Expiry Date - 11/09/2023

Development Control – Delegated Officer Report

Application Number: AWDM/0851/23 Recommendation – APPROVE

Site: 46 South Street Worthing West Sussex BN14 7LS

Proposal: Change of use from sui generis (William Hill licenced betting shop) to Office (USE CLASS E).

Date of site visit: 07.08.2023

Neighbours checked: Y

Additional neighbour notifications: Y – Site Notice posted (expiry date: 25.07.2023)

Proposal, Site and Surroundings

This application relates to a ground-floor unit within a mid-terraced two-storey building located on the east side of South Street just north of West Worthing railway crossing and opposite the junction with Canterbury Road. The unit was formerly a William Hill licensed betting shop (sui generis) and it is understood this use ended on the 07/06/2023. Subsequently, the shopfront has been stripped of the shop sign and posters in the shop window removed. The ground-floor unit comprises a large open space to the front with a partitioned kitchen area and 2No. WC's to the rear (approx. 82.5sqm). This layout would remain unaltered by the proposal, which seeks to change the use of the unit from sui generis into an office under Class E of the Use Classes Order.

The above-floor consists of a self-contained flat with access to the rear of the terraced row via Guildford Road. The adjacent ground-floor units of No. 44 to south and No. 48 to north are a barbers and washeteria respectively. No. 44 has a self-contained flat above (No. 44 A) and to the rear (No. 44 B) of the unit, while the above-floor to No. 48 is used as office space.

The site lies within Tarring Road shopping centre which is defined within the Worthing Local Plan as a Medium Scale Local Centre under policy DM13. The building is not within a conservation area and is not a listed building.

Relevant Planning History:

None for the application property (No. 46).

Relevant permission at No. 44 include: Change of use of ground floor from offices (class b1) to a hairdressers (class a1) under 94/00728/FULL, decision issued 22 Nov 1994. Change of use of rear ground-floor office to one self-contained residential flat under 0116/95, decision issued 10 Apr 1995.

Relevant permission at No. 48 include: Change of use of first floor from residential flat to offices under 352/86, decision issued 27 May 1986.

Consultations:

***The Worthing Society*:** No objection.

Environment and Public Health: No comment received.

***WSCC Highways*:**

The site is located on South Street, an A-classified road subject to a speed limit of 30mph.

The existing shop has no vehicular access or parking provision. This application does not propose to alter the existing parking and access arrangement. Whilst on-street car parking is limited in the immediate vicinity there are comprehensive parking restrictions prohibiting vehicles from parking in places that would be detriment to highway safety. We would not consider that highway safety would be detrimentally affected through the proposed nil car parking provision for the proposal, given that the existing use operates without any parking for customers or staff. The Planning Authority may wish to consider the potential impacts of this development on on-street car parking from an amenity point of view.

The LHA would not raise any highway safety concerns to the proposal. The LHA does not consider that this proposal 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 111), and that there are no transport grounds to resist the proposal.

Representations: None received.

Relevant Planning Policies

National Planning Policy Framework (HCLG 2021)
National Planning Practice Guidance

Worthing Local Plan (2023) 2020-2036
SP1 (Presumption in Favour of Sustainable Development)
DM5 (Quality of the Built Environment)
DM6 (Public Realm)
DM13 (Retail and Town Centre Uses)

Planning Assessment

Principle

There is no objection in principle to a Class E office use in a Medium Scale Local Centre providing it does not undermine the policy approach of this type of local centre. Planning policy DM13 e(i) of the Worthing Local Plan (2023) stipulates that local centres defined within Medium Scale Local Centre should retain a core of retail uses of at least 50% of the units in the whole centre, to ensure the role and function of the level of centre is maintained.

As previously mentioned, the former lawful use of the unit was a licensed betting shop (sui generis). Whilst it is acknowledged that this unit is currently vacant and the shopfront inactive, regard must be had for what impact the Class E office will have on the vitality and viability of the centre and the importance of an active shopfront and shopfront display in this location. Following discussions, the applicant has provided a written statement which reads:

'The shop will certainly be open to the public and very active. In renting the space to Peters Dean Care, we will be giving the public an active shopfront/shop to come in and explore job opportunities either by dropping in or through appointment. Peters Dean Care employ around 500 local care givers every year, and help hundreds more find permanent jobs. They are the main staffing provider to West Sussex County Councils children's homes so it is very important that they have a shopfront to advertise services and get good levels of people coming in, both for the council to fill their jobs and for local people to see the job opportunities they have.

The shopfront is presently silver aluminium framed and had stickers on it advertising gambling. We will keep the aluminium frame as it is but remove the stickers and replace them with new branding to entice people in to the office to discuss work opportunities. It will be very clear that it is an active shop serving the local community.'

Whilst the proposed use will not be for retail purposes, it is noted that the former use of the unit did not contribute to the 50% requirement for the local centre. Coupled with the applicant's statement which satisfies that the shopfront will remain active with a shopfront display and would provide a service which will generate footfall, it is considered that this use would be acceptable within this local centre. The proposed office would revitalize the unit and would support an existing local business.

Visual amenity

No external alterations are proposed, thus, there are no visual amenity grounds to resist the proposal.

Residential Amenity

The most affected properties would be the above-floor self-contained flat No. 46A together with self-contained flats to the adjacent building to the south (No. 44A and 44B). The operations which would be carried out at the office

are not expected to significantly differ to those of the former use; regular visiting clients/ members of the public are expected to visit the premises and the internal layout will remain the same. Further, the applicant has specified that the main operating hours would be Monday-Friday between 8am and 6pm which is acceptable for a unit of the proposed use in this location. However, given the Council's approach to support and safeguard the vitality and viability of local centres together with ensuring no detrimental impact occurs to the residential amenities of neighbours, it has been found necessary to impose a condition of planning permission to restrict permitted development rights.

Highways:

No highways objections have been raised and the Council does not anticipate any significant intensification to occur.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard Time Limit
3. Use Limitation.

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: Jason Albon Date: 07/09/2023

Authorised by: Peter Barnett Date: 7 September 2023