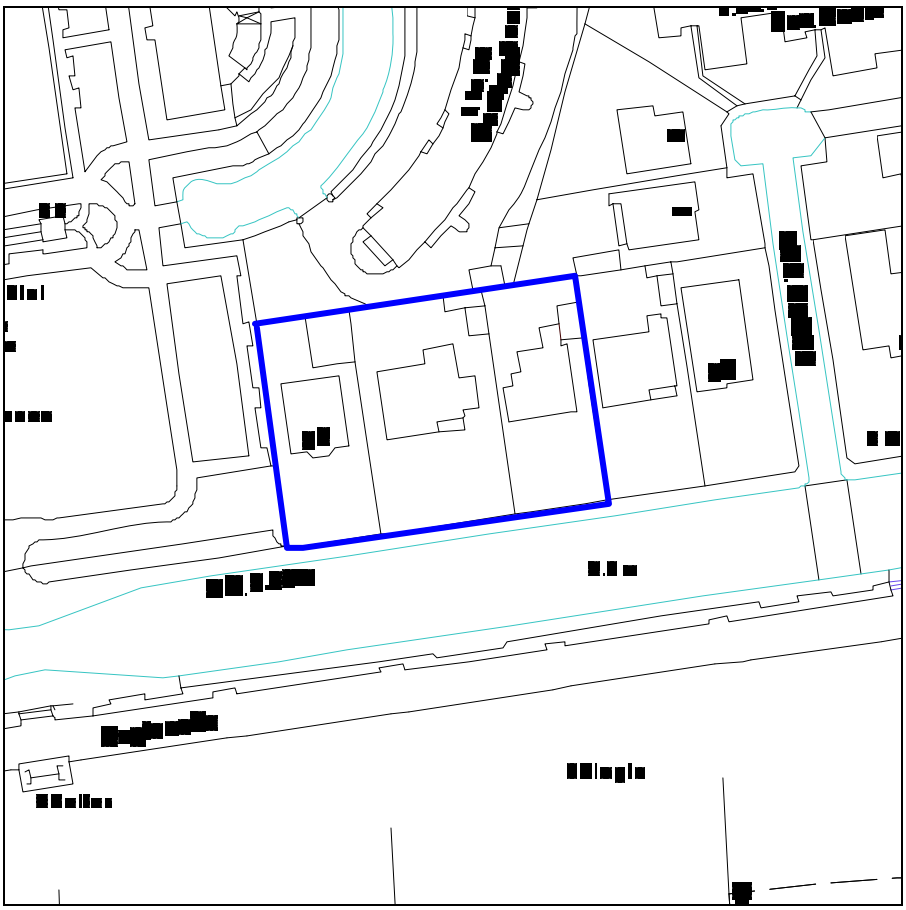
CATEGORY A

Mr Chris Barker
Mr Ben Cheal

WB/09/0266/FULL
MAR
PD

Location : 42 - 44 West Parade

Proposal: Proposed demolition of Nos. 42, 43 and 44 West Parade, and redevelopment comprising block of 13 flats with undercroft parking and cycle storage.



Not to Scale

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1. THE PROPOSAL AND THE SITE

This is a full application to redevelop the site of three detached inter war houses on the seafront in West Parade with 13 flats developed in two linked blocks three and four storeys in height with underground parking.

The site and surrounds

The site sits in a residential suburb some 1.7 kilometres west of the town centre. It forms part of a long stretch of inter war, large, generally two storey

pitched roof, detached houses of largely individual design, facing the seafront and set back on a common building line with spacious, open front gardens. Hipped roofs predominate in the western half but gables also feature to the east. Most are rendered and white. Some have been converted to flats. This frontage group is broken by the park at Marine Gardens immediately to the west of the site and then continued with No. 45 West Parade, a distinguished 3 storey modernist style inter war house which is locally listed, as far as the wide 3 storey blocks of flats at Wellesley Court (inter war, modernist style) and Roberts Marine Mansions (late 1990s neo –traditional) which is opposite on the west side of Wallace Avenue.

To the east of the constituent group of seafront inter war houses, the character of the seafront buildings changes markedly with an equally long stretch of 1960s high rise residential blocks set in open grounds, starting with Marine Point adjacent to the 6 storey, Victorian Dolphin Lodge in Grand Avenue.

Marine Gardens is the focus of a formally laid out enclave of roads and buildings, notable for its symmetrical, geometric pattern. Complementary Modernist style 3 storey blocks of flats, face the park to the north, west and east in a regimented fashion, the footprints following the curves and lines of the roads bounding the park. These include Hastings Court which lies immediately to the north of the application site. It features a flat roof and is faced in brick with its balconies expressed as strong horizontal features and is accessed by regularly spaced curved turrets accommodating stairwells. More traditional houses infill the gaps in a more informal manner. Marine Gardens itself, is an ornamental public park, with gardens, bowls and putting greens, a café and locally listed pavilion and walls. It is identified as a Park of Local Historic Interest.

West Parade is a long straight boulevard abutting the promenade and beach. There is a nearby pedestrian crossing and on-street parking is provided on both sides of the road (principally south).

Immediately to the east of the site are two large detached, two storey, inter war houses, Nos. 40 and 41 West Parade. These have been converted into flats and are set well back on a common building line but have shallow rear gardens. They are characterised by hipped roofs and No 41 is rendered in white. The rear gardens of the detached houses at Nos. 1 and 2 Rye Close lie to the north east of the site. The former is a rest home for the elderly and has been extended to cover most of the rear garden whilst the latter is a house.

