

Adur & Worthing Councils
Portland House
Richmond Road
Worthing
BN11 1LF

29th September 2025

Dear Sir/Madam,

RE: AMBROSE HOUSE, 55 CHAPEL ROAD, WORTHING, BN11 1EE.

**APPLICATION FOR PRIOR APPROVAL FOR CHANGE OF USE OF EXISTING
OFFICE SPACE TO 2No. SELF CONTAINED FLATS.**

This letter is submitted in respect of an application for prior approval for the change of use and conversion of part of the ground floor of the above Class E building to provide 2no. self-contained flats. No external alterations are proposed.

Prior approval is sought under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).



Above: Application site (edged in red)

Application documents and letter content

In addition to this letter and accompanying forms, the application comprises the following documents. Note that the proposed plans and elevations are provided by architects ABIR.

- Existing Plans + Measured Survey - 0759.EXG.001
- Existing Sections - 0759.EXG.002
- Existing Elevations - 0759.EXG.003
- Proposed Plans & Sections - Phase 2 - Planning - 0759.PL.001
- Proposed Elevations - Phase 2 - Planning - 0759.PL.002

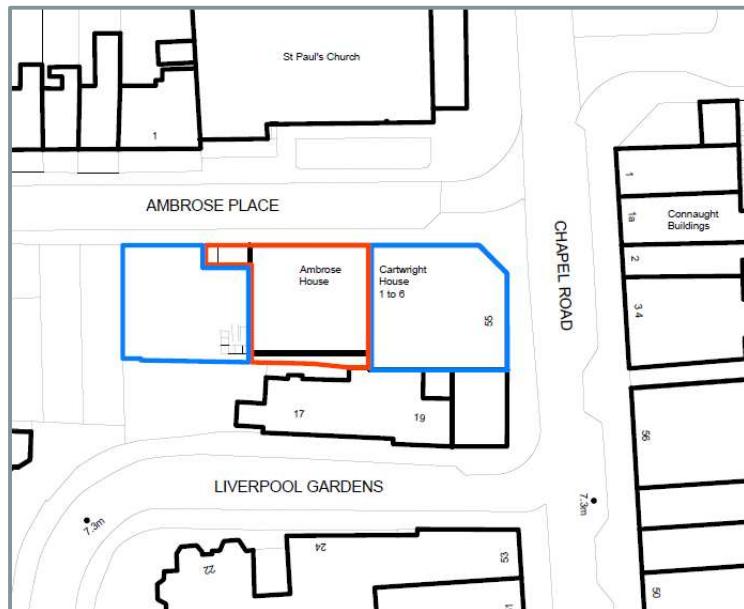
With regard to this letter please note:

- The application site is described on pages 3 to 4.
- The application proposals are described on pages 5 to 6.

- Compliance with permitted developments rights statutory requirements is set out on pages 7 to 13.
- Analysis of permitted development rights assessment criteria is set out on pages 13 to 16.
- Confirmation of information/procedure required under permitted development rights assessments is set out on pages to 17 to 23.

The Application Site

The application site comprises part of the ground floor of a Class E Use building on the eastern side of Chapel Road at its junction with Ambrose Place.

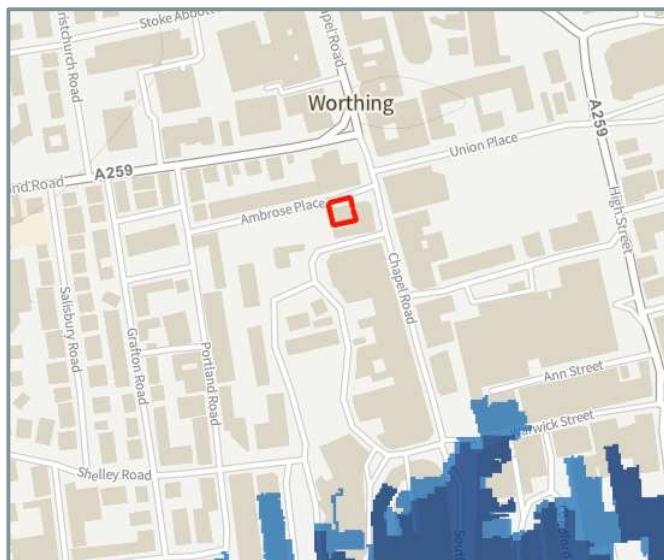


Above: Application site (site edged in red).

