilst also retaining the option for class E use. A training use would complement the existing office use, which remains in the other suites within the building. The application is for change of use only.

The application has been marketed on a 'To Let' basis. The property was listed on the SHW website accompanied by a bespoke set of marketing details which were sent out using an in house applicant mailout, which targeted all contacts internally

which matched with the subject property. The property also benefitted from multiple marketing boards placed on various parts of the property. The marketing has been carried out since June 2025.

In addition, Direct Approach have been used in to widen the marketing, who target small office occupiers. SHW also benefit from external marketing websites, which also upload the details and brochure of the subject property.

Relevant Planning History:

557/75 - Revised proposals for the erection of a 4-storey building comprising 3 floors of offices above pavement level, (9595 sq.ft. gross floor space), with garages and car parking spaces at basement level. 3 Liverpool Gardens.

952/77 - Erection of 4-storey office block extension to No.1. to provide 10,432 sq.ft. of new office floor space with garaging and parking at basement level. Amendment to previous plan approved under ref. WB/557/75

Consultations

Policy team

application seeks to expand the lawful use of the premises to allow for wider marketing appeal following an unsuccessful marketing of the site for at least a year.

The applicants state that they are seeking a flexible commercial, business and office use (Use Class E) and/or education and training (Use Class F1(a)).

They state that they undertook a marketing exercise for over a year, starting in June 2025 with SHW. There was little or no interest for offices but there was interest in using the premises for training facilities. The premises remain vacant.

The premises lie within a protected office area defined by the E(g) Employment Land Review (ELR). WLP DM11 specifically affords protection to employment uses which are defined as - B8.B2, Class E(g)(iii). The premises are located within the Liverpool Terrace / Liverpool Gardens key office location where a higher level of protection is afforded. This protectionist approach is evidence-based. It was recommended through the ELR (2016 Updated 2020) due to the significant land constraints faced by the Borough and the need to ensure a sufficient supply of premises to meet the diverse needs of the local economy.

The ELR update 2020 describes Worthing's office market as predominantly localised and having limited demand. Its focus is on good quality, small, modern premises for local SMEs. It notes that the Liverpool Terrace/Gardens office area is generally high quality with smaller and medium-sized offices with parking in a central location. It notes that there has been a loss of offices to residential through the permitted development route and limited opportunities for new office provision.

It goes on to support proposals for new economic uses that would not undermine the existing activity.

The Sustainable Economy SPD sets out the requirements for marketing expectations; see the link below: <https://www.adur-worthing.gov.uk/media/Media,99161,smxx.pdf>

It is clear that the policy position is to protect the existing office use of this premises. However, if we are satisfied that the marketing has been robust and for the period indicated we need to consider other options. In this instance my understanding is that the owner's preference is to attract an office occupier; however, due to a lack of interest and a number of approaches from training providers they want to expand the lawful uses to appeal to a wider audience.

A key test is whether any of the proposed uses would be detrimental to or undermine the operation of the rest of the building for office use. Could we condition the uses?

In conclusion, it is not the Council's intention that premises remain vacant nor is it the intention to keep them for uses for which there is little or no demand. However, the policy approach is an evidence-based approach and one that was supported at Local Plan examination. If we are satisfied that the property has been properly market tested and that the proposed uses would not undermine the operation of the rest of the area or indeed set a precedent then we can support the application.

Environmental Protection, Environmental Health & Licensing

No comments

WSCC Highways

There are no changes to the existing pedestrian access from Liverpool Gardens and undercroft parking access primarily from Shelley Road. There is no change to the existing level of parking provision. Refuse and servicing arrangement will continue in line with the existing arrangement.

An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury incidents immediately within the vicinity of the site access. Therefore, there is no evidence to suggest that the existing access is operating unsafely, or that the proposal would exacerbate an existing safety concern.

The Local Highway Authority (LHA) do not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network; therefore, is not contrary to the National Planning Policy Framework (NPPF), paragraphs 114 -117, as revised December 2024. Therefore, there are no transport grounds to resist this proposal.

The Worthing Society

This is a change of use for training purposes, no impact on the conservation area, so no objection.

Neighbour Representations

None received

Relevant Planning Policies:

Worthing Local Plan policies (WBC 2023): SP1, DM5, DM8, DM11, DM13, DM15, DM22, DM24

National Planning Policy Framework (MHCLG 2024)

National Planning Practice Guidance

SPD 'Sustainable Economy'

Planning Assessment:

Principle

The National Planning Policy Framework sets out the overarching objectives in achieving sustainable development including the economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure. This is interdependent with the other overarching social and environmental objectives and need to be pursued in mutually supportive ways (NPPF paragraph 8).

In ensuring the vitality of town centres the NPPF states that: Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. (Paragraph 86.)

The site is also located within the town centre within a key office location.

DM13 of WLP states

- (a) Changes of use and redevelopments within town, district and local centres will be carefully controlled to ensure that they support, rather than detract from, the successful functioning of the centres and their ability to meet local needs. according to their function in the hierarchy . When considering all such proposals regard will be had as to whether they would:
 - i) Make a positive contribution to the vitality, viability and diversity of the centre;
 - ii) Not unacceptably impact on daytime footfall;
 - iii) Maintain a strong role for the centre in providing a varied range of convenience goods and meeting other day-to-day needs;
 - iv) Positively restore and/or enhance the character and appearance of the frontage;
 - v) Maintain the continuity of active frontages;
 - vi) Be of a scale and type of use appropriate to the size and function of the centre, or part of the centre concerned;

- vii) Ensure that any proposal will cause no significant adverse effects for the occupiers of neighbouring properties;
- viii) Ensure that there will be no severe negative impact on existing parking arrangements;
- ix) Retain or re-provide ancillary facilities within individual premises, (such as loading, storage, staff or administrative facilities), unless it is demonstrated that these are no longer necessary for appropriate future use of the premises;
- x) Result in an over concentration of uses such as takeaways and other uses with closed and inactive street frontages. The Council will consider the role of the centre within which the proposal is located and other matters such as the numbers of existing similar uses within the frontage and any existing or potential issues. Permission will not be granted where harm to the vitality and viability of the centre, or the amenity of local residents and businesses, cannot be adequately mitigated;
- xi) Require conditions to be applied to any new development where it is relevant and appropriate to do so, in order to control the proposed uses and allow for a managed approach to future proposals for change of use, in line with the Council's aspirations and strategies for the area.

