FINOLA BRADY
ARCHITECTURAL SERVICES

M: 07960 235756
E: finola@fbarchitectural.co.uk
W: fbarchitectural.co.uk

@FinolaBrady
finolabrady

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DESIGN AND ACCESS / PLANNING STATEMENT – Lawful Development Certificate for a Proposed Use (Class E) @ 3 Ann Street, Worthing, BN11 1NX

1. Use

1.1 The existing property is a vacant commercial ground-floor property, previously used as a casino, Use Class "sui generis". There is a self-contained flat and first and second floors, under separate ownership. That does not form part of this application.

1.2 The proposal is to change the property to a licensed tea room and gift shop, Use Class E.

2. Amount

2.1 There is one building on the site and the proposal does not involve any change to this.

3. Layout

3.1 The site is bounded to the north by Ann Street; to the east by 4 Ann Street Street; to the west by 2a Ann Street; and to the south by an alley serving the property and also nos. 13 – 15 Warwick Street.

3.2 The proposal does not involve any changes to the layout of the site.

4. Scale

4.1 The total gross footprint of the existing building remains unchanged.

5. Landscaping

5.1 The existing property is accessed directly from the street at ground floor, and has a very small yard at the rear at lower-ground floor which is used for bin storage until bins are collected.

5.2. The proposal does not involve any changes to the landscaping.

6. Appearance

6.1 The existing property is an end-of-terrace late-Victorian building, originally a pair of shops with ancillary accommodation over. The shopfronts retain the original design, with angled shop windows leading to entrance doors, all timber framed. The shop fascias above are also timber, all with a painted finish. The pillars either side of the shopfront are plain. The first floor front

and rear elevations have been modernised and a render finish has been applied to the first-floor, all of the side elevation, and all of the rear elevation. The roof is hipped with non-original dormers, all with slate tiles. The rear boundary wall enclosing the rear yard also has a render finish.

6.2. The proposal does not alter the appearance of the ground floor of the building.

7. Access & Transport

7.1 The existing site has level access from the pavement to the property. The proposed scheme retains this arrangement.

7.2 No off-street parking is available. Parking is on street and is paid for or controlled by permit. These arrangements are not affected by this proposal. The property is within the City centre, and is well served by public transport.

7.3 Ann Street is paved and well lit.

8. Planning Statement

8.1 The property is within the South Street Conservation Area, but is not Listed. The Council's website shows an application from 2009 (09/1086/FULL) for the conversion of the property from a hairdressing salon (then Use Class A1) to a casino, Use Class "sui generis". This planning consent had a condition imposing a time limit on the change of use, with that change of use expiring in 2012. After that date the property would have reverted to Use Class A1, which is now Use Class E. There are no further planning consents showing for the property which would have resulted in a different Use Class.

8.2 The proposed change of use is to a licensed tea room and gift shop, both Use Class E. The sale of alcohol will only be with food, for consumption on the premises, so the building is not primarily a drinking establishment and therefore not "sui generis". The licensed cafe is in effect a restaurant use, which is Class E. There will not be any off sales of alcohol.

8.3 An email from the planning administration team to the applicant on 11th September 2024 maintained that the property was still Use Class "sui generis", despite the previous change of use being time limited.

8.4 If the property has reverted to Use Class E then no change of use application is required for the proposed new business use on the site. The proposed new use is therefore lawful development.

8.5 If the property has retained its "sui generis" Use Class then the proposed change of use to Use Class E is Permitted Development by virtue of the proposed change of use from a casino, betting office, or pay day loan shop to Use Class E. The proposed new use is therefore lawful development.