Development Control – Delegated Officer Report

Application Number: AWDM/1498/24 Recommendation: Approve

Site: 119 Westcourt Road, Worthing

Proposal: **Change of use from retail shop (class E) and flat (C3) to two self-contained residential units (Use Class C3) with associated external alterations including removal of shopfront, new fenestration, and crossover.**

Date of site visit: 07.01.2025

Neighbours checked: Y

Additional neighbour notifications: 117 Westcourt Road (flat 1 and 2) & 84 Westcourt Road notified 2.1.2025

Site and Surroundings

The application relates to a two storey end of terrace property located on the west side of Westcourt Road, on the corner at its junction with Northcourt Road which is to the rear of the site. The building comprises of a vacant shop unit and residential accommodation over part of the ground floor and whole of the first floor. In June 2020 prior approval was granted for a change of use of part of the ground floor to form a one bedroom flat and with a smaller shop area retained, although it is understood that these works were not completed (NOTICE/0008/20 refers). The site has an open forecourt to its frontage to the east and north sides, and a rear amenity space enclosed by a low wall on the west side.

Proposal

Permission is sought for the change of use of the vacant shop unit and residential accommodation to form two separate self-contained dwellings. Revised plans have been received that propose removal of the existing shopfront and alterations to form one 2-bedroom dwelling and one 1-bedroom dwelling, divided vertically. The alterations would effectively square-off the ground floor footprint where the existing shopfront would be removed on the front (east) elevation, and align the ground floor wall with the existing first floor at this point. New windows would be inserted to the front elevation and a window would replace an existing rear door. The site would be subdivided to form two separate gardens for the new dwellings, Cycle parking has been indicated within each private garden. Car parking for two vehicles is indicated to the north of the building, facilitated by alterations/ relocation of the existing crossover. A new low boundary wall would be formed around the edges of the site and with new planting indicated within the north and west boundaries.

Relevant Planning History:

NOTICE/0008/20 - Application for permitted development for prior approval for partial change of use of ground floor shop (Use Class A1) to 1no. 1 bedroom residental unit (Use Class C3) and part retention of (smaller) shop unit.
STATUS: AREQ 2nd June 2020.

AWDM/1561/20 - Proposed single-storey rear extension to west elevation.
STATUS: REF 10th December 2020.

Consultations:

The **Highway Authority** raises no objection and has made the following comments:

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals.

This application is for the change of use from retail shop (E class) and two-bedroom unit (C3) to two self-contained residential units (Use Class C3) with associated external alterations including new fenestration and crossover. The site is located on Westcourt Road an unclassified road subject to a speed restriction of 30 mph.

Access
The applicant proposes widening and relocating the vehicle crossover (VCO) on Westcourt Road. The proposed access works will be subject to a licence obtained through the local Highway Area Office and constructed to a specification agreed with the local Highway Area Engineer.

The proposed VCO is likely to be an improvement over the existing access as it is positioned further from the junction with Northcourt Road. There are no apparent visibility concerns at the proposed access point.

Parking
The applicant proposes two car parking spaces for this development. The WSCC Car Parking Demand Calculator indicates that a development of this size in this location would require at least three car parking spaces. So, any additional parking would have to be accommodated on-street.

Whilst on-street parking is limited in the area, there are comprehensive parking restrictions in place prohibiting vehicles from parking in places that would be a detriment to highway safety. The LHA does not anticipate that the proposed shortfall of car parking provision would result in a detrimental highway safety impact, nor lead to a parking capacity issue. However, the LPA may wish to consider the potential impacts on on-street parking from an amenity point of view.

From inspection of the plans, the proposed parking bays are suitably sized. On-site turning does not appear achievable, so cars may have to exit the site in reverse gear. However, this is not anticipated to give rise to an adverse highway safety impact, owing to good forward visibility in this location. Neighbouring properties operate similar access arrangements with no known highway safety concerns. The applicant has demonstrated a cycle store for each dwelling, which will provide secure cycle parking provision in accordance with WSCC Parking Standards.

The site is situated in a sustainable town location within walking/cycle distance of local services and amenities. Cycling is a viable option in the area. The site is also well connected by public transport, with regular buses available from Northcourt Road. Worthing Train Station is situated approximately 650m south of the site.

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 116), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following conditions and informative should be applied:

Conditions
Car parking space (details approved)
No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
Reason: To provide car-parking space for the use

Cycle parking
No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.
Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

Informative
Vehicle Crossover – Minor Highway Works
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage.

