Expiry Date - 22/01/2024

# Development Control – Delegated Officer Report

**Application Number: AWDM/1574/23** **Recommendation – APPROVE**

**Site:** **Unit 4 Downlands Retail Park Lyons Way Worthing**

**Proposal:** **External alterations to the front elevation of unit 4, including the provision of two new entrances to facilitate subdivision including revisions to the car park area to the front of unit 4 and provision of new cycle parking shelter.**

**Date of site visit:** 02/01/24

**Neighbours checked:** Y

**Additional neighbour notifications**: N

## Site and Surroundings

The site is located within the Downlands Retail Park to the north of the A27 and currently occupied by B and Q. The building comprises of a large retail unit with brick elevations and grey and orange metal cladding and roof. There is a large public car park and trolley area to the front of the building and further retail units (Bensons for beds, Currys/PC World) to the west. The Downlands Retail Park forms part of a wider complex to the west of Lyons Way, including a Sainsbury's supermarket, Boots, Wren (kitchens), the gym, Pets at Home and Argos within the Lyons Farm Retail Park.

To the north of the Site is Downlands Business Park, made up of several office and light industrial buildings, with associated staff parking. The South Downs National Park adjoins the eastern boundary of the site, separated by a woodland buffer. The site is accessed from the A27 which forms the southern boundary of the wider site. This is a major trunk road and part of the strategic road network. The retail uses including Downlands Retail Park are served by Lyons Way which leads off the A27 from a junction adjacent to the site.

The building is not within a conservation area and is not a listed building.

## Proposal

Planning permission is sought for external alterations to the front elevation including the provision of two entrances to facilitate subdivision of the unit and revisions to car park area to provide a new cycle parking shelter.

The profiled metal cladding to the front and part side elevations and entrance feature would be removed. A new metal clad frame in dark grey, with central column and timber effect cladding infill would be installed, squaring up the elevation. The brick infill panels to the front and part west side would be removed and replaced with glazed shopfronts and entrance doors. The brick

piers would be retained and painted dark grey. The central column would create two distinct parts to the front facade, with sets of entrance doors in both to facilitate the subdivision in to two separate units. Two new roller shutter doors would be added to the rear north elevation. The proposed works to the façade would not increase the height of the building.

The unit would be split into two separate units of roughly equal size with no increase beyond the existing footprint. Unit 4A to the west side will be 1,787sqm and unit 4B will be 2,050sqm including the existing 200sqm mezzanine, which will be retained. Subdivision of the unit does not require planning permission.

Disabled parking bays to the front of the building would be reconfigured to accommodate the two entrances and new block paving would be laid to the front.

A new cycle parking shelter would be installed adjacent to the east boundary of the site and within the existing car park to the front of the building. The shelter would measure 6m x 3m with a height of 2.7m constructed from galvanised steel with a green biodiverse roof and space for 12 bikes. The shelter would incorporate timber bird boxes and steel mesh baskets with bug hotel. The cycle shelter would result in the loss of 5 standard parking spaces, but the retention of all 7 disabled spaces to the frontage.

**Relevant Planning History:**

AWDM/2026/22 - External alterations, amalgamation and refurbishment of existing Units 2 & 3, including associated works to the car park including new trolley bay and servicing areas and widening of use to enable the sale of food and drinks, and associated non-food goods from the Unit – Approved

AWDM/0333/22 - Construction of a drive-through coffee shop unit (Use Class E (a) and ancillary Sui Generis) and associated works within Downlands Retail Park car park – Approved

AWDM/1940/19 - Proposed replacement illuminated fascia sign, new non-illuminated entrance sign and various new non-illuminated customer information signs - Approved

06/0974/FULL - Refurbishment and extension of retail park including the extension of an existing unit; the installation of mezzanine floors; alterations to elevations including the erection of 9 wind turbines; associated changes to car park and landscaping; and pedestrian routes – Approved

WB/903/85 - Outline application for retail warehousing and garden centre, warehousing and industrial development. Land (6.94 hectares) part of Lyons Farm, Upper Brighton Road – Refused – Allowed on Appeal

**Consultations:**

**Environmental Health –** No comment

***WSCC Highways*** - No Objection - The above proposals are in line with NPPF guidance for promoting sustainable transport, and given the car park can accommodate a large number of vehicles, the loss of car parking spaces to create this unique cycle storage area is negligible.

