

Development Management – Delegated Officer Report

Application Number: NOTICE/0020/25 Recommendation – APPROVE

Site: Site Of Former Office Space Ambrose House Ambrose Place Worthing

Proposal: Application for Prior Approval of Proposed Change of use of part of the ground floor from commercial, business, service (Class E) to two self-contained residential units (Use Class C3)

Site and Surroundings

The site is located on the southern side of Ambrose Place in Worthing. The property is two storeys in height with commercial on the ground floor with associated offices above. The original use of the site was offices linked to a commercial unit until it fell vacant.

The site is located within the boundary of Worthing town centre. The site is within the Chapel Road Conservation area and forms part of the primary shopping frontage.

Proposal

An application is made for whether Prior Approval is required for the conversion of the rear (west) part the ground-floor shop unit comprising offices, kitchen, storage, WCs and boiler room into 2 flats comprising 1b2p and 2b4p units with a floor space of 72sqm and 110sqm respectively.

Planning history

None

Consultations:

Environmental Health:

There are no adverse EH comments for this application.

WSP:

Thank you for your consultation on the above site. We have reviewed the application as the drainage consultant acting on behalf of the Council and wish to make the following comments.

The applicant is applying for prior approval of proposed change of use of part of the ground floor from commercial, business, service (Class E) to two self-contained residential units (Use Class C3). The application is to Worthing Borough Council.

Following a review of the submitted information, we have no objection on surface water grounds. Due to the site, size, location, and type of development we would recommend the approval of the application.

WSCC Highways:

WSCC as the County Highway Authority has considered the proposal to change the use of the existing offices into two residential units. No objection is raised subject to any conditions attached.

The site is located in the centre of Worthing town centre on Ambrose Place a d classified one way street, with a 20mph speed limit. Access is taken from Portland Road, from the west. Ambrose place is subject to controlled on-street parking for either permit holders or pay and display parking. Double yellow lines are in place around the junction with Portland Road and Chapel Road. The site does have a private car park which appears to be included in the red line boundary and as such if residents owned a car there would be an area for parking a car.

However, the application does not state there will be car parking spaces and given the highly sustainable location, and cycle sites provided in each flat WSCC consider this a car free development. The local train station and bus stops are within 5-10 minutes walking distance and all amenities are accessible without the need for a car.

Therefore, WSCC raise no objection to the proposed residential development here. We would ask the applicant provides a construction plant and material plan to ensure the related traffic and materials storage are considered. If there was a need to use the highway for this a license would be required.

Construction plant and materials No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractor's buildings, plant and stacks of materials, provision for the temporary parking of contractors' vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access.

INFORMATIVE

Temporary Works Required During Construction

The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of onstreet parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order,

the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

Southern Water:

Insufficient information provided.

Construction of the development shall not commence until details of the proposed means of Foul/Surface Water drainage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Representations: None received.

Planning Assessment

Principle

The proposal will be viewed against the criteria of permitted development, as laid out within The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Consideration

Schedule 2, Part 3 – Changes of Use

Class MA – commercial, business and service uses to dwellinghouses

Permitted Development

MA. Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.

Development not permitted

MA.1 (1) Development is not permitted by Class MA—

- (a)
- (b) Unless the use of the building fell within one or more of the classes specified in sub-paragraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;

Analysis: The site is considered to be Use Class E.

- (c)
- (d) If land covered by, or within the curtilage of the building -
 - (i) is or forms part of a site of special scientific interest;
 - (ii) is or forms part of a listed building or land within its curtilage;
 - (iii) is or forms part of a scheduled monument or land within its curtilage;
 - (iv) is or forms part of a safety hazard area; or

- (v) is or forms part of a military explosives storage area;

Analysis: Not applicable.

- (e) If the building is within -
- (i) an area of outstanding natural beauty;
 - (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981;
 - (iii) the Broads;
 - (iv) a National Park; or
 - (v) a World Heritage Site;

Analysis: None of the above apply.

- (f) The if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or

Analysis: N/A.

- (g) Before 1 August 2022, if –
- (i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and
 - (ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this order which has not been cancelled in accordance with the provisions of Schedule 3.