The application site is not located within an Article 4 Direction areas that restrict permitted development rights. The building is not Listed, but is located within the Chapel Road Conservation Area.

The host building is located adjacent to Cartwright House, which faces onto Chapel Road, and Ambrose Place (to the north). There are residential uses in the neighbouring buildings, and along Ambrose Place and Chapel Road.

The site is not at risk of flooding from rivers and sea. Flood map (Zones 2 and 3) is shown below:



Above: Flood Zone 2 & 3 Map (approximate site edged in red).

The ground floor of the building is currently vacant. The part of the building which is the subject of this application was formerly used as office space and storage in connection with the retail use of the east part of the building.. Other areas of the building are unaffected by the proposed development which relates solely to the rear (west) part of the ground floor element of Ambrose House. The proposed development does not propose or require any external alterations to the host building.

The Proposed Development

The application proposes the change of use and conversion of part of the ground floor of the building to provide 2 self-contained flats - both of which meet or exceed minimum national space standards:

Flat 1 - Ground Floor:

2-bed 4-person unit (110m²)

(National Space Standard is 70m²)

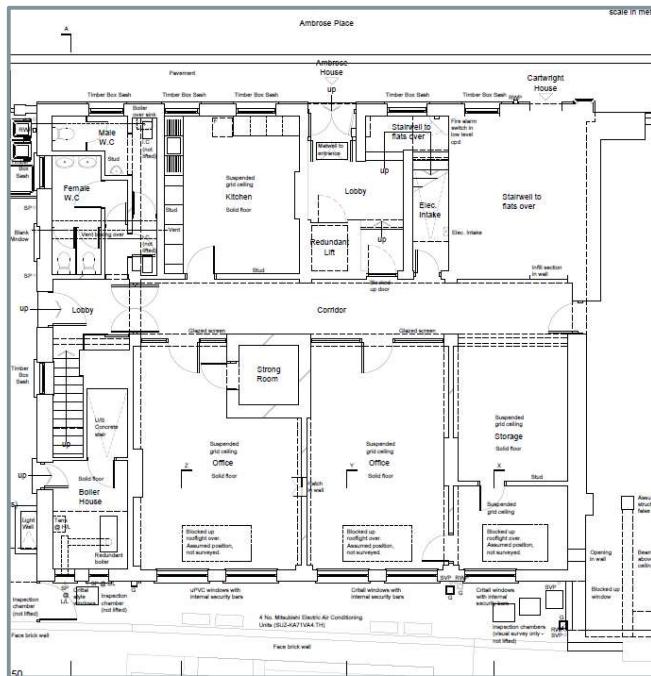
Flat 2 - First Floor:

1-bed 2 person unit (72m²)

