Development Control – Delegated Officer Report

Application Number: AWDM/0508/23 Recommendation – APPROVE

Site: 64A Chapel Road Worthing West Sussex BN11 1BN

Proposal: Proposed Change of Use to convert the ground floor from a gift shop into a cafe and the first floor from offices to a two bedroom flat and to turn 64B Chapel Road from a coffee shop into office space.

Date of site visit: 20.04.2023 and 17.05.2023.

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application relates to an early 20th Century (1904) 3-storey end-of-terrace building fronting the east side of Chapel Road and a 1½-storey, pitched-roof building to the rear fronting a small courtyard behind the frontage building. The rear building is attached by a single-storey, flat-roofed link to the large, pitched-roof, rear range of the Worthing Tabernacle Church adjoining to the north. A narrow private drive between the south side of the Tabernacle Church and the north side of 64A Chapel Road provides vehicular and pedestrian access to the rear courtyard. The south side of the rear courtyard is flanked by the part single/part 2-storey rear off-shoot of 60-62 Chapel Road (Cedar House).

The frontage building is in use as a gift shop on the ground-floor, church offices on the first-floor and a 2-bedroom residential flat on the second-floor (64B). The main customer entrance to the gift shop is from Chapel Road. There is a separate staff entrance on the north side of the building, shared with the first-floor church offices and residential flat (64B).

The rear courtyard building is used as a coffee shop, operated in connection with the Church.

The site is located within the Chapel Road Conservation Area and the Chapel Road Cultural and Civic Quarter Character Area. Worthing Tabernacle Church is Listed Grade II.

Proposal

Permission is sought by the Church for a change of use of:-

(i) the ground-floor of 64A from a gift shop to a café,
(ii) the first-floor of 64A from church offices to 2-bedroom residential flat,
(iii) the rear courtyard building from coffee shop to church offices.

No external alterations are proposed.

Relevant Planning History:

AWDM/1584/22 Application for a Certificate of Lawfulness for a Proposed change of use from gift shop to a coffee shop with a small area of retail for sale of gift products. Withdrawn.

Consultations:

WSCC: The Local Highway Authority has raised no objection in principle, commenting:-

"Summary and Context
This application is for the change of use of ground floor from gift shop to café and first floor from offices to two-bedroom flat, and convert 64b from coffee shop to office space. The site is located on Chapel Road, an A-classified road subject to a speed restriction of 20 mph.

WSCC in its role as Local Highway Authority (LHA) previously provided comment on this application, dated 21/04/2023, requesting more information regarding parking provision. Following submission of the requested information, the LHA has been re-consulted and raises no highway safety concerns.

Content
The site is served by an existing vehicular access on Chapel Road, and no alterations are proposed to this arrangement. The LHA does not anticipate that the proposed changes of use would give rise to a significant material intensification of use of this existing access.

Six existing car parking spaces are to be retained for use by the proposed church office/coffee shop staff. The LHA notes that the proposed parking layout of cars parking in tandem may result in cars being blocked in, although this is the existing arrangement.

Parking for the proposed residential use and visitors of the café would have to be accommodated on-street or within nearby public car parks. There are parking restrictions in place that prohibit parking in places that would be detrimental to highway safety. Weight is given to the fact the site is situated within a sustainable town centre location that is well connected by public transport, and residents won't necessarily need to own a private car.

Cycling is a viable option in the area. Existing cycle parking for four cycles have been demonstrated to the rear of the site, and this is considered suitable for the proposed use.

Conclusion
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 111), and that there are no transport grounds to resist the proposal."

Southern Water

Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer.

It is advised that the Council's building control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. [No changes to the existing arrangements are proposed.]

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

The Applicant is advised to contact Southern Water for further advice.

Adur and Worthing Councils

EHO – Public Health: No objection in principle, commenting:

There are no details if any cooking will be taking place for the Coffee Shop. There are no details of the type of extraction in the Servery. There must be a form of ventilation which may be natural (window) or mechanical, depending on the type of cuisine and style of cooking. The question is that it will be a change of use and future Food Business Operators may undertake cooking that is more odorous and may cause nuisance in the future, where would the outlet for the extraction be sited.

To overcome these concerns I would recommend the following [conditions]:

• Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times.
Monday - Friday 08:00 - 18:00 Hours
Saturday - 09:00 - 13:00 Hours
Sundays and Bank Holidays no work permitted
Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Reason: To safeguard the residential amenity of the area

• The sound insulation of the floor/ceiling between the ground and first floor shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr

dB). Before the residential unit is occupied a test shall be undertaken to demonstrate compliance with this level.

• The use hereby permitted shall not be carried on unless and until details of a suitable system for the extraction and disposal of cooking odours (including details of the extract fans, filters, fan units and ducting together with method of noise abatement, as well as details of grease traps and extraction hoods) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall have regard to the guidance contained within Adur and Worthing Councils Kitchen Extraction and Ventilation – Information & Guidance 2019. The equipment approved under this condition shall be installed before the use hereby permitted commences and thereafter shall be maintained in accordance with the manufacturer's instructions. Should the type of food being cooked vary from the initial application, a separate application should be submitted for approval.

Should you have any questions about what is above please let me know.

Private Sector Housing team: The flat layout is acceptable and the GIA meets the criteria for a 2B/3P property. No objections on PSH grounds

The Worthing Society: No objections.

Representations: None received.

