

Development Management – Delegated Officer Report

Application Number: AWDM/0071/26

Recommendation: – APPROVE

Site: Fitzalan Howard Day Centre Pavilion Road Worthing West Sussex

Proposal: Change of use from a day centre caring for adults with special needs to a children's day nursery (Use Class E) with a new fence to enclose frontage on Woodside Road

Date of Site Visit: 25/02/2026

Neighbours Checked: Y

Additional Neighbours Notified: N

Site and Surroundings

The site is located at the junction of Pavilion Road and Woodside Road within a predominantly residential area of Worthing. Worthing Football Club is located to the north-east of the site, further up and accessed from Woodside Road and the railway line is located further to the south with Worthing Train Station approximately 550m to the east.

The property comprises a detached single storey building with brick elevations and a tiled hipped roof. There are extensive flat roof additions to the north, east and west of the building, finished in painted brick. The main entrance is to the front (south) via a ramp with handrails and there are further doors to the west side. The paved area to the west side of the building is used as outdoor amenity space and enclosed by a timber fence. There are three parking/drop off spaces to the frontage.

The building is used as a day centre for adults with learning difficulties and more complex needs. The layout includes a large central care room, smaller care room, sensory room, art room, sunroom, ICT room and a kitchen, utility and storeroom. There is an office and reception area to the front and toilets behind. The premises are open to clients Monday to Friday (excluding bank holidays) 9am to 4pm.

The site is not within a conservation area, is not a listed building and there are no protected trees on site.

Proposal

Planning permission is sought for change of use from a day centre for adults with learning difficulties to a children's day nursery and for a new fence to enclose the frontage on to Woodside Road.

The building is currently used as a day centre for adults with learning difficulties with provision for around 20 adults operating between the hours of 9am to 4pm Monday to Friday.

The proposed use is as a children's day nursery with provision for 20 to 40 children and 8 staff. The premises would operate between the hours of 7.30am to 6pm Monday to Friday. There would be no changes to the internal layout or to the external elevations of the building.

The existing area of outdoor space to the west side of the building would be used as a play area for children. Use of this play area would be restricted to 10 children at any one time, organised on a rota basis in small, supervised groups and compliant with the relevant staff to child ratios. The space will be used at intervals throughout the day. Outdoor activities will primarily consist of structured play, exploratory learning, and quiet play activities appropriate to a residential setting.

The existing timber fence of approximately 1m high that forms the west boundary of the site and encloses the outdoor play area, would be replaced with a timber close board fence of 1.5m high including a side return to the building at the front with a gate. A small section of fence projecting forward of the building would be removed to the front.

The three existing parking spaces to the front of the building would be retained with a further space proposed which currently forms a larger space for a minibus that is no longer required.

A staggered drop-off and pick-up system is proposed, allocating an even distribution of 15 minute time slots with drop-off between 8am and 9.45am and 2pm and 2.30pm and for pick-up between 1pm and 2pm and 3pm and 6pm. Parents/carers will be given specific timeslots within these ranges. Further unrestricted parking is available on street to facilitate drop-off and pick-up.

The application has been amended to revise the design of the fence and updated to include a Transport Statement (revised) and Use of Outdoor Space statement.

Relevant Planning History:

91/05644/FULL - extension to existing office together with alterations to emergency exit ramp

STATUS: Application Permitted 12th September 1991.

96/05601/FULL - demolition of existing porch and entrance lobby, construction of a single-storey extension to provide reception area and managers office

STATUS: Application Permitted 28th August 1996.

09/0181/FULL - Removal of existing lean-to and construction of new conservatory.

STATUS: Application Permitted 6th May 2009.

Consultations

Environmental Health:

17/02/26 - *The proposed nursery use has the potential to cause disturbance to local residences by the use of outdoor play and associated activities. Please can you ask*

the applicant to confirm the nursery's capacity of children, the number of children that will use the outdoor space at any one time and the hours the outdoor space will be used each day and managed.

04/03/26 – A supporting statement titled 'Use of Outdoor Space' was submitted to answer the initial queries from EH.