Additional information about the licence application process can be found at the following web page:
http://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-vehicle-crossovers-for-driveways-licence/

Southern Water has confirmed no objection to the proposal.

The Council's **Environmental Health Officer** has raised no objection and has recommended conditions limiting hours of construction and requiring a construction management plan to be agreed in the interests of protecting the amenity of neighbouring occupiers.

Representations:
None received

Relevant Planning Policies

Worthing Local Plan 2020-2036 (WBC 2023): Policies:
SP1 (Presumption in Favour of Sustainable Development)
SS1 (Spatial Strategy)
DM1 (Housing Mix)
DM2 (Housing Density)
DM5 (Quality of the Built Environment)
DM15 (Sustainable Transport and Active Travel)
DM16 (Sustainable Design)
DM17 (Energy)
DM18 (Biodiversity)
DM20 (Flood Risk and Sustainable Drainage)
DM22 (Pollution)

National Planning Policy Framework (MHCLG 2024)
National Planning Practice Guidance
SPD 'Space Standards' (WBC 2012)
SDP 'A Guide to Residential Development' (WBC 2013)
CIL Charging Schedule (Aug 2021)

Planning Assessment

Principle of Development

The Worthing Local Plan was adopted on 28th March 2023 (base date of Plan 2020). Policy SS1 sets out the Housing supply over the period 2020-2036 and gives a total figure of 3672 (an annual target of 230 dwellings per annum).

Paragraph 78 of the NPPF (2024) requires that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should, in addition, include a buffer (moved forward from later in the plan period) of:
a) 5% to ensure choice and competition in the market for land; or
b) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply; or
c) From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a previous version of the Framework, and whose annual average housing requirement is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance.

The most recent 5 Year Housing Land Supply (5YRHLS) position for Worthing (as at 01/04/2023) demonstrates a 6.3 years supply applying a 20% buffer as at that time

Worthing had failed the then current Housing Delivery Test (HDT) (2022 published December 2023).

However, the most recent HDT 2023 (published December 2024) shows that Worthing scored 107% and therefore faces no consequences from the HDT.

Having a 5YRHLS position and having passed the HDT with no consequences means that for Worthing Paragraph 11 c) of the NPPF applies which states: '*For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay* '.

The proposal is for the conversion and reconfiguration of the existing floorspace to form one 2-bedroom dwelling and one 1-bedroom dwelling. The site is located within a sustainable location within walking or cycling distance to local services and amenities. The proposed development would not result in any net loss of existing residential accommodation and would make a small contribution to meeting housing need in the Borough by providing one additional dwelling overall.

The site is not within an established shopping area and includes an isolated shop in a predominantly residential area. There is no policy that restricts the loss of retail floorspace in this location and so the change of use to residential use can be supported in principle.

The main determining issues relate to the impact on the visual amenities of the site and surrounding area, the effects on living conditions for existing and future occupiers, highways, access and parking considerations, and sustainability.

Visual Amenity

This is a prominent corner site where the existing building is readily visible in the streetscene at all sides and particularly across the open forecourt. As originally submitted the application involved the blocking up of the shopfront and removal of the shop fascia, but retaining its flat roof design and angled form, and with new fenestration inserted. Concerns were raised over the awkward appearance of the proposals and that a more cohesive residential appearance could potentially be achieved by removal of the angled form of the shopfront and extending. It was suggested that a replacement extension/s to the front/side elevation would be an opportunity to improve the design to form a sympathetic residential frontage and to improve the standard of accommodation.

However this has not been agreed but instead revised plans have been received that remove the shopfront and align the ground floor wall and windows at the frontage with the first floor. Although a smaller unit is now proposed, the effect is nevertheless a more cohesive appearance to the frontage and windows than originally proposed, and would provide a balanced and sympathetic residential appearance to the building.

The existing rear boundary wall would be retained and a new boundary wall would continue the alignment along the back of the pavement edge and wrapping around the frontage. The design and access statement sets out that this would match the existing wall which is brick with flint/cobble. This would provide continuity for the boundary

treatments and would be in keeping with the character of neighbouring dwellings. Amendments were also sought to set the parking area in further from the edges of the site to allow for increased planting and this has been agreed by the applicant and indicated on the revised plans. The combination of landscaping and boundary walls would provide an improvement to the appearance of the site which is largely open parking currently. Hard and soft landscaping details including dividing boundary walls and fences can be agreed by condition in the interests of visual amenity.

