Expiry Date - 23/04/2024

Development Control – Delegated Officer Report

Application Number: AWDM/0186/24 Recommendation – APPROVE

Site: Unit 1 Chandlers Yard 24 Upper High Street Worthing

Proposal: Change of Use of storage and ancillary office building Class B8 to Class E including external alterations and provision of a car port and container store.

Date of site visit: 02.04.24

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application sites occupies a backland position to the rear of properties in Upper High Street. A mixed area within primarily residential development close to Worthing Town Centre.

The application site comprises a modern single storey warehouse building and yard area measuring approx. 500sqm. The building is steel framed with black brickwork and metal sheet cladding to the roof.

The internal space consists of offices, meeting rooms and a storage area with a roller shutter door. There is a kitchen, cloakroom and shower.

The building sits within a secure yard with fence and gates.

The vehicular and pedestrian access is from Upper High Street via a long access.

Proposal

The application which is part retrospective proposes a change of use of the storage and ancillary office building (class B8) to Class E. The application includes external changes including a car port and a shipping container on the north west corner of the site. The building is in use by Morgan Carr, a local firm of surveyors, primarily as offices although with ancillary storage areas

The proposals include various minor external alterations to the building including an additional access door, an external container for general storage and ebike storage, new vehicular and pedestrian entrance gates and fencing for security purposes and new signage with external lighting. A car port is also proposed to be linked to the container to provide secure parking.

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Relevant Planning History

90/00775/FULL – *Retention of two temporary stores for building materials and four portacabins (Permission sought for two years).* **Application Permitted**

94/05808/FULL – *Redevelopment of the Site with a Single Storey Storage Building With Ancillary Office Accommodation and Associated Parking*. **Application Permitted.**

95/05801/FULL – *Reposition Car Park Gates and Provide Security Fence.* **Application Permitted.**

Consultations

WSCC Highways

This application seeks the change of use of storage and ancillary office building to Class E with external alterations, provision of a car port and container store. The site is located on Upper High Street, an unclassified road subject to a speed restriction of 30 mph.
No alterations are proposed to the existing access arrangement. The proposals will regularise an existing office use which appears to have operated for quite some time. As such, the LHA does not anticipate that the proposals would give rise to a material intensification of use of the existing access point.

An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest the existing access has been operating unsafely or that the proposals would exacerbate an existing safety concern.

A new double carport is proposed within the existing parking area. From inspection of the plans, the proposed parking provision appears suitable for a Class E Use building of this size, as per WSCC Parking Standards. On-site turning appears achievable, allowing vehicles to exit in a forward gear.

No details of cycle parking provision have been provided, although the plans demonstrate suitable storage space within the site which could accommodate at least one bicycle, as per WSCC Parking Standards.

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 115), and that there are no transport grounds to resist the proposal.

Southern Water

Please see the attached extract from Southern Water records showing the approximate position of our existing public foul sewers within the access of the development site.
- The 1500 mm diameter public sewer requires a clearance of 5 metres on either side of the sewer to protect it from construction works and to allow for future maintenance access.
- No development or tree planting should be carried out within 5 metres of the external edge of the public sewer without consent from Southern Water.
- The gravity sewer requires a clearance of 3 metres on either side of the sewer to protect it from construction works and to allow for future maintenance access.
- No development or tree planting should be carried out within 3 metres of the external edge of the public sewer without consent from Southern Water.
- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public or adoptable sewers.
- All existing infrastructure should be protected during the course of construction works.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer

Adur and Worthing Councils

EHO PH

I would recommend the following:
-Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times.

Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank Holidays no work permitted

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Reason: To safeguard the residential amenity of the area

-The hours of use are to be in line with those previously imposed of 07:30-20:00 Monday - Saturday, with no use on Sundays and Bank Holidays.

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Drainage Consultant

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**.

Representations

No representations have been received.

Relevant Planning Policies and Guidance

National Planning Policy Framework (2023)
National Planning Practice Guidance
Supplementary Planning Document 'Sustainable Economy' (WBC 2012)

Worthing Local Plan 2023
DM5 - QUALITY OF THE BUILT ENVIRONMENT
DM11- PROTECTING AND ENHANCING EMPLOYMENT SITES
DM16 - SUSTAINABLE DESIGN
DM18 – BIODIVERSITY
DM22 - POLLUTION

Planning Assessment

Policy Background

The policy context comprises the National Planning Policy Framework (NPPF) and the local development plan which consists of the Worthing Local Plan and accompanying Supplementary Planning Documents (SPDs).

Policy DM11 states that at

d) Outside the identified Protected Key Employment Areas listed above, existing premises and land or floorspace which is used, or was last used, for use employment uses will be protected unless it can be satisfactorily demonstrated that the site (or part of the site) or premises is genuinely redundant and is unlikely to be re-used for employment uses within the Plan period, having regard to the following factors:

i) the primary focus is to be protect existing employment uses however, greater flexibility will be given to other employment generating uses which cannot reasonably be located elsewhere;

ii) if the introduction of any non-employment uses will not negatively impact on the operation of the remaining or neighbouring uses;

iii) if the site, with or without adaptation, would not be capable of accommodating an acceptable employment development;

iv) if no effective demand exists or is likely to exist in the future to use the land or buildings for employment use. Consideration should include the length of time the property has remained vacant, the attempts made to sell/let it and the demand for the size and type of employment premises in the area;

v) if the loss of a small proportion of floorspace would lead to a significant upgrade of the remaining employment floorspace; and

vi) if the existing use conflicts with neighbouring uses.