05/03/26 - *Thank you for the additional information. There are no adverse EH comments for this application, provided the Use for Outdoor Space Plan is implemented. This should be a condition.*

Private Sector Housing: No comments received

WSCC Highways:

04/03/26 - The site is located on a junction to the north Pavillion Road and to the east of Woodside Road. The junction layout is unusual in that the Give-Way line at the end of Woodside Road has been pulled out into Pavillion Road to narrow and formalised the junction. The access to the site is into the junction itself and onto a hatched area of the highway.

There are 3 existing vehicle parking spaces which will be maintained, no changes are proposed to the existing pedestrian or vehicles access points. It is recommended that these spaces are to be reserved for Staff only.

Parking

There appears to be high parking pressure in Pavillion Road and Woodside Road as not all dwellings have sufficient off-road parking. In addition, a single yellow line restricts parking on the north side of Pavillion Road.

Proposal

The proposed application is to operate a children's day nursery opening at 7:30 and closing at 18:00. The application states there will be 8 full-time staff members, however there is no information on how many children will be catered for. Staggered arrival times are said to be encouraged but this would need to be an essential condition of any permission given the lack of parking.

The information provided is minimal so it is difficult to provide a full response at this time. Additional information is required as follows:

- Maximum number of Children*
- Proposed session times i.e. AM/PM or as arranged with parents*
- Local car parking survey*
- Staff Parking arrangements and Staff Travel Plan*
- Transport and Planning Statements*
- Existing traffic levels – number of vehicle movements*

The Highway Authority would object to this proposal due to the lack of information, very low level of parking and likely restrictions on parking on the local roads. Parents of nursery school age children tend not to just drop their children off, they park and settle their Children and converse with keyworkers. Parents also tend to park as close

to the Nursery as possible. However, if the maximum number of children to attend at one time is low and a management plan for sessions, parking etc. is provided, the application can be reconsidered.

06/03/26 - A Transport Statement was submitted in response to the above Highways comments.

26/03/26 - Thank you for the additional comments and the attached Transport Statement.

Existing use – As an adult care centre for approximately 20 adults per day, associated staff (No.8) and larger vehicle accessible vehicles.

Proposed - Childs Day Nursery for between 20 -40 children

- Staggered start and finish times 08:00 – 09:45, 14:00 – 14:30, 13:00-14:00, 15:00-18:00*
- 5 parents only per 15 minute window*
- Parents to sign a parking agreement*
- Initiatives will be implemented to promote walking and cycling*
- Customers are expected to be drawn from the local area*
- Local schools within a 1 and 2 mile radius*
- Parking will be reviewed and monitored*
- Staff member will monitor car parking in first 8-12 weeks*

The parking bays shown marked on the arial photograph are not permitted and should be removed from the application, reversing manoeuvres within this junction would be a highway safety issue . The junction hatching is part of the highway and was likely designed to formalise the dimensions of the junction of Woodside Road and Dominion Way.

Parking therefore is going to be limited to the 3/4 onsite parking spaces – it is not clear as to what is meant in ‘2. Site Context’ with regards to an additional 5 spaces with the removal of the fence. The site is located on the edge of a CPZ and parking in the area is in high demand. The advisory disabled bay to the front of the building will need to be removed in the event it is directly associated with the previous use (it will need to remain if there is a use need from any neighbouring properties TBC).

There does not appear to be an ideal design solution with regards to parking and a Children’s Nursery without parking would not be a practical approach. However, it is understood that the existing use would have generated a certain level of traffic and therefore it is not feasible to refuse on lack of parking if the trips are comparable. It is recommended that the number of Nursery places is conditioned and limited at the lower end of the scale (20 places) for this application which is comparable to the existing use.

Can the following be conditioned: An on-site parking plan showing the 4 spaces, Number of child spaces limited, Removal of the parking bay.

27/03/26 – Revised Transport Statement submitted in response to the above and sent for further comment to highways.

14/04/26 - Thank you for the further revised transport statement which has excluded the hatched parking spaces within the junction. The existing disabled parking bay is also shown to be removed as requested to avoid any reliance and confusion from parents as to its use. The applicant will be required to fund the cost of the disabled bay removal if it is found its sole use was for the former care facility use. The applicant has advised in the updated transport statement that there are on-street spaces available on Woodside Road in front of the building which were previously used by the care facility for parking – there are no parking restrictions in this location. The 4 parking spaces marked on site are to be retained for staff only. Whilst these spaces are not to standard and involve reversing manoeuvres into the public highway, this was also the case for the previous use and the wide junction allows for reversing manoeuvres within the hatched area avoiding blocking the running carriageways.