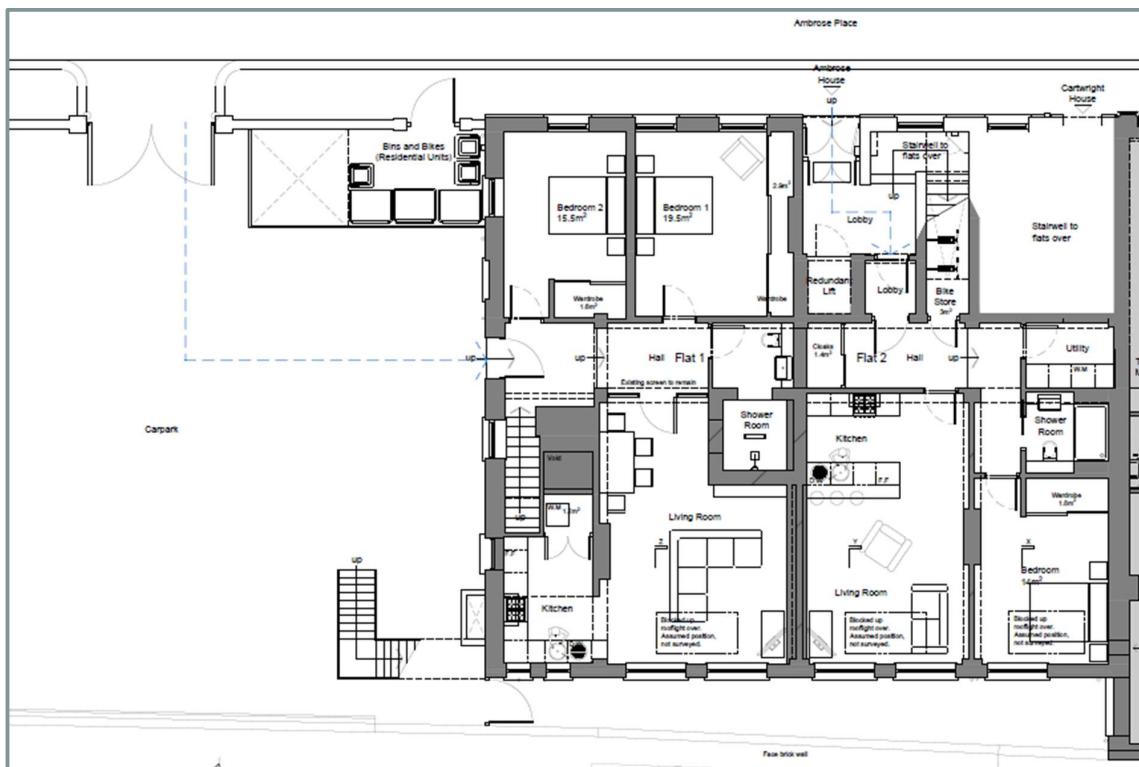
(National Space Standard is 50m²)

Flat 1 is accessed through the existing parking area adjacent to the building. Flat 2 will be accessed through the existing doors from Ambrose Place, which provide the access to the flats at first floor and above.

Floor plans are shown overleaf.



Above: Existing Ground Floor



Above: Proposed Ground Floor

Prior Approval - statutory requirements

For the application to be approved, it must satisfy the statutory requirements set out in Part 3 Class MA of the Town and Country Planning (General Permitted Development) Order 2015, as amended.

Relevant wording from the Order is set out below (*in black italic font*) with commentary confirming the scheme's acceptability provided in blue font.

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) unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval;

This criterion has been removed.

(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;

The building is in use as office space – which falls within the E Class use class.

~~(c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;~~

This requirement has been deleted, though note that the proposal does not exceed the floorspace.

(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;*

None of these restrictions apply.

(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;*

None of these restrictions apply.

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

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 since been cancelled in accordance with the provisions of Schedule 3.

N/A, the application is submitted after 01 August 2022.

(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 had 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.*

As noted above, the premises have been used as office space ancillary to the retail space at the front of the unit (previously designated as A1 business space, now Class E) since (at least) the indicated 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;*
 - (b) *contamination risks in relation to the building;*

- (c) *flooding risks in relation to the building;*
- (d) *impacts of noise from commercial premises on the intended occupiers of the development;*
- (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;*
- (f) *the provision of adequate natural light in all habitable rooms of the dwellinghouses;*
- (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;*
- (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*

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

Please note that these matters are considered later within this letter.

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

N/A.

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

See later within this letter for compliance with paragraph W.

(5) *Development must be completed within a period of 3 years starting with the prior approval date.*

Noted.