Policy DM11 identifies this part of Liverpool Terrace as a key office location that should be protected. It states that these key employment areas are essential in maintaining a strong and diverse supply of employment sites and premises to meet the needs of the local economy and that only in exceptional circumstances where there is clear and robust evidence that the introduction of alternative uses is required to retain a diverse and resilient local economy will such change be considered.

In undertaking any assessment regard will be given to the following factors:

- i) robust evidence setting out the importance of the use to the future of the local economy;
- ii) a demonstration that the introduction of the proposed use would not negatively impact on the functioning of the key employment area or the local economy as a whole;
- iii) evidence that the loss of the existing use would not negatively impact the local economy and;
- iv) evidence of alternative sites outside of the key employment areas have been considered and that no suitable sites are available.

The SPD 'Sustainable Economy' acknowledges that there may be exceptional circumstances where a site in a protected area may be considered under the principles set out in the SPD to justify the loss of employment use, but in such circumstances the criteria outlined should be 'even more rigorously applied' (paragraph 2.3).

Policy DM8 states:

- a) The Council will support improvements to health, education, social, community and cultural facilities to ensure they meet the needs of local communities where it is demonstrated that there would be no unacceptable impact on the occupiers of adjacent properties

- c) The Council will work with service providers to deliver appropriate facilities in accessible locations. Proposals by service providers for the delivery of facilities in appropriate locations to meet the needs generated by new development and existing communities will be supported in principle.

The application is for mixed use including E and F1(a).

In support of the application the applicant has indicated the marketing that has taken place and the requirement to look at a mixture of uses to attract potential occupiers to the site. Marketing has taken place for over 12 months.

In support of the application as indicated above, the main recent interest in the vacant units has been from training providers. The applicants have also indicated that the application is for a flexible use, meaning that it is not proposed to move away from offices, but simply to introduce flexibility for additional training & education use. They indicate that a previous use of the 2nd floor for training purposes, and its return to office use, demonstrates this.

Most town centre uses now fall under Use Class E and benefit from 'Permitted Development Rights' for change of use. Although the proposed use in this case includes training and education it is a town centre use and the use is supported by policy DM8 which supports improvements to education facilities where there is no unacceptable impact on occupiers of adjacent properties

In relation to policy DM11, the proposal will continue to have a mixed use, the area of the two office suites is approx. a quarter of the area of the office suites in the building thereby only a small proportion, there is also an additional 1,114sqm office floorspace within the adjacent 1 Liverpool Gardens, also within the applicant's ownership (less than 10%). The mixed use would still add to the local economy and would not impact on the functioning of the rest of the building which has individual office suites.

The applicants have highlighted the latest available evidence on office needs and supply is within the Worthing Employment Land Review Focused Update (2020) which also addresses the key office areas. It is noted that at paragraph 5.23 that the majority of office use should be retained at Liverpool Terrace/Gardens and Chatsworth Road. However, Paragraph 5.24 goes on to state that proposals that support new economic uses on these sites that would not undermine their existing activity should also be encouraged. Training and education uses are considered to be within this category.

The main concern in the protected office area is the suite of other uses within Class E. However, as noted by the applicant, there is no condition on the original applications restricting changes of use and these are therefore already lawful uses.

The mixed use to include training and education is considered to be a town centre use that would add diversity and vitality to the town centre in accordance with policy DM13 and the objectives of policy DM11 for education and training which support local strategies for skills and education and the use would support jobs in its own right. Furthermore the change of use would be in line with national policy that promotes

flexibility for commercial business and service uses, that includes many town centre uses.

It is considered that the economic benefits this mixed change of use would have the potential to include education and training would bring back a building into occupation.

Visual amenity and the effect on the character and appearance of the conservation area

The proposed use would not involve any changes to the internal or external building. There would not be an impact on the character of the building or the conservation area.

Residential Amenity

There would be no changes to the overall floorspace.

The site is within a town centre with a number of activities including evening and late night activities within near vicinity.

The nearest residential properties are at 1 Liverpool Gardens and to the rear, on Portland Road. There would be no external changes, and the use would not be likely to increase activity from any other uses that would potentially occupy the building.

Transport and Highway

The site is considered to be in a sustainable location sited within the town centre with good access to public transport and local facilities. There is car parking on site. The Highway Authority considers that the proposals would not have a significant impact on the local highway network in this location and raises no objections.

Sustainability

The applicants have indicated that securing a wider range of potential uses on the site would assist with reletting the unit, enabling a more productive use of brownfield land and economic benefits in accordance with the NPPF.

Flooding and Drainage

The site is located within flood zone 1 and within a town centre location. There are no external changes and the floor is raised above the undercroft.

The building is served by existing surface water and foul sewers and a potential change of use from an office to education facility for 2 small units would not have a potential impact.

Recommendation:

APPROVE subject to condition(s):-

1. Drawing Numbers
2. Standard time limit
3. E and F1a only

Informative

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Is recommendation contrary to letter(s) of representation? N

Case Officer: Jackie Fox

Date: 29.07.26

Authorised by: Louise Prew

Date: 05/08/26