# DELEGATED APPLICATIONS
# ASSESSMENT SHEET

**APPLICATION NO./ADDRESS:** WB/08/0073/FULL 130 Montague Street, Worthing

**DATE OF SITE VISIT:** 1 April 2008

**NEIGHBOURS CHECKED:** Y

**ADDITIONAL NEIGHBOUR NOTIFICATIONS:** N

**PROPOSAL, SITE AND SURROUNDINGS:**

The application property is a mid-terrace two storey building that comprises a retail unit on the ground floor with an existing three bedroom apartment on the upper floor. Permission is sought to convert the rear part of the ground floor retail unit and the existing first floor flat into 2 flats comprising one 1 bedroom flat and one 2 bedroom flat. The proposal would result in the gross internal floor area for the retail use being 48 sqm (existing 60 sqm) with a net tradeable gross internal area of 60 sqm (existing 97.50 sqm). This would allow for 39.53 sqm of existing storage space to the rear of the retail unit, to form part of the one bedroom flat conversion, providing a ground floor living/dining room and kitchen area with a bedroom and bathroom at first floor level.

The proposal would involve external alterations to the rear of the property that would include the removal of an existing metal staircase, which serves the existing first floor flat together with new fenestration details comprising new square bay windows that would project 700 mm from the main rear elevation. The proposal includes the removal and infill of three first floor windows (two sliding sash and one small casement window) to the side (west) elevation, which would include a new small casement window to a first floor bathroom.

Access to the flats would be to the rear of the premises in Montague Street, via a passage between 122 and 126 Montague Street. It is noted that the rear of the premises faces onto the recent mews development at Clarendon and Amo mews. The orientation of the built form would ensure good visual security at this location. There is no off street parking spaces for the site however, two secured cycle storage units are proposed for 6 bikes, which would be available within the rear yard that would be cleared and landscaped.

The application site premises is located on the northern side of Montague Street, to the west of the pedestrianised section bounded by Crescent Road. The property is within the Secondary Area of the Centre Shopping Area and is a Locally Listed Building located within the Montague Street Conservation.

**RELEVANT PLANNING HISTORY:**

07/1450/CLE Application for a Certificate of Lawful Development for existing use of ground floor as retail premises and first floor as a self-contained flat with own entrance. Certificate issued on the 28 January 2008.

**RELEVANT PLANNING POLICIES:**

**West Sussex Structure Plan 2001-2016** - DEV1, DEV 4, CH4, CH5

**Worthing Local Plan 2003** - BE1, S10

**REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES:**

There have been no responses to the consultation letters with regard to the proposal

The **Highway Authority** has raised no objections to the proposal given that the property is situated in a sustainable location, which is in compliance with PPG13 and Policy Dev 4 of the WS Structure Plan 2001-2006. However, secured cycle parking would need to be included in the scheme and the actual details of the cycle parking facilities would need to be submitted to and approved by the Local Planning Authority.
**Strategic Housing and Policy** have no objection to the proposal given that the shop frontage will be retained and the core use would still remain as Class A1
Assistant Director **(Health and Housing Services)** have no objection to the proposal subject to a condition with regard to the storage of refuse.
**Conservation Area Advisory Committee** have raised no objections to the scheme and regard the design shown in the smaller scale drawing submitted by the applicant to be simpler and more acceptable.

**PLANNING ASSESSMENT:**

The relevant planning considerations with regard to the proposal are the loss of part of a Class A1 retail unit, the effects on the residential and visual amenities of the locality, particularly being a Locally Listed Building within the Montague Street Conservation Area, together with access and parking.

The loss of part of the ground floor Class A1 retail unit (37.50 sq metres) to form part of the proposed residential flats, which will be provided on ground and first floor levels, does not accord with saved Local Plan policy S10 which requires that a change of use outside of Classes A1, A2 and A3 within the Secondary Area of the Central Shopping Area would not normally be permitted. However, in this instance, given that the only part of the shop frontage would be retained and that the core use would still remain as Class A1 retail (60 sq metres), it is not considered that this is a material change of use to warrant the refusal of planning permission in accordance with saved Local Plan policy S10.

It is not proposed to undertake any changes to the front elevation of the building. Alterations to the rear elevation of the property, which includes

removing existing window openings and providing new bay windows to the main rear elevation, are welcomed. The applicant's submitted drawings do not show accurate details with regard to the two bay windows, it is recommended that a condition is imposed to require further detailed drawings in this instance. However, it is considered that overall the fenestration alterations would assist in tidying up the appearance of the rear of the property that appears cluttered, run down and overgrown. Therefore, the proposed alterations to this Local Listed Building are welcomed and are considered to enhance the appearance of the building. In addition to this, the proposed landscaping of the rear garden would enhance the character and appearance of this part of Montague Street Conservation Area in accordance with saved Structure Plan policies CH4, CH5

In terms of loss of residential amenity, it is considered that the loss of the external metal staircase which would allow oblique views into the adjacent neighbouring property is welcomed. The proposed bay windows being inserted within the centre of the main rear elevation would not result in any loss of privacy or overlooking to neighbouring properties in terms of oblique views or overlooking to the mews properties opposite located some 20 metres in distance.

There is no parking provision for the proposed flats. However, given the sustainable location of the flats within the Town Centre, and the provision of secured cycle storage, it is considered that this is appropriate and is in line with saved Structure Plan policy Dev4. Therefore, it is recommended to grant planning permission for the conversion and the external alterations to the Locally Listed building.

**RECOMMENDATION:** APPROVE subject to:-

1. Standard time limit
2. Materials to match
3. Refuse disposal
4. Details of bay windows
5. Landscape details

**REASONS FOR RECOMMENDATION:**

The proposal does not conflict with development plan policies.

**HUMAN RIGHTS:**

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that on balance, existing residential quality of life would not be significantly adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

**IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION?**

No

**DELEGATED**

Case Officer
Sign..... [redacted] .....Date.....10/4/08.....

Authorising Officer
Sign..... [redacted] .....Date.....11.4.08.....