(6) *Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.*

Noted.

MA.3. Development meets the fire risk condition referred to in paragraph MA.2(2)(i) if the development relates to a building which will—

- (a) contain two or more dwellinghouses; and*
- (b) satisfy the height condition in paragraph (3), read with paragraph (7), of article 9A (fire statements) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.*

Not applicable – existing building is less than 6 storeys.

Prior Approval – main considerations

The main considerations for prior approval are as set out in Condition MA.2(2) of the General Permitted Development Order as above. These requirements are described in greater detail below:

Transport impacts of the development, particularly to ensure safe site access

The existing building benefits from a pedestrian access on the north side of the building. This pedestrian access provides links to the surrounding town centre shopping and civic centre of Worthing as well as public transport links. This access is utilised by the existing flats at first floor, and will be used by one of the proposed flat (Flat 2). Flat 1 is accessed by an existing door from the car park adjacent to the building.

There is formal bicycle parking proposed for each of the two flats proposed under this application. The westernmost flat (flat 1) would utilise an existing basement area accessed from its internal hallway to provide private and secure cycle parking. The easternmost flat (flat 2) has an internal bike store beneath the stairs, accessed off the flat's internal hallway. In addition, short term cycle parking for visitors is provided in the “bin and bike” store to the west of the building in the north east corner of the car park.

The application site is within a highly sustainable location in the town centre. There are all required amenities (shops, cafes, places of employment) within a short walking distance. Further, the site is less than 10 minutes' walk to Worthing train station (providing access to Brighton, London etc), and less than 5 minutes' walk to the 700 bus route (providing links to Chichester and Brighton).

There are a number of public car parks within the locality, and on street parking opportunities (which are controlled by permits). Further, given the small scale of the development, there will not be any material impact on the wider road network through car use.

With regard to bicycles, the Council's requirements for cycle parking can be met through the use of appropriately worded conditions – if the Council considers there a need to provide for cycle parking on site in addition to that shown on the proposed plans. However, as mentioned previously (and detailed on the plans), there is an existing area for cycle parking which prospective occupiers will likely use.

Contamination risks in relation to the building

No ground will be broken with the proposed change of use. There is no history of uses that might give rise to contamination issues.

Flooding risks in relation to the building

The site is not at risk of flooding from rivers or sea. The proposed development will not have any impact on surface water flooding, as there will be no change to the amount of hard surfacing or drainage within the site.

Impacts of noise from commercial premises on the intended occupiers of the development

The building to the east was most recently used as a fabric shop/haberdashery with associated storage/office space, this is a Class E use which by its nature and

definition is compatible with adjacent residential uses. The building features residential accommodation at first floor. Such uses (Class E and Class C3) do not generate noise that could disturb residents of the proposed development.

Conservation Area

The site is located within Chapel Road Conservation Area, and therefore consideration must be had for the impact of the change of use on the character or sustainability of the Conservation Area. The proposed development does not make any external alterations to the host building, and therefore has no potential for impact upon the appearance of the Conservation Area. Chapel Road Conservation Area is of varied character, especially with regard to uses, as the surrounding area features community, commercial, residential and service buildings. As such, the provision of two residential units at the site will not give rise to any negative impact upon the character or sustainability of the Conservation Area.

The provision of adequate natural light in all habitable rooms of the dwellinghouses

Habitable rooms are defined in Paragraph X of Schedule 2, Part 3 of the General Permitted Development Order (as amended by statutory instrument S.I. 202/632). The definition states:

“habitable rooms” means any rooms used or intended to be used for sleeping or living which are not solely used for cooking purposes, but does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms;

This application is supported by the submission of a Daylight Report prepared by Impact Sustainability. As can be seen from the document, all habitable rooms benefit from windows and the report confirms that these will provide adequate levels of natural light.

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

Not applicable.

Impact on loss of nursery or NHS services of services

Not applicable.

Where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building

Not applicable.

