

# Planning Services, Adur & Worthing Councils

Portland House,  
44 Richmond Road,  
Worthing,  
West Sussex,  
BN11 1HS

Tel : 01903 221065  
websites : [www.adur.gov.uk](http://www.adur.gov.uk) or [www.worthing.gov.uk](http://www.worthing.gov.uk)  
e-mail : [planning@adur-worthing.gov.uk](mailto:planning@adur-worthing.gov.uk)



Application to determine if prior approval is required for a proposed: Change of use from  
Commercial, Business and Service (Use Class E) to Dwellinghouses (Use Class C3)

Town and Country Planning (General Permitted Development) (England) Order 2015 (as  
amended) - Schedule 2, Part 3, Class MA

## Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

## Site Location

**Disclaimer:** We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	<input type="text" value="130"/>
Suffix	<input type="text"/>
Property Name	<input type="text"/>
Address Line 1	<input type="text" value="South Street"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text" value="West Sussex"/>
Town/city	<input type="text" value="Lancing"/>
Postcode	<input type="text" value="BN15 8AU"/>

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
<input type="text" value="518131"/>	<input type="text" value="103925"/>

Description

## Applicant Details

### Name/Company

Title

First name

Surname

Company Name

### Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

Yes

No

## Contact Details

Primary number

\*\*\*\*\* REDACTED \*\*\*\*\*

Secondary number

Fax number

Email address

\*\*\*\*\* REDACTED \*\*\*\*\*

## Agent Details

Name/Company

Title

Mrs

First name

NURHAN

Surname

ERK

Company Name

ERK STRUCTURAL & DESIGN CONSULTANCY

Address

Address line 1

189

Address line 2

Address line 3

LATYMER ROAD

Town/City

LONDON

County

Country

Postcode

N9 9PN

## Contact Details

Primary number

\*\*\*\*\* REDACTED \*\*\*\*\*

Secondary number

Fax number

Email address

\*\*\*\*\* REDACTED \*\*\*\*\*

## Eligibility

Permitted development rights are subject to conditions set by legislation to ensure that only appropriate proposals are eligible.

The need to apply to the Local Planning Authority to see if prior approval is required is one such condition.

The questions below will help determine if the proposals are eligible for this permitted development right.

### The current building and site

**Please note:** Eligibility questions relating to the current building being vacant for 3 months, and it's floorspace not exceeding 1,500 square metres were removed after these limitations were lifted by government on 5 March 2024.

Has the use of the building, for a continuous period of at least 2 years immediately prior to the date of this application, been any of the following:

- For periods prior to 1 September 2020
  - Shops (Use Class A1);
  - Financial and professional services (Use Class A2);
  - Food and drink (Use Class A3)
  - Business (Use Class B1);
  - Medical or health services
  - Non-residential institutions (Use Class D1(a));
  - Crèche, day nursery or day centre
  - Non-residential institutions (Use Class D1(b));
  - Indoor and outdoor sports
  - Assembly and leisure (Use Class D2(e)), other than an indoor swimming pool or skating rink;
- For periods from 1 September 2020
  - Commercial, Business and Service (Use Class E)

Yes

No

Is any land covered by, or within the curtilage of, the building:

- in a site of special scientific interest;
- a listed building or land within its curtilage;
- a scheduled monument or land within its curtilage;
- a safety hazard area;
- a military explosives storage area;

Or, is the building:

- in an area of outstanding natural beauty;
- in an area specified by the Secretary of State for the purposes of enhancement and protection of the natural beauty and amenity of the countryside;
- in the Broads;
- in a National Park;
- in a World Heritage Site

Yes

No

### The proposed change of use

For applications, submitted before 1 August 2022, proposing a change of use to Dwellinghouses from Offices (Use Class B1(a)/E(g)(i)).

Is/Was there an Article 4 direction in place that has removed these specific permitted development rights?

Yes

No / Not relevant

Will all the proposed new dwellinghouses have gross internal floor areas of at least 37 square metres, and comply with the [nationally described space standard?](#)

Yes

No

Following the development, will every dwellinghouse in the building remain in use within Use Class C3 and for no other purpose, unless that purpose is ancillary to the primary use as a dwellinghouse?