Given the mitigation offered in the Transport Statements, the Highway Authority would not raise an objection to the proposal.

Planning Policy comments:

For the purposes of planning policy, both uses are classed as a community facility. The Worthing Local Plan (2023) defines community facilities as community venues including education where evidence demonstrates they have community value. Policy DM8: Community Facilities is relevant for those development proposals resulting in the loss of a community facility but this is not the case for this application.

Given that there is no proposed loss of a community facility, I don't have any issues with the proposed change of use. I note that there is a letter of support from Early Years and Childcare Team at West Sussex County Council outlining the need for early years and childcare places. I am not aware of any evidence regarding the need for day centres caring for adults with special needs.

Neighbour Representations

2 representations received, as detailed below:

77 Pavilion Road

I have no objection to a nursery in this building, however I am very concerned about the impact this will have on parking. Not just with parents picking up and dropping off their children (which is not too bad but I do foresee that congesting the area at peak commuting times. But mostly concerned by the number of staff that will be looking to park locally.

Parking in this area is already incredibly difficult. Very rarely can I park by my house. Many neighbours struggle with this. In addition a nearby house is currently converting to 6/7 bed HMO which will also impact the parking. I fear current residents will be unable to park in their own road. I would like some reassurance around consideration and action plans to address this will not be detrimental.

5 Woodside Road

I am writing as a local resident of Woodside Road in relation to the application for the change of use of the Fitzalan Howard Day Centre to a children's day nursery, with new frontage fencing.

I understand the importance of increasing local childcare provision and I am not opposed in principle to the continued community use of this building. However, I would like to raise a concern regarding highway safety, traffic congestion, and parking pressure on Woodside Road and the surrounding junction with Pavilion Road.

The proposal retains only three on-site parking spaces, meaning that staff and parent vehicles are likely to rely on already limited on-street parking.

Residents already experience periods of notable congestion and parking stress in the area during peak community activity, demonstrating that the road network can become constrained. Additional nursery drop-off and pick-up activity may add cumulative pressure.

Given the proposed operating hours of 07:30-18:00, I would respectfully request that the Council considers requiring a short Transport Statement and attaching conditions to ensure:

A clear and enforceable drop-off/pick-up management plan

Measures to prevent unsafe stopping or obstruction on Woodside Road

Staff parking arrangements to minimise overspill

Safe visibility for vehicles and pedestrians near the corner location

I would be grateful if these points could be taken into account as part of the planning assessment.

Relevant Planning Policies:

Worthing Local Plan policies (WBC 2023): SP1, DM5, DM8, DM15
National Planning Policy Framework (MHCLG 2024)
National Planning Practice Guidance

Planning Assessment:

Policy Context and Use

The previous use of the site was as a day centre for adults with learning difficulties which falls within Use Class E (Commercial, Business and Service) (f) Creche, day nursery or day centre (not including a residential use). The previous Use class when the day centre was established was D1 – Non-residential institutions, which included 'day centres'.

The proposed use as a children's day nursery also falls within the current Use Class E(f) and the previous Use Class D1 – Non-residential institutions, which included 'day nurseries'.

Worthing Local Plan Policy DM8 (Community Facilities) states that:

a) The Council will support improvements to health, education, social, community and cultural facilities to ensure they meet the needs of local communities where it is demonstrated that there would be no unacceptable impact on the occupiers of adjacent properties.

e) Development which would result in the loss of community facilities will normally be resisted and will only be permitted where: i) an accessible replacement facility of a similar nature is provided that meets the needs of its current and intended users, as well as the local community; or ii) it can be demonstrated that the existing premises are no longer required or viable in their current use and the premises have been appropriately marketed for an alternative community use.

The proposed change of use would support improvements to education and does not result in any loss of community facilities. The change of use is permitted within the same use class E(f).

A letter from WSCC Early Years and Childcare Team supports the proposal, stating that:

‘The UK Government’s expansion of childcare, announced in the Spring Budget 2023, aims to improve accessibility and affordability for families by increasing the number of funded early years and childcare places. The proposed application would contribute to this national initiative by expanding childcare provision in the area, ensuring that more local families can access high-quality early years education and care. With the roll-out of the expanded entitlements, eligible working families with children aged from 9 months can now access up to 30 hours of funded childcare per week, increasing pressure on existing local capacity.

