

Development Management – Delegated Officer Report

Application Number: AWD/0483/26

Recommendation: – Refuse

**Site: Land At Corner Of Union Place And South Of 65 High Street
Worthing West Sussex**

**Proposal: Construction of a single storey kiosk building for commercial use
(Use Class E) with new wall to western elevation**

Date of Site Visit: 30.06.2026

Neighbours Checked: Y

Additional Neighbours Notified: N Site notice posted 11.06.2026

Site and Surroundings

The site relates to a hard-surfaced open space at the junction of High Street and Union Place. A tree previously within the open space appears to have been removed recently. It is understood that this was carried out in January 2026. There are brick planters to north and western edges of the site, and beyond this a cobbled boundary wall and buttress form the boundary on this side. The site lies to the south of No.65 High Street to the north and to the east of Storm House, a Grade II Listed building to the west fronting Union Place.

No.65 is a modern single storey detached building sited closely to the back edge of the highway with a shallow open frontage. The frontage was previously planted with low level shrubs and hedging but much of this appears to have been recently removed and replaced with slate chippings with some shrubs remaining. The building at No.65 is in use as offices. It is faced in brick with cobbled flint panels under a slate covered roof. It has large, vertically proportioned, small paned sliding sash windows in PVCu.

The site adjoins Storm House to the west, a Grade II Listed detached, stuccoed Victorian villa. This was formerly the Conservative HQ, previously in community use on the ground floor and basement and with separate office use on the first floor. A more recent planning permission has allowed the change of use of the ground floor and basement to office use (AWDM/1791/19 refers). Cobbled walls form the boundary with the site. The listed building register describes as follows:

UNION PLACE 1. 5406 (North Side) Conservative Headquarters TQ 1502 NW 5/129 II 2. Toward mid C19. Detached 2-storey, stuccoed house with hipped slate roof over projecting eaves. Symmetrical. 3 sash windows with glazing bars, in moulded surrounds (middle upper one blind, right-hand lower one a doorway up steps, with overlight).

To the south on the opposite side of Union Place is a cleared site and the former surface car park which is currently undergoing redevelopment for a mixed use development between 4 and 11 storeys, including 216 residential apartments, for the

site between High Street to the east and Connaught Theatre to the west (AWDM/1618/23 refers).

Proposal

Permission is sought for the construction of a single storey building for commercial use (Use Class E). No specific end user has been identified in the application details. The building would measure approximately 4 metres by 8 metres with a hipped roof up to 4.7 metres in height including a central cupola feature to the roof. It would have brick and flint walls and a slate roof with terracotta hip tiles. The northern section of the building would have a curved feature to the east elevation with brick on edge detail forming a parapet.

The applicant's Design and Access Statement provides the following background and description of the proposals.

2.0 The vision for the site is to create a sustainable human-scale, single-storey, infill building, that is to be Let for commercial use (Use class E), located on the vacant paved area to the South of 'Rowland House' and at the North East end of Union Place. The form and the materials of the development will match the adjacent buildings. This proposal will provide much needed, cost effective, small business space directly opposite the large new shopping area. The scale of all nearby buildings is significantly greater than that of the proposal.

3.0 The existing paved site is currently underutilized and has become a dumping ground. The planters regularly fill up with rubbish (see following photos) and the site has become separated from 'Rowland House' as prospective tenants were unwilling to upkeep or take responsibility for this area. The proposal seeks to enhance the site and setting of the adjacent buildings by creating a building suitable for a small, local business in a form that responds to local character and compliments its surroundings.

4.0 The proposed design focuses on architectural harmony and environmental responsibility. We propose to manage urban drainage on the site, alongside high performance glazing and insulation to minimize heat build up and heat loss. There will also be localized planting to enhance the development on this prominent corner location. The setting of the adjacent Storm House as a Listed building is radically different from the historic setting in which the building was constructed. The major traffic route and the large Waitrose supermarket are not part of the original setting. When the Union Place development is complete Storm House will be almost completely surrounded by development that is significantly larger in mass and scale. Comments by an Appeal Inspector in an appeal in 2018 for an extension to 'Rowland House' that would have extended that building onto this site, as a single story extension, stated: 'Storm House is located behind the rear wall... and aligns with a single storey rear extension to the building. The proposal would not therefore obstruct any views of the principle front elevation... so would have a limited negative effect on the setting of the listed building... The proposal would result in less than substantial harm to the significance of Storm House as a heritage asset.'