Yes

No

## Agricultural tenants

To be eligible for this permitted development right, all parties to any agricultural tenancy agreements that are currently in place need to provide consent.

This is to help ensure that agricultural tenants are not displaced to allow a change of use to be carried out.

Is any part of the land covered by or within the curtilage of the building to be demolished occupied under any agricultural tenancy agreements?

Yes

No

## Fire Safety

Where the building (as proposed) exceeds certain limits, legislation has been put in place to ensure the adequate consideration of fire safety by the Local Authority (including its decision to grant prior approval) and other relevant parties.

Would the proposed development result in a building that contains two or more dwellinghouses, and is:

- 18 metres or more in height (as measured from ground level to the top floor surface of the top storey of the building); or
- contains 7 or more stories.

Yes

No

NOTE: More details on how to measure height and stories are available in paragraph (7) of [Article 9A of The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) and [the related government guidance](#).

Any proposed development that meets or exceeds these limits will require additional information to be supplied in regard to the fire safety impacts on the intended occupants of the building.

Please provide details of the fire safety impacts on the intended occupants of the building.

The building at 130 South Street is being converted into two independent residential flats, each with its own separate internal staircase and final exit directly to open air.  
There are no shared internal corridors or staircases between the flats.

For such proposals, a 'Fire statement' that covers the fire safety design principles, concepts and standards that have been applied to the development should also accompany the application. This can be uploaded in the supporting document section.

## Description of Proposed Works, Impacts and Risks

### Proposed works

Please describe the proposed development including details of any dwellinghouses and other works proposed

The front part of the first floor will become a two-bedroom flat.  
The rear part of the first floor and part of the ground floor will form a one-bedroom flat.

Please provide details on the provision of adequate natural light in all habitable rooms of the dwellinghouses

adequate natural light will be provided to all habitable rooms in accordance with Building Regulations Requirement Part O (Overheating) and Approved Document Part F and Part L, with specific reference to the guidance in Approved Document B, Requirement 1 – Ventilation and Natural Lighting.

Each habitable room within the proposed flats will be provided with a window opening directly to the external air, ensuring sufficient levels of natural daylight and ventilation.

The window provision in each habitable room will meet or exceed the following standards:

The total glazed area of each window will be not less than 1/10th (10%) of the floor area of the room, ensuring adequate natural light penetration.

The openable area of each window will be not less than 1/20th (5%) of the floor area of the room, providing effective natural ventilation.

All windows are designed to be openable and unobstructed, allowing both daylight and fresh air to reach all habitable spaces. This provision ensures compliance with the relevant requirements for natural lighting and ventilation under the Building Regulations.

What will be the net increase in dwellinghouses?

2

This figure should be the number of dwellinghouses proposed by the development that is additional to the number of dwellinghouses in the existing building prior to the development.

### Impacts and risks

Please provide details of any transport and highways impacts and how these will be mitigated, particularly to ensure safe site access

Address: 130 South Street

Development: Conversion of existing property into two self-contained residential flats

The proposed conversion is not expected to have any adverse impact on local transport or highway safety.

Access to the site is safe and appropriate for the scale of development:

The main entrances to the flats are located away from the main carriageway of South Street, ensuring that pedestrian access does not interfere with traffic movement.

At the rear of the property, there are two existing, enclosed car parking spaces which will remain in use and provide adequate off-street parking for the proposed dwellings.

The proposal does not introduce any new vehicle access points or alterations to the public highway.

Given the limited scale of the development (conversion to two flats) and the provision of off-street parking, the proposal will not generate any significant increase in traffic or parking demand.

Accordingly, the development will have no material impact on transport or highway safety, and no mitigation measures are considered necessary.

Please provide details of any contamination risks and how these will be mitigated

#### Contamination Risks and Mitigation

Address: 130 South Street

Development: Conversion of existing property into two self-contained residential flats

The site at 130 South Street is an existing residential property, and there is no known history of industrial or contaminative use on the site or adjacent land.

As the proposal involves a conversion of the existing building rather than new groundworks or excavation, the risk of land contamination is considered to be very low.

To ensure safety and compliance with environmental standards:

Any minor refurbishment or construction works will be carried out in accordance with standard health and safety practices to prevent exposure to dust or debris.