Relevant Planning Policies

National Planning Policy Framework (HCLG 2021)
National Planning Practice Guidance
Adopted Worthing Local Plan 2020-2036
SP1 (Presumption in Favour of Sustainable Development)
SS3 (Town Centre)
DM1 (Housing Mix)
DM2 (Density)
DM8 (Planning for Sustainable Communities/Community Facilities)
DM13 (Retail and Town Centre Uses)
DM15 (Sustainable travel and Active Travel)
DM22 (Pollution)
DM23 (Strategic Approach to the Historic Environment)
DM24 (The Historic Environment)
Chapel Road Conservation Area Appraisal

Planning Assessment

Principle

The site is not located within a designated shopping frontage. There is no objection in principle to the loss of the existing ground-floor retail shop (Class E(a)) or its replacement with a café (Class E(b)), subject to there being no adverse impacts on the amenities of existing and future residential occupiers.

The first-floor (62sqm) is specifically used as offices ancillary to the church and is therefore considered to fall within Use Class F1 (rather than general offices within Use Class E). Policy DM8 of the adopted Local plan seeks to resist the loss of community facilities except where 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 it can be demonstrated that the existing premises are no longer required or viable in their current use and the premises have been appropriately marketed for an alternative community use.

In this case, alternative church office accommodation is proposed within the rear courtyard building, albeit a lesser amount of floor space (37sqm) than existing. On the other hand, the proposed new church office accommodation will be more accessible being at ground-floor and with the entrance having a flush level threshold.

There is no objection in principle to the proposed first-floor residential flat which would make a small contribution towards meeting local housing needs. The key consideration is the standard of amenity for future occupiers and effects on neighbouring occupiers.

Residential Amenity – Future Occupiers

The proposed flat unit would consist of a living/kitchen/dining room. 2-bedrooms, bathroom and hallway. The submitted Design and Access Statement stipulates it would have a GIA of 62sqm although this is measured at 60sqm on the submitted drawings. Bedroom 1 would meet the minimum standard for a double bedroom. Bedroom 2 would meet the minimum standard for a single bedroom. Built-in storage is provided but would be below the minimum 2sqm required.

The living/kitchen/dining room would be at the front of the building facing Chapel Road. The bedrooms would be located to the rear with an outlook to the south and east onto the light well/courtyard between 64A and the Cedar House.

No details of a ventilation and extraction system for cooking odours has been provided. However, the Applicant is willing to accept a condition that prevents primary cooking on the premises with cooking limited to heating of pre-cooked food only.

The Applicant is also willing to accept a condition that limits the hours of opening to between 08.00 -18.00hrs Monday to Saturday and between 10.00-16.00hrs on Sundays/Bank/Public Holidays.

The EHO recommends a condition requiring insulation between the ground-floor café and the proposed residential flat above.

Notwithstanding the slight measured shortfall in GIA compared to the minimum standard, subject to the above controls, it is considered a satisfactory standard of living conditions would be provided for the future occupier.

Residential Amenity - Neighbours

The nearest existing residential units are 64B (on the second-floor of the application property) and the upper floors flats at the other end of the terraced block above 58 Chapel Road. [The upper floors of the intervening properties within the terraced block are understood to be in commercial use.]

Subject to the recommended control on hours of opening, it is considered there would be no adverse effects on amenity in the context of this town centre location.

Visual Amenity and Heritage

No external alterations to the buildings are proposed. Consequently it is considered the proposals would have no adverse effects on the setting of the adjacent Listed Church building, or the surrounding Conservation Area.

Transport and Highway Safety

There are up to 6no parking spaces available along the access drive and within the courtyard although for the most part these are not independently accessible. The Applicant has confirmed that the spaces are allocated to the church office and coffee shop staff (as the current occupier of the 2nd floor flat does not own a vehicle).

There is a bike rack to the rear of the frontage building with space for 4no cycles.

The local Highway Authority has not raised any highway safety concern and there is no objection to the proposal on transport or highway safety grounds.

Conclusion

The reconfiguration of uses within the existing buildings will result in the welcome addition of a residential dwelling which will make a small contribution toward meeting housing need in the town.

The proposal would result in a net loss of floor space for the church offices compared to the existing arrangement. However, a smaller provision will be retained and in the context of Policy DM8 it is considered the Applicant is best placed to understand whether or not this provision will meet their administrative requirements.

The re-positioned café will have an enhanced presence fronting Chapel Road where it is likely to generate greater footfall and passing trade and will contribute to the vitality of the town centre.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Time limit
3. The ground-floor café use hereby permitted shall only be open to customers between the hours of: Mon-Sat 0800 to 1800, Sundays and Bank/Public Holidays 1000 to 1600hrs.
4. No primary cooking of food shall be undertaken on the ground-floor café premises. *F*ood servery shall be limited to warming or re-heating of pre-cooked food only using a microwave, toaster, pannini grill, soup kettle, electric induction hob or electric oven.
5. The sound insulation of the floor/ceiling between the ground café and first floor residential dwelling shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB). Before the residential unit is occupied a test shall be undertaken to demonstrate compliance with this level.
6. Office limited to use ancillary to Church
7. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

   Monday - Friday 08:00 - 18:00 Hours
   Saturday - 09:00 - 13:00 Hours
   Sundays and Bank Holidays no work permitted.
   Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

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.

Formal application is required to connect to public foul sewer.

New address.

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

Expiry Date - 01/06/2023

Case Officer:	Jo Morin	Date: 05.06.2023
Authorised by:	Gary Peck	Date: 5 June 2023