Consequently all conditions set out in Class MA are met (where applicable).

Part W - Information/Procedure

Part W of the DGPO sets out the procedure for applications for Prior Approval. The relevant text is set out in *black italic font* below, with commentary in blue font. Note that where Part W refers to submission of information relating to such matters as highways etc, this information has been provided later within this letter.

Procedure for applications for prior approval under Part 3

W.— (1) The following provisions apply where under this Part a developer is required to make an application to a local planning authority for a determination as to whether the prior approval of the authority will be required.

(2) The application must be accompanied by—

(a) a written description of the proposed development, which, in relation to development proposed under Class M, N or Q of this Part, must *in the same application* include any building or other operations;

The application description is “Change of use from Class E to two self contained flats.”

(b) a plan indicating the site and showing the proposed development;

Existing and Proposed plans are provided, together with a site plan and block plan.

(ba) *in relation to development proposed under Classes G, M, MA, N, O, P, PA and Q of this Part, a statement specifying the net increase in dwellinghouses proposed by the development (for the purposes of this sub-paragraph, “net increase in dwellinghouses” is the number of dwellinghouses proposed by the development that is additional to the number of dwellinghouses on the site immediately prior to the development);*

Proposed accommodation is set out earlier in this letter.

(bb) *in relation to development proposed under Class Q of this Part, a statement specifying ... –*

Not applicable – development is proposed under Class MA.

(bc) *in relation to development proposed under Class G, M, MA, N, O, PA or Q of this Part, a floor plan indicating the total floor space in square metres of each dwellinghouse, the dimensions and proposed use of each*

room, the position and dimensions of windows, doors and walls, and the elevations of the dwellinghouses;

Scaled drawings are provided with the application which include all relevant floor areas and elevations. Dimensions can be scaled from the plans.

(c) the developer's contact address;

The developer's contact address is on the application forms.

(d) the developer's email address if the developer is content to receive communications electronically; and

The developer's contact email address is on the application forms.

(e) where-

(i) *sub-paragraph (6) requires the Environment Agency to be consulted, a site-specific flood risk assessment;*

(ii) *sub-paragraph (6A) requires the Health and Safety Executive to be consulted, a statement about the fire safety design principles, concepts and standards that have been applied to the development,*

The site is in Flood Zone 1 and does not have any critical drainage problems, and so there is no need for a site specific flood risk assessment. The building is under 6 storeys in height and so does not need a fire risk assessment.

(2A) *Where the application relates to prior approval as to adequate natural light, the local planning authority must refuse prior approval if adequate natural light is not provided in all the habitable rooms of the dwellinghouses.*

As confirmed on the plans and documentation, all habitable rooms have adequate natural light.

(3) *The local planning authority may refuse an application where, in the opinion of the authority—*

- (a) the proposed development does not comply with, or
- (b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, *any conditions, except for conditions in paragraph G.1(d)(iv), paragraph M.2(1)(f), paragraph MA.2(1)(f), paragraph N.2(1)(e), paragraph O.2(1)(e), paragraph PA.2(1)(v), or paragraph Q.2(1)(g), limitations or restrictions specified in this Part as being applicable to the development in question.*

As confirmed in this letter – all conditions and requirements have been met.

(4) *Sub-paragraphs (5) to (8) and (10) do not apply where a local planning authority refuses an application under sub-paragraph (3) and for the purposes of section 78 (appeals) of the Act such a refusal is to be treated as a refusal of an application for approval.*

Noted.

(5) *Where the application relates to prior approval as to transport impacts of the development, particularly to ensure safe site access, on receipt of the application, where in the opinion of the local planning authority the development is likely to result in a material increase or a material change in the character of traffic in the vicinity of the site, the local planning authority must consult—*

- (a) where the increase or change relates to traffic entering or leaving a trunk road, the highway authority for the trunk road;

- (b) the local highway authority, where the increase or change relates to traffic entering or leaving a classified road or proposed highway, except where the local planning authority is the local highway authority; and
- (c) the operator of the network which includes or consists of the railway in question, and the Secretary of State for Transport, where the increase or change relates to traffic using a level crossing over a railway.

