Expiry Date - 12/11/2024

Development Control – Delegated Officer Report

Application Number: AWDM/1166/24 Recommendation – APPROVE

Site: 30 Montague Street Worthing West Sussex BN11 3HA

Proposal: Change of use of first and second floor accommodation from Use Class E to three residential dwellings (Use Class C3), including shopfront alteration to form a new entrance and replacement windows and rooflight

Date of site visit: 04/02/2025

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings
The application site is a three storey property located on the northern side of Montague Street. The site is located in the South Street Conservation Area categorised as corridor spaces with 2 and three storey properties with varying styles ages and materials. Montague Street has been highlighted for retaining its special architectural and historic interest in the succo buildings with attractive decoration on the northern side.

The site is in a town centre location and within a walking distance of a number of amenities such as the beach, the public transport network and a variety of shops and green space.

It is also in Flood Zone 3 which means the land and property are at a high risk of flooding.

Proposal
Planning permission is sought to retain a Class E use at ground floor level. The first and second floors are proposed to be converted into 3 one-bedroom flats for single occupancy. This involves the introduction of a separate entrance to the site splitting the commercial and residential uses. This will be achieved through the existing staircase to the first floor which will then have a landing for flats 1 and 2, the staircase then continues to the second floor which will host flat 3.

The commercial use on the ground floor will be retained but slightly reduced in size down to 97sqm. A new shop access from the high-street is proposed to allow for the separation of the unit. Part of the renovation is to replace and repair some of the existing timber windows. Any works are to replace the existing like for like or make good of the existing windows.

Relevant Planning History:

07/0654/ADV – Installation of externally illuminated facia sign and projecting box sign. Permitted 08/08/2007

97/05560/FULL – Retrospective application for the installation of an illuminated fascia sign. Permitted 19/02/1997

97/05561/ADV – Retrospective application for the installation of an illuminated fascia sign. Permitted 19/02/1997

Consultations:

WSP

The applicant is applying for the change of use of first and second floor accommodation from Use Class E to three residential dwellings (Use Class C3), including shopfront alteration to form a new entrance and replacement windows and rooflight. The application is to Worthing Borough Council.

Following an update to the Environment Agency's national flood mapping, we have noted the surface water flood risk to the above site has reduced. Therefore, residential access and egress will be available via the front of the property as previously proposed without the need for an emergency escape ladder at the rear of the property. Therefore, we would recommend the approval of the application.

WSCC Highways

This proposal is for the change of use of first and second floor accommodation from Use Class E to three residential dwellings (Use Class C3), including shopfront alteration to form a new entrance and replacement windows and rooflight. The site is located on Montague Street, an E-class pedestrianised street in this location.

There is no vehicular access or parking associated with this site and there are no proposed changes to current arrangements.

No vehicular parking is to be provided for this development. The WSCC Car Parking Demand Calculator indicates that a development of this size in this location would require at least two car parking spaces. Consequently, vehicular parking would have to be accommodated on-street.

Whilst on-street parking is limited in the immediate vicinity, there are comprehensive parking restrictions in place prohibiting vehicles from parking in places that would be a detriment to highway safety. The LHA does not anticipate that the proposed nil car parking provision would result in a detrimental highway safety impact, nor give rise to a parking capacity issue. However, the LPA may wish to consider the potential impacts on on-street parking from an amenity point of view. Weight is given to the fact the site is situated within a sustainable town centre location, within walking distance of public transport links and public car parks.

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
From the site location, it appears that the proposed development lies within an area identified as flood zone 3. Southern Water supports the Government's requirement to apply the sequential and exception tests to development sites located in flood zones 2 or 3. In flood events, additional surface water can inundate sewers, which may result in the overloading of the sewerage system. Southern Water will rely on the Council's consultations with the Environment Agency to ensure that any proposed development on a floodplain is appropriately assessed, and necessary mitigation measures adopted.