Planning History:

96/05371/FULL - LAND FRONTING (NTH/WST CRN JCT WITH UNION PL) HIGH STREET WORTHING WEST SUSSEX CONSTRUCTION OF A SINGLE-STOREY OFFICE

BUILDING (CLASS A2) WITH LANDSCAPED AREA FOR SEATING

STATUS: Application Permitted 3rd April 1996.

65 High Street:

AWDM/1471/17 - Addition of first floor in connection with conversion of building into 4 no. flats with first-floor balconies to north and south elevations and screened bin store to south elevation. Provision of grassed amenity areas enclosed by 0.9m high railings on frontage (east) and retention of landscaped space to the south.

STATUS: Application Refused 5th February 2018. Appeal Dismissed 05.09.2018

Consultations

The **Highway Authority** has raised no objection and with the following comments:

WSCC in its role as Local Highway Authority (LHA) has been consulted on highway matters by the Local Planning Authority (LPA) for the construction of a single-storey kiosk building for commercial use (Use Class E) with new wall to western elevation. The site is located on High Street, an A-classified road subject to a speed restriction of 30 mph.

No vehicular access is associated with this site, whilst pedestrian access will be achieved from High Street. Considering the small-scale nature of the proposals, the LHA does not anticipate that the proposed development would give rise to a significant material intensification of movements on the local highway network.

No vehicular parking is proposed – as such, any vehicle parking would have to be accommodated either on-street or within nearby paid for provision. No concerns would be raised in this regard, owing to the sustainable nature of the site location, this being well accessible on foot, by cycle or by public transport.

In summary, 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 116), and that there are no transport grounds to resist the proposal.

Southern Water has made the following comments:

Insufficient Information provided

Condition

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.

Proposed SUDS features

If it is the intention of the developer for Southern Water to adopt the proposed SuDS, the system shall be designed and constructed in line with the Design and Construction Guidance

www.water.org.uk/sewerage-sector-guidance-approved-documents/.

No Soakaways should be connected to the public surface water sewer.

The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS). Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption of SuDS will be considered if requested by the developer if they comply with: Design and Construction Guidance (Appendix C), CIRIA guidance and Southern Water SuDS Guidance available here:

<https://www.water.org.uk/sewerage-sector-guidance-approved-documents/>

<https://www.ciria.org/ItemDetail?iProductCode=C753F&Category=FREEPUBS>

<https://www.southernwater.co.uk/media/l4ndl3db/suds-final-080824.pdf>

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991.

Fats Oils and Grease (FOG) : Grease Traps

The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.

It should be noted that under the Water Industry Act 1991 it is an offence to “throw, empty, turn or permit to be thrown or emptied or to pass into any drain or sewer connecting with a public sewer... any matter likely to injure the sewer or drain or to interfere with the free flow of its contents.

S106 Connection application

Any new connections to the public sewerage system will require a Section 106 connection application to be submitted and approved by Southern Water Services.

To make an application visit Southern Water's Get Connected service: <https://developerservices.southernwater.co.uk> and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

<https://www.southernwater.co.uk/developing-building/connection-charging-arrangements>

Please note that, where there are separate systems available Southern Water will not allow surface water to connect into the public foul sewer. If this is not possible, please provide evidence that all other options have been explored.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction work, an investigation of the sewer will be required to ascertain its ownership before any works commence on site. If this happens, please call our Customer Service Desk on 0330 303 0119. For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: [southernwater.co.uk](https://www.southernwater.co.uk) or by email at: SouthernWaterPlanning@southernwater.co.uk

Environmental Protection, Environmental Health & Licensing: Precautionary contamination condition recommended, and hours of operation recommended between 8am and 8pm.