Local authorities have a statutory duty to secure sufficient childcare places, so far as reasonably practicable, for working parents or those studying or training for employment. Access to high-quality early years provision is essential for supporting working families, reducing inequalities, and promoting children’s learning and development. It also helps prepare children for school by equipping them with the foundational skills needed for long-term academic and personal success’.

The NPPF (paragraph 100) further supports this approach stating:

100. It is important that a sufficient choice of early years, school and post-16 places are available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

a) give great weight to the need to create, expand or alter early years, schools and post-16 facilities through the preparation of plans and decisions on applications; and

b) work with early years, school and post-16 promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

There is therefore no objection to the change of use from day centre for adults with learning difficulties to a children's day nursery. The key considerations are the effects on the visual and residential amenities of the locality and any highways impact.

Visual Amenity

The only visible change to this site is the replacement of the existing timber boundary fence of approximately 1m high with a new timber close board fence of 1.5m high. The proposed fence would follow the west boundary adjacent to the pavement, the north boundary and a side return towards the front, lining through with the front of the flat roof extension, to enclose the outdoor play area.

The area is primarily residential in character and boundary treatments generally consist of low walls and fences not exceeding 1m high. The application originally proposed a 1.5m high grey vinyl timber effect fence with open slats and 1.83m high posts. This design was considered unacceptable due to its uncharacteristic materials and height of the posts and amendments were sought and submitted. The revised fence uses timber close board panels of 1.5m high which is more in keeping with the residential character of the area. The height is above that typically permitted adjacent to a road however due to the use of the property as a children's nursery with play space to the side, a taller fence is considered acceptable in this instance to enhance safety for children playing. The fence forms a side boundary of the site due to its corner plot location however the front boundary (south) would be retained as existing forming a lower boundary treatment. It should however be noted that a taller fence in this location or one that extended to the front would not be acceptable.

The change of use from an adult day centre to a children's nursery would not have any significant impact on the character of the area or result in an adverse impact on the visual amenities of the locality.

Residential Amenity

The most affected residents are those immediately to the north of the site and directly opposite to the west and south but also includes residents in the wider area.

The main factors affecting local residents will be noise from the outdoor play area and parking.

The supporting statement – 'Use of Outdoor Space', sets out the measures to prevent and control excessive noise from the outdoor play area. The outdoor space is small and therefore use of this space will be limited to a maximum of 10 children at any one time. This will be operated on a rota basis at intervals throughout the day. The nursery will only operate Monday to Friday and excludes bank holidays and weekends. The statement details the following measures to manage and control noise:

Management and Supervision Arrangements

Outdoor play will be carefully managed to minimise any potential impact on the neighbours. The following measures will be implemented:

- *Children will access the outdoor area in small, structured groups under direct staff supervision at all times, in accordance with statutory staff-to-child ratios.*
- *A rota system will be used to stagger outdoor sessions, preventing large groups from congregating outside simultaneously.*
- *Staff will actively manage children's behaviour to discourage excessive shouting or prolonged loud activities.*
- *No amplified music or electronically amplified sound equipment will be used outdoors.*
- *Outdoor activities will primarily consist of structured play, exploratory learning, and quiet play activities appropriate to a residential setting.*
- *The duration of individual outdoor sessions will be limited.*
- *Boundaries will be securely enclosed, and we have already asked for permission in this planning application to erect a fence to provide security and act as an acoustic barrier.*
- *A complaints procedure will be in place to ensure that any concerns raised by neighbouring residents are addressed promptly and appropriately.*

The above measures are considered to show that appropriate controls will be implemented to manage noise and a condition will be imposed to ensure that the outdoor space will be used in accordance with these measures. The use will be carried out only during the week (Monday to Friday) between the hours of 7:30 and 18:00 and at no time at weekends or Bank/Public holidays. The proposal operating as set out above is not considered to give rise to unacceptable harm to local residents.

Parking and Highways Impacts

Parking in the area is limited and a single yellow line further restricts parking on the north side of Pavillion Road. Whilst it is noted that most residential properties have their own off-road parking provision, demand for parking remains high. The site can only provide 4 off road spaces which is not sufficient to accommodate the 8 staff members required or pick-up/drop-off by parents/carers. There is a disabled parking bay to the front of the site which may need to be removed if no longer required for the nursery. The applicant's would need to liaise with WSCC Highways separately on this matter.