No discharge of surface water sewerage from the site shall be discharged into the public system until offsite drainage works to provide sufficient capacity within foul/surface water network to cope with additional sewerage flows are complete. Southern Water is currently in process of designing and planning delivery of offsite sewerage network reinforcements. As previously advised Southern Water seeks to limit the timescales to a maximum of 24 months from a firm commitment of the development.

The drainage design should ensure that no groundwater and/or land drainage will enter the public sewerage network.

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.
- Reuse
- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer

Guidance on Building Regulations is here: https://www.gov.uk/government/publications/drainageand-waste-disposal-approved-document-h
We would like to engage with you on the design for disposal of surface water for this development at the earliest opportunity and we recommend that civil engineers and landscape architects work together and with Southern Water. In many cases this may negate or reduce the need for network reinforcement and allow earlier completion of the development.

Where a surface water connection to the foul or combined sewer is being considered, this should be agreed by the Lead Local Flood Authority, in consultation with Southern Water.

Our investigations indicate that Southern Water can facilitate foul sewerage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

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 We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

The Worthing Society
This retail property is located in a prominent part of the South Street Conservation Area. The building is one of a pair of Victorian properties and adjoins 'Vision Express'. Both properties are included on the Council's Local Interest List. Although the shopfronts have been altered, both the façades of the upper storeys retain the traditional windows and some period features.

We understand the property has been empty for some 19 months. This application provides a welcome opportunity to bring the building back into viable use with a retail unit on the ground floor and three residential units above. The applicant's architect has had regard to retaining the original features to repair and upgrade the existing windows in traditional materials. Although it is not possible to replicate the shop front historically, as there have been many changes over the years, the new shopfront is sensitive to the CA introducing matching pilaster, plinth and matching fanlights. The Society considers it is important to respect the character of both the building and, in turn, the CA.

In summary, I am pleased to advise you the Society does not object to this application.

Representations:
None received.

Relevant Planning Policies
Worthing Local Plan policies (WBC 2023): SS1, SP1, DM1, DM5, DM13, DM15, DM20, DM22, DM23, DM24
National Planning Policy Framework (HCLG 2024)

Expiry Date - 12/11/2024

National Planning Practice Guidance
South Street Conservation Area Appraisal

Planning Assessment
Principle
Policy SS1 sets out the Housing supply over the period 2020-2036 and gives a total figure of 3672 (an annual target of 230 dwellings per annum).

The most recent 5 Year Housing Land Supply (5YRHLS) position for Worthing (as at 01/04/2023) demonstrates a 6.3 years supply applying a 20% buffer as at that time Worthing had failed the then current Housing Delivery Test (HDT) (2022 published December 2023).

However, the most recent HDT 2023 (published December 2024) shows that Worthing scored 107% and therefore faces no consequences from the HDT.

Having a 5YRHLS position and having passed the HDT with no consequences means that for Worthing Paragraph 11 c) of the NPPF applies which states: '*For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay* '.

Policy DM13 sets out that the loss of retail floorspace in the town centre will only be acceptable in exceptional circumstances. However, it also sets out that the change of use of upper floors to residential will be considered based on the and whether the change of use of the upper floors would undermine the viability of the unit at ground floor level.

The ground floor is to be retained for commercial purposes and will be formally separated from the upper floors. The ground floor was last in use as Carphone Warehouse with supporting floorspace on the upper floors. An active frontage on Montague Street is maintained with the proposed changes. The residential use is appropriate within the town centre and a good sized ground floor unit is maintained. With the amendment to introduce sound insulation between the ground floor unit and the upper floors it Is considered the introduction of residential above would not reduce the ability of the ground floor unit to operate.

Design and conservation
Development in conservation areas should preserve or enhance their special character. With there being a change to the shopfront there will be an impact on the conservation area. The shop front alteration to allow for the separation of the units will impact the conservation area but will not result in a significantly detrimental to the overall area. As noted by Worthing Society the new shopfront is sensitive to the conservation area introducing matching pilaster, plinth and matching fanlights.