Analysis: N/A

- (2) The classes mentioned in sub-paragraph (1) (b) are the following classes of the Use Classes Order

- (a) The following classes of the schedule as it has effect before 1st September 2020 –

- (i) Class A1 (shops);
- (ii) Class A2 (financial and professional services)
- (iii) Class A3 (food and drink)
- (iv) Class B1(business);
- (v) Class D1 (a) (non-residential institutions – medical or health services)
- (vi) Class D1 (b) (non-residential institutions – crèche, day nursery or day centre);
- (vii) Class D2(e) (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink;

- (b) On or after 1st September 2020, Class E (Commercial, business and service) of Schedule 2.

Analysis: The site has been in use as a retail unit (Class E) before this date.

MA.2. – (1) Development under Class MA is permitted subject to the following conditions.

- (2) Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

(a) transport impacts of the development, particularly to ensure safe site access;

Analysis: With the provision of 2 flats there would be a requirement to provide parking spaces, however due to the town centre location it is feasible that a car free scheme may be acceptable. As expressed by the consultation with WSCC Highways the site is located in a highly sustainable location. With the current arrangement on the roads in the surrounding area restricting the parking it is not considered that the impact would be detrimental to the local highway network.

Cycle parking for the units could be accommodated within the rear of the site or within the storage cages that are proposed. Overall, there would not be any highways concerns raised.

(b) contamination risks in relation to the building;

Analysis: With the previous uses of the building as Class E it is not considered to be on land which has been exposed to contaminants. The proposed units do not have gardens so there will not be any digging into the ground.

(c) flooding risks in relation to the building;

Analysis: Following a review of the submitted information there is no objection to the proposal on terms of surface water flooding. The site is not in an area at risk from tidal or fluvial flooding. The Council's drainage consultant has confirmed they have no objection to the proposals.

Due to the lack of an application being submitted to Southern Water for the connection to the sewer system they have requested that a condition be added to provide further information ensuring the current network can cope with the additional demand.

(d) impacts of noise from commercial premises on the intended occupiers of the development;

Analysis: Due to the nature of the proposal and the location within the town centre it is anticipated that there would be some impact on the proposed site from the commercial use to the east. However with the residential area to the west it is not considered that there would be unacceptable levels of noise impact on the future occupiers of the site.

(e) where –

- (i) the building is located in a conservation area, and
- (ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;

Analysis: The site is located within the chapel road conservation area. With no changes to the elevations as a result of this application the conversion to residential use is not considered to result in an unacceptable impact on the conservation area. This is due to the area to the west of the site already being

residential meaning the application does not change the character of the conservation area.

(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;

Analysis: Each of the habitable rooms will have at least one window providing natural light. As submitted within the daylight and sunlight report sufficient light is achieved through the windows already in situ.

(g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses;

Analysis: Not Applicable

(h) where the development involves the loss of services provided by—

(i) a registered nursery, or

(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006, the impact on the local provision of the type of services lost; and

Analysis: Not Applicable

(i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building

Analysis: Not Applicable

(3) An application for prior approval for development under Class MA may not be made before 1 August 2021.

Analysis: Not Applicable

(4) The provisions of paragraph W (prior approval) of this Part apply in relation to an application under this paragraph

Part 3 (9A) of the GPDO reads (9A) Schedule 2 does not grant permission for, or authorise any development of, any new dwellinghouse— (a) where the gross internal floor area is less than 37 square metres in size; or (b) that does not comply with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015

Analysis: The nationally described space standards have a requirement for a minimum of 50sqm for a 1b2p property on one floor the 1 bedroom flat measures 72sqms surpassing this requirement. The other flat also surpasses this requirement of 70sqm by providing 110sqm. Each of the flats has storage provided which exceeds that of the requirement.

Recommendation

Prior Approval is Required and Granted subject to Conditions:

1. Approved plans
2. Southern Water
3. Construction plant and material plan
4. Hours of Working

Informatives

1. 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.
2. New Address
3. CIL
4. (WSCC) Temporary works during construction

Case Officer: Finlay Gardner Date: 01/12/2025

Authorised by: Jo Morin Date: 01/12/2025