The existing use as a day centre for adults with learning difficulties provided only 3 parking spaces and generated a certain level of traffic to accommodate 8 staff and 20 adults. Many of the current clients for the adult day centre require large vehicles to accommodate wheelchairs etc. requiring longer stops to manoeuvre mobility aids in and out of the vehicle. Drop-off and pick-up times were the same for all clients meaning that all vehicles (up to 20) would arrive at the same time.

The proposed use as a day nursery would accommodate 8 staff and 20-40 children. Traffic generation has the potential to increase in relation to the increased number of children (up to double that of the current use) and WSCC Highways previously recommended that a lower limit is imposed at around 20 children. This advice was given prior to the submission of a revised Transport Statement detailing further mitigating factors to reduce parking demand. Further comments have been received from Highways in relation to the revised statement and they confirm that no objection

is raised. The revised Transport Statement provides detailed information as to how the business intends to operate specifically to reduce the number of vehicle trips generated by this proposal and to reduce parking demand associated with the proposed use. These additional factors are detailed below:

- The nursery's catchment area will predominantly be the local community, attracting clients from the immediate area and therefore it is likely that a high proportion of clients will arrive by foot.
- Many of those attending will be siblings and will arrive in the same vehicle.
- Staggered drop-off/pick-up times will be put in place, limiting the number of vehicles attending the site at any one time. The arrival times will be staggered in 15-minute windows between:
 - 08:00–09:45
 - 14:00–14:30
 - The same 15-minute system will operate with a pickup to spread congestion between:
 - 13:00–14:00
 - 15:00–18:00
- A maximum of 4 staff will be permitted to park on site; the remaining staff will be required to use nearby long-stay public car parks and encouraged to walk or use public transport.
- The site is within close proximity to public transport including rail and bus services.
- The nursery will take part in 'International Walk to School Month', as promoted by West Sussex County Council.
- A bike store is proposed to facilitate travelling by bike
- A buggy store will be provided for parents to leave their buggies on-site at drop-off enabling parents to walk to drop their child off at nursery, further encouraging walking and the use of public transport.

Further measures are set out in the supporting Transport Statement (revised) to manage and reduce parking as much as possible and reduce the impact of parking on local residents, as detailed below:

Key Worker Collection Service

To further prevent parents from parking to speak with key workers, we will use online software to communicate with parents. This software will provide parents with real-time information about all aspects of their child's day. Parents will also use this app to alert their child's key worker to anything they should know about the child's sleep, weekends, or anything else. This will reduce the need for parents and key workers to converse at pick-up and drop-off, as they will already have the information they need. We will also offer a service where the child's key worker will come out to the parents' car to greet and pick them up as they arrive and bring the child out to their parents as they arrive at pick-up. This is further implemented to ensure parents' cars are not parked.

Parent Code of Conduct

All parents will sign a Parking & Access Agreement, including:

- *No double parking*
- *No parking across driveways*

- *No engine idling*
- *No waiting before the allocated time slot*
- *Non-compliance may result in the withdrawal of nursery parking privileges.*

Active Peak-Time Management

For the first 8–12 weeks of operation, a staff member will supervise peak drop-off periods to guide parents to available spaces and monitor traffic flow. Adjustments to operational procedures will be made if required.

Monitoring & Review

Parking impacts will be reviewed after three months of operation. Staff parking arrangements and travel guidance will be adjusted if necessary to ensure continued compliance and minimal impact on surrounding streets.

The above measures are considered to demonstrate that vehicle trip generation is likely to be comparable to the current use and therefore it would be unfeasible to refuse the application on lack of parking. The measures above would actively seek to reduce travel by car and implement suitable measures to mitigate any impact in this respect. The proposal is not considered to exacerbate any existing parking issues in the area.

Recommendation:

APPROVE subject to condition(s):-

1. Drawing Numbers
2. Standard time limit
3. Hours of operation
4. Maximum of 40 children capacity
5. Use of outdoor space (max 10 children)
6. Adhere to measures set out in transport statement (including staggered drop-off/pick-up times)

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.

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

Case Officer: Amanda Haslett

Date: 10/04/26

Authorised by: Louise Prew

Date: 14/04/2026