Should any unexpected contamination (such as asbestos-containing materials or contaminated soil) be encountered during the works, work will stop immediately, and a qualified environmental consultant will be engaged to assess the issue and recommend appropriate remediation measures in line with Environment Agency and Building Regulations guidance.

Given the existing residential use and the limited scope of external works, no significant contamination risks are anticipated, and no specific mitigation measures are required beyond standard construction site management procedures.

Please provide details of any flooding risks and how these will be mitigated.

The existing ground floor level at the rear of the property is approximately 25 cm below the external garden level. As part of the proposal, this floor level will be raised to match the garden level, providing level access to the exterior and reducing potential surface-water ingress during heavy rainfall.

### 3. Development Description

The proposal involves converting the first floor (front – two-bed flat) and part of the rear ground/first floor (one-bed flat) within an existing mixed-use building that includes commercial units on the ground floor fronting South Street. There will be no increase in footprint, no excavation, and no alteration to external ground levels that could affect drainage or flood flow routes.

### 4. Drainage and Surface Water

The existing surface-water and foul drainage systems will be retained and maintained.

Any new plumbing or connections will comply with Building Regulations Part H (Drainage and Waste Disposal).

Finished floor levels will now be equal to external garden level, improving accessibility and resilience to minor surface water ponding.

### 5. Residual Risk and Mitigation

Given the confirmed Flood Zone 1 location and the raised floor level, the residual risk of flooding is negligible. No specific flood-resilience measures are required beyond standard good practice, including:

Maintaining clear surface-water drains and gullies.

Using damp-proof membranes and proper ground falls away from the building.

Ensuring residents have clear evacuation routes to South Street, which remains outside flood-risk zones.

### 6. Conclusion

A flood risk assessment should accompany the application where the site:

- is in Flood Zones 2 or 3; or
- is in an area with critical drainage problems (such areas will have been notified to the Local Planning Authority by the Environment Agency).

[Check if your site location is in Flood Zone 2 or 3 online](#)

Check with your Local Planning Authority to see if your site is in an area with critical drainage problems.

Please provide details of the impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses and how these will be mitigated

Mitigation measures include:

Construction of separating walls between commercial and residential areas using independent timber stud frames with mineral wool insulation and double layers of sound-rated plasterboard fixed to acoustic barrier boards on both sides.

Upgraded separating floors comprising 100 mm acoustic mineral wool between joists, resilient bars, and a double-layer fire-rated plasterboard ceiling with an acoustic floating floor above.

Sealing of all junctions and service penetrations with flexible acoustic mastic to prevent flanking transmission.

Installation of high-performance double-glazed acoustic windows and acoustic trickle vents in all habitable rooms.

These measures are designed to achieve an airborne sound insulation rating of  $D_{nT,w} + C_{tr} \geq 50$  dB and an impact sound level of  $L'_{nT,w} \leq 55$  dB, ensuring that internal noise levels within the new dwellings remain within the recommended limits of BS 8233: 2014 ( $\leq 35$  dB LAeq for living rooms and  $\leq 30$  dB LAeq for bedrooms).

In conclusion, the proposed wall, floor, and window constructions will provide effective acoustic separation

If the building is located in a conservation area, and the development involves a change of use of the whole or part of the ground floor. Please provide details of the impacts that the change of use will have on the character or sustainability of the conservation area and how these will be mitigated

N/A

If the building is located in an area currently in use for general or heavy industry, waste management, storage and distribution, or a mix of such uses.

Please provide details of the impacts on intended occupiers of the development of the introduction of residential use in the area and how these will be mitigated

THE GROUND FLOOR

If the proposal involves the loss of services provided by a registered nursery, or a health centre. Please provide details of the impacts on the local provision of the type of services lost and how these will be mitigated

N/A

## List of flats and other premises in the existing building

Please provide a list of all addresses of any flats and any other premises within the existing building

**House name:**

N/A

**Number:**

130

**Suffix:**

**Address line 1:**

South Street,

**Address Line 2:**

**Town/City:**

, Lancing

**Postcode:**

BN15 8AU

## Declaration

I/We hereby apply for Prior Approval: Change of use – commercial/business/service to dwellinghouses as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

NURHAN ERK

Date

09/11/2025