Development Control – Delegated Officer Report

Application Number: AWDM/1436/24 Recommendation – APPROVE

Site: Teach All About It 303 Tarring Road Worthing West Sussex

Proposal: Change of Use from tuition centre to retail store with a small coffee shop (less than 10 seats) and ancillary office/workshop space

Date of site visit: Desktop using Google imagery

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application relates to a mid-terrace, ground floor premises on the south side of Tarring Road in a short terrace of three. The premises has a decorative, traditional timber shopfront with fascia and corbels, facing onto a shallow paved forecourt.

The premises (50.63sqm) was last used as a 'tuition centre' and prior to that a photographic studio for many years.

There is a self-contained flat on the first floor with its own separate entrance to the side of the shopfront, and there are other dwellings on either side of the site.

Cedar Garage, a long-established car repair workshop, occupies a 'backland' position to the rear (south) of the terrace, served by vehicle access drives on either side of the frontage terrace. There is a car park opposite the site, set behind trees/hedging, which serves West Worthing train station which is located further to the east.

Proposal

The property consists of 4no connected rooms leading from one to the other from the shop entrance to a small kitchenette and WC at the rear. Permission is sought to use the front 2no rooms as a second-hand children's bookstore with coffee shop (less than 10 seats), with the 2 rear rooms used a group space for small craft workshops/ story-time readings plus an office/store. There would be no hot or cold food served on the premises.

The proposed hours of opening would be from 0800 to 1800hrs Monday to Saturday and between 0900 to 1500hrs on Sundays/Bank Holidays.

Relevant planning history:

AWDM/1088/20 Change of Use of ground floor shop to a tuition centre (Use Class D1) to provide Computer Science tuition on a one to one and small groups basis. Permitted 22.09.2020. A condition of the permission limits the use to a tuition centre and no other use within Class D1 (of the then Use Classes Order).

WB/03/0216/FULL Change of use of first floor from residential to office / staff room in conjunction with existing office use on the ground floor. Refused 25.04.2003 on the grounds of an unacceptable loss of a residential unit.

Consultations

The **Local Highway Authority (WSCC)** has raised no objection, commenting:-

"This proposal is for the change of use from tuition centre to retail store with a small coffee shop (less than 10 seats) and ancillary office/workshop space.

The site is located on Tarring Road, a C-classified road subject to a speed restriction of 30 mph. The LHA previously provided consultation advice for this site for application AWDM/1088/20, raising no highway safety concerns. This Local Planning Authority (LPA) permitted the application.

No vehicular access is associated with this development. An inspection of collision data provided to WSCC by Sussex Police from a period of the last 5 years reveals four recorded injury accidents within the vicinity of the site. However, these were not attributed to the layout of the road. Therefore, there is no evidence to suggest the nearby road network is operating unsafely or that the proposal would exacerbate an existing safety concern. Given that no vehicular access currently exists to the site for customers/visitors to the existing tuition centre, this proposal is not anticipated to result in a material intensification of vehicle movements to or from the site.

The site has no on-site vehicular parking. Under WSCC parking standards a class E retail unit of this size would require three car parking spaces. However, the LHA appreciates that the existing site operates with a nil parking provision with no known safety concerns. Furthermore, the site is situated in a sustainable town centre location well connected by public transport and within walking distance of public car parks. The LHA does not anticipate that highways safety would be detrimentally affected through the nil parking
provision. The LPA may wish to consider the potential impacts on on-street parking from an amenity point of view.

No cycle parking is proposed for this development. The LHA would recommend that secure covered, cycle spaces be provided to encourage sustainable transport methods.

The LHA does 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 (paragraph 115), and that there are no transport grounds to resist the proposal."

Adur and Worthing Councils:

The **Environmental Health Officer (Food Team)** initially advised that a ventilated lobby will be needed to separate the kitchenette from the WC.

Following discussions with the Applicant the EHO further commented:

"*I have had discussions with the applicants regarding the change of use application from an educational premises to a bookshop and small cafe.*

The cafe element will have less than 10 seats so the toilet will only be used for those working there, not customers. Food provision would be low risk items only, namely hot drinks (served in paper cups), bottled cold drinks, low risk pastries and pre-packaged ambient snacks such as crisps. The storage and service of these would take place in the seating area; meaning that the kitchenette would not be used for any food purposes. The kitchenette would only be used for cleaning and washing purposes. Based on the above usage proposal it would therefore not be necessary for a ventilated lobby between the toilet and the kitchen for these circumstances.