The proposed change of use is from class B8 (warehouse) to class E. Class E encompasses a range of commercial uses.

The applicants agent has indicated that the building has been used historically as offices with ancillary storage. The local company employ 13 staff and are looking to expand the business. The shipping container would be used for general storage for the business and as bike storage. The proposed car port would also serve the growing needs of the business.

The existing employment use has long been office as the building was formerly occupied by Fimer and ARB who distributed Solar tech and renewables for well over 10 years. The applicants have purchased, refurbished and moved in to the building and would continue to retain it as office use. They wish to regularise the main office use of the premises under Class E with areas of storage that are ancillary for the business (ebikes and other storage).

The applicant seeks a broader Class E permission to facilitate the existing and any future uses falling within this use class. They consider that this is appropriate within the existing commercial location and the historical uses as storage, parking and as a yard/depot.

Although it is accepted that a change of use from B8 to offices in this location would be appropriate and would comply with policy being an employment use. A wider use within ‘E’ to include shops, restaurants and gyms would require further assessment and would be likely to have a further impact on residential amenity and transport considerations. It is therefore considered that the use be restricted to offices and workshops appropriate in a residential area, which will be set out in a condition.

Visual amenity

The application site is situated on a backland site surrounded by primarily residential development although there is a commercial site to the west and potentially to the east as well as car parking. The works have largely been carried out and there is secure fencing to the western boundary which does not appear to have been there in 2023 and encloses the site. The car parking to the west appears to have been hived off from the site. The container is just above the existing fencing and painted black, the car port is behind and not unduly visible. No details have been provided regarding the lights for the signage and as such a condition to supply details would be appropriate. The enclosed site means that the proposed external changes would not have an impact on the visual amenity of the area and is therefore compliant with Policy DM5.

Residential amenity

The site is a secure backland site. The car port and short edge of the container is across the northern boundary of the site on the boundary with part of the boundary of 16 Tower Road and partly 139 Park Road. Both properties have good size gardens and with the container and car port at approx. 3m in height would not have a detrimental impact on the amenity of these properties in terms of loss of light or visual impact. The proposed additional door would not be unduly visible to neighbouring properties due to the car port and container building.

The application does not include any traffic movements to assess an increase from the B8 storage to the current use as offices. The Local Highway Authority has not raised any concerns. The building appears to have been in part office use previously. Providing the use is restricted to office and other appropriate/similar uses within ‘E’ it is considered that traffic movements would remain at an acceptable level appropriate for a residential area and would not have a significant impact on residential amenity .

Nevertheless it is recommended that the hours of use be restricted as previously imposed of 07:30-20:00 Monday - Saturday, with no use on Sundays and Bank Holidays

Accessibility and parking

The Local Highway Authority (LHA) has raised no objection to the proposal.

As indicated above the site appeared to be part of larger site with a large car park. The current application proposes 8 parking spaces. The LHA has no objections to the number of parking spaces provided and are content that covered cycle parking can be provided.

Sustainability

The proposals involve the re-use of an existing building which in itself is a sustainable form of development. The other changes involve a storage container and car port which would not require the submission of sustainable measures.

Biodiversity

The application would involve a change of use and a small storage container less than 25sqm in area onto a former hard surface. Policy DM18 would therefore not apply.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Commencement
3. The hours of use are restricted to 07:30-20:00 Monday – Saturday only, with no use on Sundays and Bank Holidays

   Reason: To safeguard the amenities of the occupiers of neighbouring properties having regard to DM5 of the Worthing local Plan 2023.

4. Details of any lights proposed in relation to the building hereby permitted shall be submitted to and agreed in writing with the Local Planning Authority within 3 months of this decision. The lighting shall thereafter be implemented and maintained in accordance with the agreed details. Any lights associated with the uses shall not be illuminated other than during the hours set out in Condition 3 of this permission.

   Reason: To safeguard the residential and visual amenities of the area in accordance with policies DM5 and DM22 of the Worthing Local Plan.

5. No external plant, flues, ducts or equipment, including any air conditioning/handling units, shall be installed on or at the premises except where permitted by the local planning authority following a separate application on that behalf.

   \b Reason}: {\i In the interests of amenity and the environment and to comply with saved policies DM5 and DM22 of the Worthing Local Plan.}

6. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification) the premises shall be used as offices, financial and profession services, research and development of products or processes, industrial process (all as defined within the order) only

and for no other purpose within Class E of the Schedule to the Town and Country Planning (Use Classes) Order1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification).

a. {\b Reason:} {\i In the interests of amenity having regard to policies DM5 and DM22 of the Worthing local Plan.}

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.

Southern Water connection

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

Case Officer:	Jackie Fox	Date: 23.04.24
Authorised by:	Louise Prew	Date: 23/04/2024