Development Control – Delegated Officer Report

Application Number: AWDM/0382/24 Recommendation: APPROVE

Site: 30 York Road Worthing West Sussex BN11 3EN

Proposal: Change of Use of First Floor from Office (Use Class E) to Photographic/Film Studio (Sui generis)

Date of site visit: 18/04/2024

Neighbours checked: Y

Additional neighbour notifications: N

Wider consultation: Yes, site notice and press notice

Site and Surroundings

The site is located on the eastern side of York Road, just to the rear of the commercial units fronting Brighton Road. The site contains a two-storey Art Deco style building.

The site is within Steyne Gardens Conservation Area. The building is not listed but does appear within the Local Interest list for Worthing with the following description:

"An Art Deco style warehouse, possibly built originally to store bananas and dating from 1928. The front elevation is the most decorative, comprising a stone clad frontage with a large access door on the ground floor and with three windows above."

York Road to the south and west of the site is predominantly residential.

The site is adjacent to Worthing town centre which encompasses the buildings to the north on Brighton Road.

Proposal

The proposal is to change the use from offices (Use Class E) to a photography / film studio (Sui Generis). No external works to the building are proposed.

The ground floor which is used as storage for classic cars will remain as existing.

Relevant Planning History:

09/0900/FULL: Change of use of first floor from storage to 2 no. one bedroom flats with storage retained at ground floor level together with alterations including alterations to windows and entrance. Application permitted 21/12/2009

05/0396/FULL: Change of use from Use Class B8 (storage) to Use Class A3 (food and drink) with alterations including new glazed frontage with portico Refused 02/06/2005

99/00306/FULL: Use of wholesale warehouse for storage and distribution of motor cycle parts and accessories incorporating retail sales of small motor cycles by mail order only. Permitted 25/05/1999

97/06038/FULL: CHANGE OF USE OF PREMISES TO SCHOOL OF BALLET AND THEATRE DANCE. Refusal

Consultations:

West Sussex County Council:

The proposal is to change the first floor use at 30 York Road, Worthing, from Office use to photographic/film studio. The ground floor use at the property is currently assigned to the storage of classic cars, which makes use of 6 parking spaces within the ground floor of the building. There is no assigned parking to the first floor office use currently.

Given the nil parking provision at the property for the associated use, it is considered that any users of the studio would need to be accommodated on street or with alternative transport. York Road is subject to parking restrictions in the form of permit holder only parking from Monday – Saturday, 9am – 6pm. York Road adjoins Marine Parade to the south, pay and display parking bays are located along the seafront at this point. Furthermore multi-storey car parks are sited further west on Marine Parade and north east of the site at High Street multi-storey. Regular bus services operate along Marine Parade which offers alternatives to the use of a car for visitors of the site.

It is not considered that the change of use would generate a severe material increase in movements over that potentially generated by the existing office use. Trips would not be anticipated to be wholly during the network peak hours, it is considered that associated trips may be spread throughout the day given the nature of the use. There are no known capacity concerns within the vicinity of the site, however the LPA may wish to consider any known existing pressures when assessing the proposal.

The Local Highway Authority does not consider that the proposed change of use from offices to a Photography/Videography Studio 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.

Worthing Society:

Thank you for requesting our comments in respect of the above planning application. The proposal relates to a distinctive Art Deco style warehouse dating from circa 1926. There are large access doors on the ground floor. This building is recorded on the Local Interest List and situated within the Steyne Gardens Conservation Area.

I have now had the opportunity to discuss the proposed change of use with our Heritage Team and we have the following comments. The Art Deco façade with a decorative stone-clad frontage is an important feature of this unique building and contributes positively to the historic character of the conservation area. The Worthing

Local Interest Study mentions that this unique warehouse was originally built to store bananas.

We are pleased to note therefore that the proposed change of use does not necessitate any alteration to the outward appearance of the building. The access door and the ground floor storage area for classic cars will, we understand, remain unaltered to retain the original layout and usage of this unique Art Deco building.

In addition, the applicants Planning Statement indicates that there will be relatively minor internal changes to the first floor with the removal of non-loadbearing partition walls to accommodate the studio. This area has had previous use as office space.

Representations:
None received

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5, DM10, DM11
National Planning Policy Framework (2023)
Planning Practice Guidance

Planning Assessment

Principle of development

The proposal includes the loss of the existing use at first floor. The use is listed as office space (Use Class E) but it is not clear if this is the lawful use. The 2009 application stated that the change of use at first floor was from storage. It is likely that the last known lawful use was as storage ancillary to the ground floor use, rather than its own separate planning unit. The planning statement indicates that the first floor has been in use as offices since 2009 however no detail has been provided to substantiate this. Both storage and office space would be considered employment uses discussed in policies DM10 and DM11 so the loss of both is discussed below.

Policy DM11 seeks to protect employment floorspace and sets out criteria for development of existing premises and land or floorspace which is used or has been for employment uses. While the development proposes a change of use it is considered to retain an employment generating use. It is also noted that the current building with a relatively small footprint and small windows within a residential neighbourhood is not best suited to provide good quality office floorspace.

Policy DM10 states that the Local Plan will support, promote and enable the continued development of a strong, sustainable and diverse local economy by…ensuring the availability of sufficient and suitable workspaces in terms of type, size and cost, to meet the needs of current and future businesses, including start up / serviced and incubator space. The proposal is for a small business operating out of the front office space to expand into the rest of the first floor. This is considered to meet this policy's objective.

It is considered that as the development retains an employment generating use on site that the change of use to a photography / film studio is acceptable in principle subject to assessment of other material considerations.

Visual Amenity
There are no proposed external changes therefore there will be no impact on visual amenity and the wider conservation area.

Residential Amenity
As there are no external changes there will be no impact on light levels, overlooking or sense of enclosure. The main issues would be to do with noise and disturbance associated with the new use. However, it is considered that the effects on amenity would largely be the same as those associated with an office. The building has limited glazing at first floor level particularly facing south. Should noise be an issue the Council has powers under the Environment Act which can be used to limit noise disturbance. It is therefore not considered necessary to restrict hours by condition.

Transport and highways
The ground floor use at the property is currently assigned to the storage of classic cars, which makes use of 6 parking spaces within the ground floor of the building. There is no assigned parking to the first floor office use currently.

Given the nil parking provision at the property for the associated use, it is considered that any users of the studio would need to be accommodated on street or with alternative transport. York Road is subject to parking restrictions in the form of permit holder only parking from Monday – Saturday, 9am – 6pm. York Road adjoins Marine Parade to the south, pay and display parking bays are located along the seafront at this point. Furthermore multi-storey car parks are sited further west on Marine Parade and north east of the site at High Street multi-storey. Regular bus services operate along Marine Parade which offers alternatives to the use of a car for visitors of the site.

It is not considered that the change of use would generate a severe material increase in movements over that potentially generated by the existing office use. Trips would not be anticipated to be wholly during the network peak hours, it is considered that associated trips may be spread throughout the day given the nature of the use. WSCC indicated that there are no known capacity concerns within the vicinity of the site.

The proposed change of use from offices to a Photography/Videography Studio would not have an unacceptable impact on highway safety or result in ‘severe’ cumulative impacts on the operation of the highway network.

Drainage
As the development relates to the change of use of internal floorspace and the scheme would not result in a use which would be more vulnerable to surface water flooding no mitigation for flooding is required.

CIL
The development is not CIL liable as no additional floorspace is being created.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard time limit

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.

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

Case Officer: Louise Prew Date: 22/04/2024

Authorised by: Gary Peck Date: 22 April 2024