Residential Amenity – the impact on the residential amenities of existing and future occupiers

The proposals involve conversion of the existing shop and residential accommodation and the ground floor flat to form two dwellings. In terms of the intensity of use it is considered that the proposed development would not give rise to any significant impact on residential amenity.

In terms of the impact of the alterations to the building, it is considered that this would not give rise to any significant impact to neighbouring occupiers in terms of loss of light, outlook or privacy.

Policy DM2 sets out that all new dwellings will be expected to meet as a minimum the nationally described space standards. As originally submitted the proposed dwellings would have fallen below the Government's Nationally Described Space Standards. Amendments were sought to improve the layout and standard of accommodation by extending the building but this has not been agreed. Instead, the applicant proposes removal of the shopfront for the northern unit and therefore reducing its overall size, and the bedroom also reduced to a single room and therefore forming a 1 bedroom 1 person unit. It is disappointing that the opportunity for a larger extended unit has not been taken here. The proposed layout would have a floor area of 49 metres. There is no standard for a 1 bedroom 1 person unit over two floors. However in a previous decision in Lyndhurst Road (AWDM/1031/24) it was recommended to have at least 45 square metres to take account of a stairwell. Applying this approach here, it is considered that an adequate standard of accommodation would be provided with adequate room sizes, light and ventilation for a 1 bedroom 1 person unit. Built in storage has also been incorporated.

The southern unit has been amended to a 2 bedroom 3 person unit (previously proposed as 2b4p unit) with storage incorporated. This deals with concerns over the size of the second bedroom falling below standard and lack of storage.

The proposals would provide private amenity space for occupants of each dwelling and it is noted that the applicant has attempted to improve this for the current scheme, compared to the prior approval, by angling the boundaries to allow a larger space for the 2bed3person unit and with the addition of screen planting. A bin storage area has been indicated for each dwelling. The rear garden area would nevertheless be particularly small for the southern unit, given that this could be occupied by 3 residents, and this is largely due to the tapering nature of the rear boundaries in this location. It is acknowledged that occupants would also have the benefit of a front garden area although it is recognised that this would not be private. Whilst this would fall short of the Council's local guidance for external space, the difficulties in providing private

amenity space in the circumstances of this site are acknowledged and the improvements to the external space are recognised. However as this would involve a restricted garden areas at the rear, if approved a condition is recommended to remove permitted development rights for any further extensions or outbuildings/structures in the interests of protecting residential amenity and avoiding overdevelopment of this restricted site.

Access and Highways

Two car parking spaces are proposed for the development and whilst the proposals would generate a parking demand of at least three car parking spaces, the Highway Authority has raised no objection to the shortfall on highway safety or capacity grounds and with no highway safety concerns raised in relation to the layout proposed. The site can be considered sustainable being within walking distance of Worthing train station and the town centre beyond with good access to shops, services and public transport links, reducing the reliance upon the private car.

Cycle storage has been indicated for each dwelling and details of which can be secured by condition to promote sustainable travel and is a viable option in this location.

Sustainable Development

The constraints imposed by the scale of development and the existing building with no additional footprint proposed limit the opportunities for incorporating sustainable construction or renewable energies. However applicant's agent has confirmed that the proposed development is designed to meet the requirements of DM16 and DM17 including the relevant EPC minimum of 'C' and with re-use of materials to minimise waste. Natural ventilation and passive cooling has been considered in the design and the applicant has stated that the proposal also seeks to reduce the urban heat island effect through the provision of significant planting along the northern and western site boundaries.

There would be no increase in impermeable area and there are no identified flood risks within the site.

The development would fall below the de minimis exemption threshold for BNG.

CIL

The application if permitted would be subject to a contribution towards the CIL.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard time limit
3. Construction Management Plan to be agreed/implemented
4. Hours of construction limited

5. Cycle parking details to be agreed
6. Landscaping details to be agreed
7. Bin storage details to be agreed
8. Matching materials
9. Car parking to be provided/retained
10. Removal of redundant crossover
11. Removal of PD rights for extensions/outbuildings etc

Informative

- The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- Vehicle crossover licence
- CIL
- New/amended property address

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

Case Officer: Rebekah Hincke Date: 26.03.2025

Authorised by: Louise Prew Date: 28/03/2025