The Council's **Drainage Consultant** has commented as follows:

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 the construction of a single storey kiosk building for commercial use (Use Class E) with new wall to western elevation. 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 with the following informative:

Informative 1: The applicant should consider the use of SuDS (such as rain gardens or water butts), where possible, within their drainage strategy to provide runoff betterment. If utilising infiltration, the applicant should conduct an infiltration test in accordance with the Part H2, paragraph 1.34 to 1.37 of the Building Regulations (https://assets.publishing.service.gov.uk/media/5a80cf9ded915d74e33fc8ae/BR_PD_F_AD_H_2015.pdf). This rate should then be put into the calculation in Part H3, paragraph 3.28. Following this the applicant can use the free tools at <https://www.uksuds.com/> to size the soakaway for the 1 in 100 (1%) plus CC event.

To obtain the relevant rainfall data the applicant can visit <https://fehweb.ceh.ac.uk/> to download the point data for their site and input the csv file into the tools above.

The Council's **Heritage Consultant** has commented as follows:

Objection – less than substantial harm

Union Place and the adjoining section of High Street form part of Worthing's historic town centre fringe, where the finer-grained commercial character of the older settlement meets later service, retail and backland development. The area is urban and relatively enclosed, with a mix of building ages, scales and uses, including shopfronts, service yards, rear elevations and small pockets of underused land. The junctional position of the site gives it some visibility within the street scene, although the immediate townscape is varied and already includes a degree of utilitarian and commercial activity.

The wider High Street area retains historic interest as part of Worthing's early commercial core, with surviving traditional plot patterns, older building frontages and a close relationship with the town's historic routes. However, the setting around Union Place is more mixed in character, with modern interventions, hardstanding, boundary walls and secondary elevations reducing the overall sensitivity of the immediate context. As such, the area has some townscape and heritage interest by virtue of its relationship with the historic High Street, but the specific corner site appears to sit within a more transitional and visually mixed part of the town centre.

The Grade II listed Conservative Headquarters, lies within the immediate vicinity of the application site to the northern side of union street and is described as a mid C19. Detached 2-storey, stuccoed house with hipped slate roof over projecting eaves. Symmetrical. 3 sash windows with glazing bars, in moulded surrounds (middle upper one blind, right-hand lower one a doorway up steps, with overlight)

Immediately neighbouring the application site is 65 High Street, a single-storey building of somewhat classical character, constructed in flint with London stock brick quoins beneath a slate roof.

The proposal seeks the construction of a single-storey kiosk building for commercial use within Use Class E, together with the formation of a new wall to the western elevation. The works would introduce a new built element onto the corner site, altering the existing relationship between the open/backland character of the plot, Union Place, High Street and the immediately surrounding built context.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confers a statutory duty to LPAs when considering whether to grant planning permission, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

The LPA's duties are reinforced within Section 16 of the NPPF, Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value.

These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

As such, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Other elements held within Section 16 will also be considered as will Local Policy.

The proposal has been considered having regard to the setting of the Grade II listed Conservative Headquarters, also known as Storm House, the character of the adjoining High Street and Union Place townscape, and the presence of the historic boundary wall adjoining the site. Storm House is a mid nineteenth-century building of typical Regency appearance, with its principal frontage addressing Union Place. The application site is experienced primarily from High Street, which functions as a busy commercial thoroughfare and dual carriageway; however, the relationship between the proposed kiosk and the historic boundary wall remains a key heritage consideration.

The proposed kiosk would introduce a new single-storey built element onto a small corner site. Its scale is modest and low-level, and the submitted roof plan indicates a traditional design approach, including slate roof treatment, terracotta hip detailing, a lantern roof, rooflight and brick-on-edge elements. These features appear to draw upon the traditional and somewhat classical character of the immediately neighbouring 65 High Street, which is a single-storey building constructed in flint with London stock brick quoins beneath a slate roof. In design terms, the proposal is therefore not considered inherently alien to the wider townscape context.