Equally the loss of parking to create two new entrance points creates a better environment for pedestrians as it provides more circulation space outside the entrances, and there are still an adequate number of disabled parking spaces within the vicinity.

**Representations:**

None received

**Relevant Planning Policies**

Worthing Local Plan policies (WBC 2023):

SP1 - Presumption in Favour of Sustainable Development
SP2 - Climate Change
DM5 - Quality of the Built Environment
DM11 - Protecting and Enhancing Employment Sites
DM13 - Retail and Town Centre Uses
DM15 - Sustainable transport & active travel
DM16 – Sustainable Design
DM17 – Energy
DM18 - Biodiversity

National Planning Policy Framework (HCLG 2023)
National Planning Practice Guidance

**Planning Assessment**

***Principle of Development***

There is no objection in principle to the upgrading of commercial properties within the built-up area.

Section 55 of the Town and Country Planning Act makes clear that the sub-division of a large shop to smaller units is not development requiring planning permission. There are no previous conditions that preclude subdivision of this unit and therefore subdivision of the building does not require consent. Consideration of the application is therefore restricted to the impacts resulting from the external changes to the building, parking layout and provision of a cycle store.

The site is located within an ‘out of town’ retail park identified as a Key Employment Area within the Worthing Local Plan 2023. Policy DM11 –

*Protecting and Enhancing Employment Sites* seeks to protect against loss of these sites to other uses to maintain a strong and diverse supply of employment sites to meet the needs of the local economy. The application does not include a change of use from the current retail use or any loss of employment floor space and therefore would not have any negative impact on employment land. The proposed investment in to the building to enhance the unit would ensure the continued protection of this site for employment purposes, supporting the local economy and complying with the provisions of policy DM11.

Policy DM13 – *Retail and Town Centre Uses* supports the vitality and viability of Worthing's Town Centres. The site relates to an existing 'out of town' retail park and does not include any loss or gain of floor space or change of use and the proposal would therefore have no adverse impact on the Town Centre.

The key considerations are the effects on the visual and residential amenities of the locality, sustainability and highways impacts.

***Visual Amenity***

Policy DM5 of the Worthing Local Plan requires that all new development should be of a high architectural and design quality and respect and enhance the character of the site and the prevailing character of the area.

The site is clearly visible from the public car park to the front but is only visible in very limited views from the SDNP to the east and the A27 to the south due to mature trees and hedging to these boundaries.

The proposed elevational changes would update the exterior of the building but would retain the overall scale and height. The feature frame would be finished in a dark metallic grey cladding, with expressed joints. The glazed shopfronts would have dark grey frames, and the existing brick piers (that are to be retained) will be painted dark grey to match. The timber infill cladding would complement the dark grey frame and cladding and would reflect exterior changes applied/approved at other units in the retail park. The increased glazing at ground floor would provide a more open, visible and active shopfront.

The building is viewed in context with the other buildings within the retail park and the updated appearance is considered to improve the aesthetics of the building with a modern design that would present a visually coherent and symmetrical frontage that relates well to other buildings in the park. The proposal would respect the prevailing character of the area and would not result in a dominant or intrusive development.

The new bicycle shelter would be clearly visible from the public car park but is small in scale and the proposed materials including timber posts and a green roof would help this structure to blend in with the trees behind.

Space for signage is shown on the plans but is not included for consideration under the current application.

There would be no adverse impact on the visual amenities of the locality or the character of the retail park as a result of this application.

***Residential Amenity***

Policy DM5 of the Local Plan requires that development must not have an unacceptable impact on the occupiers of adjacent properties, particularly of residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook, an unacceptable increase in noise giving rise to significant adverse impacts.

The site is adjacent to other retail uses to the west side and commercial development to the rear. The closest residential dwellings are over 250m to the east separated by a field and tall trees and 135m to the south separated by the car park, a row of trees and the busy A27. There would be no significant intensification of use and the level of noise generated, would be similar to that which exists at present. The external works to the building are minor in scale and do not include any increase in scale or height.

