Planning Services, Adur & Worthing Councils

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BN11 1HS

Tel : 01903 221065
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Application to determine if prior approval is required for a proposed: Change of use from Commercial, Business and Service (Use Class E) to Dwellinghouses (Use Class C3)

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class MA

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number: 56

Suffix:

Property Name:

Address Line 1: Montague Street

Address Line 2: Worthing Central

Address Line 3: West Sussex

Town/city: Worthing

Postcode: BN11 3HE

Description of site location must be completed if postcode is not known:

Easting (x): 514694

Northing (y): 102467

Description

Applicant Details

Name/Company

Title

First name

Surname

Worthing Holdings Ltd

Company Name

Address

Address line 1

11 St. Andrew's Grove

Address line 2

Address line 3

Town/City

London

County

Country

Postcode

N16 5NF

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Contact Details

Primary number

Secondary number

Fax number

Email address

***** REDACTED ******

Agent Details

Name/Company

Title

First name

Daniel

Surname

Rose

Company Name

D. Rose Planning LLP

Address

Address line 1

19-20 Bourne Court

Address line 2

Southend Road

Address line 3

Town/City

Woodford Green

County

Country

United Kingdom

Postcode

IG8 8HD

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Eligibility

Permitted development rights are subject to conditions set by legislation to ensure that only appropriate proposals are eligible.

The need to apply to the Local Planning Authority to see if prior approval is required is one such condition.

The questions below will help determine if the proposals are eligible for this permitted development right.

The current building and site

Please note: Eligibility questions relating to the current building being vacant for 3 months, and it's floorspace not exceeding 1,500 square metres were removed after these limitations were lifted by government on 5 March 2024.

Has the use of the building, for a continuous period of at least 2 years immediately prior to the date of this application, been any of the following:
• For periods prior to 1 September 2020
- Shops (Use Class A1);
- Financial and professional services (Use Class A2);
- Food and drink (Use Class A3)
- Business (Use Class B1);
- Medical or health services
- Non-residential institutions (Use Class D1(a));
- Crèche, day nursery or day centre
- Non-residential institutions (Use Class D1(b));
- Indoor and outdoor sports
- Assembly and leisure (Use Class D2(e)), other than an indoor swimming pool or skating rink;
• For periods from 1 September 2020
- Commercial, Business and Service (Use Class E)

◉ Yes
○ No

Is any land covered by, or within the curtilage of, the building:
• in a site of special scientific interest;
• a listed building or land within its curtilage;
• a scheduled monument or land within its curtilage;
• a safety hazard area;
• a military explosives storage area;
Or, is the building:
• in an area of outstanding natural beauty;
• in an area specified by the Secretary of State for the purposes of enhancement and protection of the natural beauty and amenity of the countryside;
• in the Broads;
• in a National Park;
• in a World Heritage Site

◯ Yes
⊘ No

The proposed change of use

For applications, submitted before 1 August 2022, proposing a change of use to Dwellinghouses from Offices (Use Class B1(a)/E(g)(i)).
Is/Was there an Article 4 direction in place that has removed these specific permitted development rights?

◯ Yes
⊘ No / Not relevant

Will all the proposed new dwellinghouses have gross internal floor areas of at least 37 square metres, and comply with the nationally described space standard?

⊘ Yes
◯ No

Following the development, will every dwellinghouse in the building remain in use within Use Class C3 and for no other purpose, unless that purpose is ancillary to the primary use as a dwellinghouse?

⊘ Yes
◯ No

Agricultural tenants

To be eligible for this permitted development right, all parties to any agricultural tenacy agreements that are currently in place need to provide consent.

This is to help ensure that agricultural tenants are not displaced to allow a change of use to be carried out.

Is any part of the land covered by or within the curtilage of the building to be demolished occupied under any agricultural tenancy agreements?

◯ Yes
⊘ No

Fire Safety

Where the building (as proposed) exceeds certain limits, legislation has been put in place to ensure the adequate consideration of fire safety by the Local Authority (including its decision to grant prior approval) and other relevant parties.

Would the proposed development result in a building that contains one or more dwellinghouse, and is:
• 18 metres or more in height (as measured from ground level to the highest part of the roof); and/or
• Contains 7 or more stories

◯ Yes
⊘ No

Description of Proposed Works, Impacts and Risks

Proposed works

Please describe the proposed development including details of any dwellinghouses and other works proposed

Change of use of ground floor (part), 1st floor (part), 2nd floor (part) and 3rd floor from Class E to 3 flats (2 x 1bedroom/1person and 1 x 1bedroom/2person).