Noted – this is an administrative matter for the Council.

(6) *Where the application relates to prior approval as to the flooding risks on the site, on receipt of the application, the local planning authority must consult the Environment Agency where the development is—*

- (a) in an area within Flood Zone 2 or Flood Zone 3; or
- (b) in an area within Flood Zone 1 which has critical drainage problems and which has been notified to the local planning authority by the Environment Agency for the purpose of paragraph (zc)(ii) in the Table in Schedule 4 to the Procedure Order.

Noted – this is an administrative matter for the Council. Note that the site is in Flood Zone 1 and does not have any critical drainage problems.

(6A) *Where the application relates to prior approval as to fire safety impacts, on receipt of the application, the local planning authority must consult the Health and Safety Executive*

The building is under 6 storeys in height and so does not need a fire risk assessment.

(7) *The local planning authority must notify the consultees referred to in sub-paragraphs (5), (6) and (6a) specifying the date by which*

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Brighton, BN1 6SB

they must respond (being not less than 21 days from the date the notice is given).

Noted – this is an administrative matter for the Council.

(8) *The local planning authority must give notice of the proposed development—*

- (a) by site display in at least one place on or near the land to which the application relates for not less than 21 days of a notice which—
 - (i) describes the proposed development;
 - (ii) provides the address of the proposed development;
 - (iii) specifies the date by which representations are to be received by the local planning authority; or
- (b) by serving a notice in that *form*—
 - (i) *on any adjoining owner or occupier; and*
 - (ii) *where the proposed development relates to part of a building, on any owner or occupier of the other part or parts of the building*

Noted – this is an administrative matter for the Council.

(9) *The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application, which may include—*

- (a) assessments of impacts or risks;
- (b) statements setting out how impacts or risks are to be mitigated; or
- (c) details of proposed building or other operations.

Noted – all relevant information has been submitted.

(10) *The local planning authority must, when determining an application—*

- (a) *take into account any representations made to them as a result of any consultation under sub-paragraphs (5) or (6) and any notice given under sub-paragraph (8);*
- (b) *have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in July 2021, so far as relevant to the subject matter of the prior approval, as if the application were a planning application; and*
- (c) *in relation to the contamination risks on the site—*
 - (i) *determine whether, as a result of the proposed change of use, taking into account any proposed mitigation, the site will be contaminated land as described in Part 2A of the Environmental Protection Act 1990 , and in doing so have regard to the Contaminated Land Statutory Guidance issued by the Secretary of State for the Environment, Food and Rural Affairs in April 2012 , and*
 - (ii) *if they determine that the site will be contaminated land, refuse to give prior approval.*

Noted – this is an administrative matter for the Council.

(11) *The development must not begin before the occurrence of one of the following—*

- (a) *the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;*
- (b) *the receipt by the applicant from the local planning authority of a written notice giving their prior approval; or*
- (c) *the expiry of 56 days following the date on which the application under sub-paragraph (2) was received by the*

local planning authority without the authority notifying the applicant as to whether prior approval is given or refused.

Noted.

(12) *The development must be carried out—*

- (a) where prior approval is required, in accordance with the details approved by the local planning authority;
- (b) where prior approval is not required, or where sub-paragraph (11)(c) applies, in accordance with the details provided in the application referred to in sub-paragraph (1),

unless the local planning authority and the developer agree otherwise in writing.

Noted.

(13) *The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.*

Noted.

(14) *When computing the number of days in sub-paragraph (8)(a), any day which is a public holiday must be disregarded.*

Noted.

Conclusions

On the basis of the submitted information, we respectfully ask that the Council confirms that either Prior Approval is not required, or that Prior Approval is required and is granted.

Yours faithfully

LCP

Lewis & Co Planning