The windows which are changing are being replaced like for like. Details will be required by condition of any replaced windows to ensure that the profiles of the windows remain the same.

The proposed changes are acceptable and will preserve the appearance of the conservation area.

Residential Amenity
The proposal does not introduce any extensions so it is not considered that the proposal would adversely affect daylight, sunlight or outlook to any neighbouring properties. The windows in the development are existing and face either towards Montague St or to the rear where there wouldn't be any overlooking of other neighbouring residents.

Standard of accommodation
Policy DM2 requires new units to meet the nationally described space standards (2015). The application describes the three units as one-bedroom, one-person units. While all three bedrooms show single beds, two of the rooms would be double rooms due to bedrooms being over 11.5sqm. The second floor unit provides over 50 square metre which is acceptable. Flat A only provides 46.2sqm metres. However, it is recognised that this proposal is for a conversion with limited opportunities for further extensions given the location within the conservation area. In this instance given the shortfall is only 3.8 square metres it is considered a reasonable level of accommodation is provided.

Due to the location of the second floor unit entirely within the roof of the site the head room clearance has to be careful considered. The requirement is that 75% of the flat would need to have a clearance of 2.3m head room. The minimum size of a 1b-1p unit would require 21sqm of headroom, this is reached within the flat so whilst 75% of the headroom in this instance is not reached overall it is not considered necessary to seek a reduction in the flat to meet this requirement.

The two first floor units are single aspect. However, given the overall size and the windows providing light and outlook it is considered acceptable in this instance. It is note that the rear unit faces into a lightwell. Outlook is limited but it is recognised the lightwell expands toward the west and the building to the north is the same height as the development site. There will therefore be glimpsed views to the west and visible sky. The layout has been set out so that the living room has the largest window allowing for the most light and outlook to this room. Due to the constrained nature of this inner town centre location it is considered an acceptable level of accommodation will be provided for these units.

Whilst there is no outdoor space submitted as part of the application due to the central location of the site it is not considered that this would be required. This is due to the seafront being under 150m away it is considered that this would provide the outdoor space for any residents. With a number of other green spaces around (including Liverpool Gardens within 20m) it is considered that the application does not need to provide any on site outdoor space.

MVHR has been introduced to the south facing units. This is to reduce the requirement for the windows to be opened during times that the high street will be busy. Overall this ensures that the noise levels within the flat would not be detrimental to the residents. Details will be secured by condition.

Flood Risk
Following an update to the Environment Agency's national flood mapping the surface water flood levels have been reduced as such it is not considered that the site will result in flooding which would require the provision of a rear route for safe access and egress. This can now be provided through the main entrance onto Montague St as the depths of surface water flooding with climate change included would be low enough to enable safe access and egress. Whilst the site is located in flood zone 3 the residential units being above the ground floor retail unit mitigates the flood risk to the future residents. WSP as flooding consultants for the LPA have not raised any objection in relation to flood risk for this proposal. Similarly the EA has not raised an objection.

Highways and servicing
The property is in a sustainable town centre location. Cycle parking should be provided for each of these units. However, it is recognised that there is limited space on site with a rear yard for access predominantly for the shop. In this case it is acceptable that no cycle spaces are provided.

Space has not been provided for the units for refuse storage. A condition will be required ensuring that space is found within the rear courtyard for refuse and recycling storage.

CIL
This development is CIL liable as new residential units are created however there is no additional floorspace created. The vacancy test will need to be applied.

Recommendation

APPROVE subject to conditions:-

1. Drawing Numbers
2. Standard Time Limit
3. Details of Sounds Insulation
4. Details of MVHR
5. Window Details
6. Refuse details

Informatives

1. Approved Following Revision
2. CIL
3. Change of address

4. SW connection
5. Foul sewerage

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

Case Officer: Finlay Gardner Date: 04/04/2025

Authorised by: Louise Prew Date: 28/04/2025