Please refer to the explanatory covering letter for further information.

Please provide details on the provision of adequate natural light in all habitable rooms of the dwellinghouses

The application (along with the other 5 concurrent prior approval applications) is supported by an Internal Daylight and Sunlight Report. The report includes analysis undertaken in accordance with the methodologies contained in the Building Research Establishment's Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (2022). The analysis demonstrates that all habitable rooms will meet their target illuminance and accordingly, it has been demonstrated that they will have provision of adequate natural light.

What will be the net increase in dwellinghouses?

3

This figure should be the number of dwellinghouses proposed by the development that is additional to the number of dwellinghouses in the existing building prior to the development.

Impacts and risks

Please provide details of any transport and highways impacts and how these will be mitigated, particularly to ensure safe site access

A Transport Statement (TS) is prepared in support of this application (and the other 5 concurrent submissions). The TS notes that the site is located within the centre of an established built-up, town centre location, in the vicinity of numerous retail, commercial and residential properties and therefore benefits from extensive pedestrian infrastructure in the locality. The site is also within 250 metres by foot of the nearest bus stops (located on Marine Parade) and that Worthing Rail Station is a 15 minute walk.

For completeness and rigour, the TS has been written to consider the proposals cumulatively (which overall would deliver up to 32 residential units) and their associated impact. It is highlighted that secure and sheltered cycle parking will be provided (1 space per unit) which exceeds WSCC minimum standards and that the development is proposed to be 'car-free' which is considered to entirely appropriate within this location. The TS also outlines the details of refuse collection arrangements and servicing.

The TS includes trip generation analysis of the existing and proposed uses and has assessed that change of use to a car-free residential development would cause no cumulative detriment to the local highway network. The report concludes that the cumulative proposals would be entirely acceptable on transport and highways grounds and would not give rise to a 'material increase or a material change in the character of traffic in the vicinity of the site'.

Please provide details of any contamination risks and how these will be mitigated

Environmental searches have not revealed there to be a risk of contamination and the site is not Part 2A contaminated land. It is further highlighted that no dwellings are proposed at ground level.

Please provide details of any flooding risks and how these will be mitigated.

The application (as well as the other 5 concurrent prior approval applications) is supported by a Flood Risk Assessment including a drainage assessment. The report identifies potential sources of flooding and assesses the risk. Appropriate mitigation measures have been outlined to minimise the risk and it is considered that as long as the coastal defences, reservoirs, public sewer networks, site drainage/water supply infrastructure are regularly inspected by maintained by Adur and Worthing Council, Southern Water and the site operator/management company respectively then the residual risk will be minimised. The FRA recommends that a basic Flood Response Plan should be prepared by the developer and be available to residents prior to occupation. It is considered that this could be secured via a condition if deemed necessary.

A flood risk assessment should accompany the application where the site:
• is in Flood Zones 2 or 3; or
• is in an area with critical drainage problems (such areas will have been notified to the Local Planning Authority by the Environment Agency).
Check if your site location is in Flood Zone 2 or 3 online
Check with your Local Planning Authority to see if your site is in an area with critical drainage problems.

Please provide details of the impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses and how these will be mitigated

The application is accompanied by an Environmental Noise Survey and Assessment report. Results from environmental noise surveys have have been used to assess the suitability of the site for residential purposes and it has been demonstrated that the impact of noise from any commercial premises on the intended occupiers of the 3 flats would be low subject to the implementation of the mitigation measures as set out in the report. Building regulations compliance would ensure suitable sound insulation between the dwellings and any retained commercial elements within the building.
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If the building is located in a conservation area, and the development involves a change of use of the whole or part of the ground floor. Please provide details of the impacts that the change of use will have on the character or sustainability of the conservation area and how these will be mitigated

not applicable

If the building is located in an area currently in use for general or heavy industry, waste management, storage and distribution, or a mix of such uses.
Please provide details of the impacts on intended occupiers of the development of the introduction of residential use in the area and how these will be mitigated

not applicable

If the proposal involves the loss of services provided by a registered nursery, or a health centre. Please provide details of the impacts on the local provision of the type of services lost and how these will be mitigated

not applicable

List of flats and other premises in the existing building

Please provide a list of all addresses of any flats and any other premises within the existing building

House name:
Poundland

Number:
56

Suffix:

Address line 1:
Montague Street

Address Line 2:

Town/City:
Worthing

Postcode:
BN11 3HE

Declaration

I/We hereby apply for Prior Approval: Change of use – commercial/business/service to dwellinghouses as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

Daniel Rose

Date

22/05/2024