However, if the application for change of use is successful and the premises should then change hands with a new operator who intends to use the kitchenette for food purposes, then a ventilated lobby would be needed."

Environmental Health Officer (Public Health) has no objection in principle, commenting that there is no record of complaints relating to the previous use.

"This [proposed use] seems quite low key and will be limited by the hours of use. You could set a condition for the insulation to meet the current building regulation requirements, if you have concerns. I would also add a condition prohibiting the playing of any live or recorded music.

It is recommended that the proposed hours of use 08:00hrs - 18:00hrs on Mon to Sat, and 08:00hrs until 15:00hrs on Sundays and Bank Holidays is conditioned, and a condition on drinks and pre-packed refreshments with no primary cooking on the premises."

Representations: An objection has been received from the neighbour at 305 Tarring Road, commenting:

- Loss of a valuable community service: We have witnessed how the tuition centre provided a valuable service to elderly individuals and people with disabilities in our

community. The new proposal would not provide any service to vulnerable groups for support, education, and inclusion

- Increased traffic and parking: We disagree with the consultation from the LHA. The area surrounding 303 Tarring Road already experiences significant traffic congestion and parking difficulties, due to the very close proximity to the train station (no, the car park is not used as it is a pay and display parking lot) and to the vehicle repair business. A retail store and coffee shop will attract increased traffic, exacerbating these issues that will negatively impact local residents.
- Noise and disturbance: A coffee shop and retail store would result in additional noise from customers, deliveries, and general activity. The proposed opening hours from 8:00 AM will cause significant inconvenience to nearby residents, especially for those who work from home or are elderly, whose peace and quiet are already disrupted because of the very close proximity to the train station and the vehicle repair business. Furthermore, the proposal to be open also on Saturdays and Sundays will result in disturbances for 7 days a week; in particular on Sundays, the only relatively quiet day of the week.
- Local character: The addition of a coffee shop and retail store will alter the character of the area, which is primarily residential and community focused. This proposal does not appear to complement the existing surroundings. Furthermore, there are other vacant shops near West Worthing train station that could be used for this business, in line with the current use of the area as a business hub.
- Environmental concerns: The increased waste from a coffee shop, including packaging and food-related refuse, will contribute to further littering and environmental issues in the immediate vicinity. We already have to personally clean and dispose of litter left by those who park in the areas on both sides of Tarring Road, between Grand Avenue and West Avenue, likely customers of the train station or nearby vehicle repair business

The proprietor of the tuition centre formerly based at the premises has commented:-

“An objection has been made on the grounds of loss of services to elderly and disabled members of the community. The tuition business serves school age young people and has never directly supported these particular groups. It is possible that the neighbour has witnessed a ramp used to access the building, but this was used to enable access for me, as a wheelchair user and member of staff.

The tuition centre has been closed to the public since the early summer of 2024, and will remain so until the end of our tenancy this year as the business works solely online now. This leaves a potential public amenity empty, which, if made more difficult to lease, runs the risk of a further empty storefront attracting potential vandalism.”

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, SP3, DM5, DM8, DM15, DM22
Revised National Planning Policy Framework (MHCLG 2024)
National Planning Practice Guidance (CLG)

Planning Assessment

The surrounding area is mixed in character, including residential uses, businesses and nearby religious institutions (Worthing Gospel Hall and Kingdom Hall), but is not located within a designated retail or employment area.

The former tuition centre at the premises (AWDM/1088/20) offered online and one-to-one/small group tuition in computer science. The officer report explains that the proposed use was supported on the basis it would provide training and skills in a growth business area and would support [the then Core Strategy] policy objectives for promoting a diverse and sustainable local economy. A condition of the permission limited its use to a tuition centre and not the full range of [then] Class D1 uses (medical centres, day nurseries, places of worship etc.).

Since the previous application, the Town & Country Planning Use Classes Order has been revised with the introduction of the new Classes E and F1/F2.

Class E (commercial, business and service uses) includes a very broad range of uses such as retail, sale of food and drink on the premises, provision of financial services, indoor sport, medical/health services, day nursery and offices.

Class F1 (learning and non-residential institutions) includes education provision, museums, public libraries, exhibition halls, places of worship.

Class F2 (local community) includes shops selling essential goods (subject to specific criteria), a hall or meeting place for the principal use of the community, an area/place used for outdoor sport and indoor/outdoor swimming pools or skating rinks.

In effect the range of uses within the former Use Class D1 is now split between Class E and Classes F1/F2.