Notwithstanding this, the proposal would sit in very close proximity to the historic boundary wall associated with the setting of Storm House. The submitted arrangement appears to afford insufficient clearance between the proposed built form and this historic wall to allow for its proper long-term preservation, inspection, repair and maintenance.

This is a material concern, as the ability to access and maintain historic fabric is integral to sustaining its significance over time.

The concern is therefore not principally that a modest kiosk would be unacceptable in this commercial High Street context, but that the current siting risks compromising the future conservation of the historic boundary wall. By placing new development too close to the wall, the proposal would reduce the practical ability to undertake routine inspection, repointing, repair, vegetation clearance, drainage-related works and other conservation maintenance that may be required. This would fail to give sufficient regard to the desirability of preserving the listed building, its setting, and associated historic fabric.

Accordingly, an objection is raised on heritage grounds. The proposal is considered to result in less than substantial harm to the significance of the designated heritage asset, arising from the inadequate spacing afforded to the historic boundary wall for its long-term preservation and maintenance. This harm should be given great weight in the planning balance and weighed against any public benefits of the proposal in accordance with national and local heritage policy.

Representations

None received

Relevant Planning Policies:

Worthing Local Plan policies (WBC 2023): SP1, SP2, SP3, SS1, SS3, DM5, DM6, DM11, DM13, DM16, DM18, DM20, DM22, DM24
National Planning Policy Framework (MHCLG 2024)
National Planning Practice Guidance

Planning Assessment:

Principle

Spatial Policy SS3 (Town Centre) sets out the overarching development principles for the Town Centre and associated seafront and it is the starting point against which all proposed development in these areas will be assessed.

The Local Plan encourages retail, leisure, office and other town centre use development in Worthing town centre (Policies SS3 and DM13). The site is not within a defined shopping area but would be below the threshold for sequential and impact tests and is within the Worthing town centre boundary.

The site is within a Key Office Location where policy DM11 seeks to protect and enhance existing employment sites. The proposal would not result in the loss of employment floorspace.

The site is not a protected open space.

The proposed class E building would be relatively small, with a floorspace of approximately 28 sqm. The use would be consistent with policies SS3, DM11 DM13 and can be accepted in principle. This is subject to detailed considerations as below.

Visual amenity and impact on the Listed Building and its setting

The Planning (Listed Buildings and Conservation Areas) Act 1990 states that the local planning authority should have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, and special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. The NPPF, further emphasises that when considering the impact of proposed development on the

significance of a designated heritage asset, great weight should be given to the asset's conservation.

This is reflected in Local Plan policy DM24 which states that where development affecting any designated or undesignated heritage asset is permitted, it must be of a high quality, respecting its context and demonstrating a strong sense of place.

Designated Heritage Assets

c) Development should not adversely affect heritage assets or its setting (including important views that contribute to its setting). Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, the Council will refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Where proposals may result in harm to a designated asset a Heritage Impact Assessment (HIA) must be submitted describing the significance of any heritage assets affected, including any contribution made by their setting.

d) Planning permission and/or Listed Building consent will only be granted provided that the appearance, significance, or historic character of the Listed Building is not adversely affected.

Policy DM5 seeks to ensure all new development is of a high architectural and design quality and respect and enhance the character of the site and the prevailing character of the area.

The size and positioning of the proposed building would result in a cramped layout, sited closely to the adjacent boundary walls, screening the historic cobbled boundary walls and buttress from view, and the building would be positioned forward in its alignment in relation to the adjacent Listed building at Storm House, appearing as a prominent addition to the streetscene.

Although it is acknowledged that the building at No.65 High Street occupies a similarly close relationship with the boundary to Storm House, the forward positioning of the application site in relation to the Union Place frontage, size and positioning of the building, its visibility across the adjacent driveway at Storm House, and the curved nature of the site narrowing at its corner would make this building appear particularly conspicuous.