The proposal would not result in any adverse impacts on the residential amenities of adjacent occupiers and there would be no loss of privacy, daylight/sunlight, or any unacceptable increase in noise.

***Sustainability***

Policy SP2 of the Local Plan requires development to reduce the amount of energy used in construction and operation of buildings and improve energy efficiency, including retrofitting existing properties, to contribute to achieving zero carbon emissions, enhancing biodiversity including a positive contribution to the habitat network through habitat protection, creation and enhancement and to prioritise active travel such as walking, cycling and public transport to reduce reliance on the private car and facilitate car free lifestyles.

The following sustainability statement has been provided by the applicant:

*The existing building fabric is being retained and repurposed, which is a highly efficient way of reducing energy use and carbon when compared with demolition and new build development.*

*The limited alterations subject of this planning application relate primarily to the replacement of the existing shop front and new external cladding panels, no internal works are proposed as these will be subject to tenant requirements. The building will remain in a 'shell condition' following the proposed works, so once the shopfront and cladding alteration works are completed, no plant or changes to internal services are proposed. There are limited opportunities for energy or water saving measures in the shell works as the existing building fabric is being retained and no plant or equipment will be installed.*

*The shell works will be undertaken in full accordance with Building Regulations requirements, with highly efficient double glazing installed, this will include specialist coatings to mitigate solar gain.*

*New cladding will be utilised which will have thermal transmittance meeting or exceeding Building Regulations requirements, to be used in the new shopfront. This will result in a reduction in heat loss from the building, reducing the heating requirements of the building. The exact details are not currently available and will be specified by the contractors appointed to undertake the works. Given that these will require compliance with building regulations requirement, these will result in an improvement over the existing situation, in terms of building efficiency, heat loss and mitigation for solar gain.*

*Any incoming tenant will need to complete their fit out in accordance with the current Building Regulations requirements; this is likely to include the use of high efficiency Controlled Services such as LED lighting and a heat pump / AC units, and the building will therefore be more energy efficient than existing on that basis.*

*As part of the development, it is proposed that improved cycle storage is constructed on the site to encourage car free journeys. The cycle storage is proposed to include a green roof and insect habitat to further improve the scope for ecology on the site.*

*The planned proposals provide an ideal opportunity to integrate measures that support the policy objectives outlined in Policy SP2 of the local plan. The proposal is therefore broadly in line with the overriding aspirations of the Local Plan, as it will deliver a more sustainable and energy efficient building as the result of these works and ultimately on occupation.*

The scheme reuses the fabric of an existing unit which is an inherently more efficient approach than the demolition and replacement of an existing building. The proposed development would undertake a number of steps to improve energy efficiency, including increased thermal performance through the proposed cladding, highly efficient double glazing, reducing heat loss and increasing the thermal efficiency of the building. The application includes the provision of a new cycle store providing opportunities for active travel and reducing the reliance on the private car. The woodland buffer to the east side of the site would be retained, protecting this important habitat and a new insect habitat would be provided through the installation of a green roof to the cycle store. All of these factors would contribute positively to achieving zero carbon emissions in accordance with Policies SP2, DM15, DM16, DM17 and DM18.

***Highways Impacts and Parking***

The proposal would promote the use of sustainable transport by providing a new covered cycle storage facility. Whilst there would be a small decrease in the number of parking spaces overall, this would have a negligible impact given the very large car park that remains. The new entrances to the store would provide a better environment for pedestrians and an adequate number of

disabled parking spaces would be retained. The proposal does not include an increase in floor space or an intensification of use and would not have any adverse impact on highway safety.

There are no highways grounds to resist the development.

***Drainage & Flood Risk***

The proposed development reuses an existing retail structure and is not in an area of significant flood risk. As such there are no issues relating to Drainage and Flood risk that are relevant to this application.

***CIL***

The application does not include the loss or increase of retail floor space and therefore the application is not CIL liable.

**Recommendation**

**APPROVE** subject to Conditions:-

1. Drawing Numbers
2. Standard time limit
3. Materials as specified
4. Cycle store provided
5. Parking layout

**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: Amanda Haslett Date: 31/01/24

Authorised by: Jo Morin Date: 31.01.2024