The proposed mix of uses all fall within Class E.

Local Plan Policy DM8 states that development that would result in the loss of community facilities will normally be resisted and will only permitted where (i) an accessible replacement facility of a similar nature is provided that meets the needs of its current and intended users as well as the local community or (ii) it can be demonstrated that the existing premises is no longer required or viable in its current use and the premises have been appropriately marketed for an alternative community use.

The business ‘Teach All About It’ that ran the tuition centre, no longer provides face-to-face classes, but provides an online service hence why the premises are no longer required. The Covid-19 pandemic has seen a societal shift in working practices with many businesses and services moving online, and many employees working

remotely from home. It is not altogether surprising given the nature of this business, teaching computer skills, that provision has shifted to online only.

In the sense that the use is primarily a tuition business, rather than say, a school, the Policy Officer has questioned whether 'Teach All About It' would necessarily be considered a 'community use' in the context of policy DM8.

On the other hand, it could also be argued that DM8(i) has been met by virtue that the skills training continues to be available by this same provider, but online.

It is worth pointing out the relatively short period of time that 'Teach All About It' operated from the application premises, which had a long prior history of commercial use. The small floor area involved, and siting of the unit between residential dwellings on either side and above, does not lend itself to the broad range of 'community uses' encompassed by Policy DM8. Consequently, it is considered that there would be no practical benefit in marketing the premises for an alternative 'community use' since many such uses would have a substantially greater, and likely unacceptable, impact on neighbour amenity.

In responding to the comments of the third party, the operator of 'Teach All About It' has confirmed that teaching provision was not specifically directed at the elderly or disabled people.

In considering the suitability of the proposed use as a second-hand children's bookstore with coffee shop and craft workshops, the key considerations are the effects on neighbour amenity and parking and highway safety considerations.

No external alterations are proposed and consequently there would be no adverse impacts on visual amenity.

Residential Amenity – Effect on Neighbours

Taking into consideration the limited size of the floor area of this unit, and its configuration made up of individual rooms leading one off the other, the proposed use a children's second-hand bookstore with 'coffee shop' (less than 10 seats) and craft workshop/storytelling space is anticipated to be relatively low-key and unlikely to generate materially greater levels of activity than the former tuition centre, or the photographic studio before that. The EHO has raised no objection in principle providing the hours of opening are restricted to those stipulated on the submitted form, and a condition is imposed to prevent primary cooking on the premises.

However, in recognition that the premises lies outside a designated shopping centre and adjoins noise-sensitive residential properties on either side and above, the Applicant is willing to accept a condition restricting opening hours to between 0900-1800hrs Monday to Saturday and 0900-1500hrs on Sundays, Bank and Public

Holidays (rather than 0800-1800hrs Monday to Saturday and 0900-1500hrs on Sundays, Bank and Public Holidays).

The intensity of the proposed use can be controlled by limiting the number of covers or seats within the coffee shop to no more than 9, and by limiting the number of participants within any craft or story-telling workshop (to which the Applicant has also agreed).

The EHO has also recommended a condition prohibiting playing of live or recorded music on the premises.

Access and parking

There is no existing car parking provision at the site, and no scope for providing any. However, the site is in a sustainable location close to West Worthing Station and bus routes with links to the town centre and no objection has been raised by the Highway Authority.

The third party has questioned the comments of the LHA, raising concerns about highway safety. The absence of yellow line parking restrictions on this part of Tarring Road allows vehicles to park on both sides, which has the effect of narrowing the carriageway at this point. However, the LHA is satisfied that the proposed use would not generate a material intensification of vehicle movements compared to the former use to warrant an objection of highway safety grounds.

The small size of the open forecourt does not lend itself to the provision of secure, covered cycle storage. There is communal covered cycle storage provision available close-by adjoining West Worthing rail station.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard time limit
3. The premises shall not be open for trade or business except between the hours of 0900 and 1800 on Monday to Saturday and between the hours of 0900 and 1500 Sundays, Bank and Public Holidays.
4. The café use shall not provide more than 9 covers/seats at any time (no outside seating)
5. Not more than one workshop/group session at any time and any individual workshop/group session limited to no more than 10 participants
6. No primary cooking on the premises
7. No live or recorded music shall be played on the premises other than a small ‘smart’ speaker or radio with in-built speaker not played through a speaker system.

Informative

1. 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? Y

Case Officer: Jo Morin Date: 26.02.2025

Authorised by: PeterBarnett Date: 26 February 2025