The proposed kiosk building has taken some design cues from the character of the No.65 High Street which includes a slate roof and London stock brick quoining and detailing which frame flint wall sections. However the extent and design of fenestration would not be in keeping and the large glazed areas appear to jar with the overall design.

The drawings are not clear in relation to the existing boundary walls and the construction of the proposed boundary wall. Nevertheless it is clear that the new

boundary wall would appear as an incongruous feature in relation to the historic fabric, which would have a harmful impact on the setting of the listed building.

As noted by the Heritage Consultant, the relationship between the proposed kiosk and the historic boundary wall remains a key heritage consideration. The positioning of the building would not allow sufficient clearance between the proposed built form and the historic wall to allow for its proper long-term preservation, inspection, repair and maintenance. The ability to access and maintain the historic fabric is integral to sustaining its significance over time.

In terms of the impact on the significance of the heritage asset the Council's Heritage Consultant comments that the concern is not principally that a modest kiosk would be unacceptable in this commercial High Street context, but that the current siting risks compromising the future conservation of the historic boundary wall. By placing new development too close to the wall, the proposal would reduce the practical ability to undertake routine inspection, repointing, repair, vegetation clearance, drainage-related works and other conservation maintenance that may be required. This would fail to give sufficient regard to the desirability of preserving the listed building, its setting, and associated historic fabric.

There are no public benefits outlined that are considered sufficient to outweigh the harm that has been identified.

Residential Amenity

Although the proposed building would be in close proximity to the south side wall of No.65 which contains a window facing towards the existing open space, the relationship with No.65 and the size of the proposed building would not cause any significant impact to the amenities of No.65 in terms of loss of light or increased sense of enclosure.

In terms of the use of the proposed building, an end user has not been specified and the application has been made on the basis of a class E use.

In relation to potential noise and disturbance, the overall size of the proposed building would limit the impact to an extent and if approved hours of operation could be limited by condition as recommended by the Environmental Health Officer in the interests of amenity. Licensing processes would apply in the event that this is required and can be managed accordingly. A condition to ensure no primary cooking would provide protection from potential cooking odours and allow any noise associated with kitchen extraction/ventilation equipment to be considered separately. An operational management plan before the use commences is also recommended in the interests of amenity if approved.

Highways and Parking

No car parking is available at the site. The site is in a sustainable location within town centre with good access to public transport connections and where users would not be reliant on the use of the private car. No objection has been raised by the Highway

Authority and the LHA does not anticipate that the proposed development would give rise to a significant material intensification of movements on the local highway network.

Biodiversity Net Gain

Degradation of habitat prior to the application being submitted has lowered the biodiversity value of the site. The baseline value is at 30 January 2020 and therefore before the degradation occurred in this instance.

The applicant considers that the de-minimis exemption to apply. No baseline assessment or metric calculation has been provided to ascertain the habitat value of the site, although this was requested at validation.

The biodiversity metric uses set values to represent the area of individual trees depending on their diameter at breast height. Even a single small tree can equate to 41 sqm of habitat, therefore exceeding the de minimis threshold for non-priority habitats. Images from google streetview from August 2024 show a mature tree which is of a size considered to trigger biodiversity net gain requirements.

There is insufficient information available to ensure that the proposals would achieve 10% biodiversity net gain.

Recommendation:

REFUSE for the reason:-

1. The proposed development would, by reason of its siting, scale, and design, appear as a cramped and visually discordant form of development, relating poorly to the character of surrounding buildings, and would detract from the historical and architectural integrity and significance of the adjacent Listed Building. As such the proposed development would be contrary to policies DM5 and DM24 of the Worthing Local Plan and the relevant paragraphs of the National Planning Policy Framework.
2. On the basis of the limited information available, the Local Planning Authority cannot be satisfied that the development would achieve 10% biodiversity net gain or that an exception would otherwise apply and as such would be contrary to Schedule 7A of the Town and Country Planning Act 1990 (as amended) and policy DM18 of the Worthing Local Plan.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

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

Case Officer: Rebekah Hincke

Date: 21.07.2026

Authorised by: Louise Prew

Date: 22/07/2026