The application site itself is rectangular and flat and is some 0.2 hectare in size. It is occupied by three, detached houses. No 44 is the oldest and most distinguished of the three and faces both towards West Parade and Marine Gardens. Whilst it has seen significant alterations, its remaining distinctive elements include a central bay and dormer, oversailing eaves and sprocketed rafters and white rendering. It enjoys some local historical interest, being built for an illustrious Town Clerk. The shallow back gardens of the group accommodate an array of garages, particularly substantial in the case of No 44 and a large conservatory extension and rear garage at No 42. No 43 is

converted to flats. The deep forecourts of Nos. 42 and 43 have been paved over for parking. Each of the houses is served by its own vehicular access.

The Proposal

The application was preceded by extensive officer discussions and has been informed by community consultation in the form of a staffed exhibition held in November 2008 which local residents and stakeholders were invited to attend and make comments on the scheme.

The originally submitted scheme has been revised following negotiations with officers. It is supported by a Planning Statement, including a Statement of Community Involvement; an Urban Design Statement; a Landscape Design Strategy; a Design and Access Statement; a Natural light study; and a Stage 1 Road Safety Audit.

The proposal entails the demolition of the existing houses and construction of the two linked blocks of flats, facing the seafront and park. The larger of the blocks is sited in the west of the site and comprises a four storey building, with the top floor arranged as a penthouse, set back from the main elevations. The smaller of the blocks is proposed to the east and would be three storeys high, again with a top floor configured as a recessed penthouse. A two storey recessed building links the two main blocks. Generally, the development is arranged in a tiered and faceted manner. The whole development is effectively raised by over a metre above ground level to accommodate the semi-basement parking and as a flood risk precaution. The main blocks broadly follow the established building line and are set off the rear boundary between approximately 6.5 and 10 metres. The eastern block is set off the boundary with No 41 by 3 metres.

Semi-basement parking is accessed by a centrally located single vehicular access in the form of a 13 metres wide bellmouth, narrowing to a carriageway 4.68 metres wide on a 1:7 gradient ramp. Twenty three spaces would be provided (19 for residents and 4 for visitors). Plant and storage for 20 cycles is also provided for in the basement. Separate pedestrian accesses serve each of the two blocks. Steps from the approach paths are complemented by ramps.

The curtilage space is laid out as a formal landscaped area. Communal garden areas, private ground floor terraces, balconies and roof terraces are provided at the front and a series of ornamental terraces at the rear. Following revisions, domestic refuse/recycling facilities are now sited directly behind the forecourt boundary wall on the west side of the main block pedestrian entrance and on the eastern side of the smaller block. Boundary planting is proposed in the form an evergreen hedge around the site and regularly spaced pine trees on the northern frontage. In addition, illustrative accompanying plans offer complementary planting in the adjacent part of Marine Gardens, including ornamental shrubs and pine trees.

The scheme is designed as a contemporary interpretation of the modernist, art deco style. In this vein, the buildings have flat roofs with oversailing canopies and strong horizontal features in the form of seafront balconies. The

main entrance to the larger building is off-centre and marked by a slightly projecting tower element, with projecting curved balcony above the double entrance doors and surmounted by a ziggurat parapet. A projecting tower in the west elevation faces directly onto Marine Gardens. The entrance to the smaller building is less grand, marked simply by a projecting canopy. The main corners on the front elevation are curved and the two main buildings are faced in white render, the link building would be shaded a contrasting lighter grey. Windows and doors are in the Crittal style, complemented by a pair of port hole style windows in the front astride the main entrance and one at the rear. A number of windows at the rear and in the east flank are high level or obscure glazed. The penthouses are set back and contain extensive glazing at the front and sides. Modest lift overruns punctuate their rooflines. Generally, the rear of the development is more subdued.

The proposal comprises a mix of 9 x two bed; 3 x three bed and 1 x four bed flats. It aims to meet Level 3 of the Government's Sustainable Homes Code.

2. APPLICANT'S DESIGN AND ACCESS STATEMENT

The applicant has submitted the following Design and Access Statement:-

"Design Response

Amount and Use

The development proposal is for 1No 4-bedroom, 4No 3-bedroom and 8No 2-bedroom apartments, considered to reflect the market demands for larger apartments on Worthing sea-front.

Density / Site Coverage

The proposed development site has an area of 0.20 hectares (0.49 acres), and with 13 dwellings gives a site density of 65 dwellings per hectare. This compares to existing site densities of 86 dwellings per hectare for both the adjacent Hastings Court and Sun Court.

Layout

The layout of the development has been influenced both by the prominence of the site and the setting of the wider local area. Current government design guidance based on reducing the dominance of car parking has been adhered to, and the general recommendations of the latest Government advice on residential design and sustainability have been followed.

At the proposed site access along West Parade, a bellmouth will be created within the site boundary with 4.2 metre radii leading down a vehicle access ramp to the underground car park. This sweeping entrance feature will mirror the sweeping curves of the proposed buildings architecture. Dropped kerbs will be provided for vehicle access from West Parade. Pedestrian access is provided to each of the 2 main 'blocks' accessed directly off the public

footpath along the southern boundary. A DDA compliant access ramp is also provided together with a dramatic stepped approach to the building entrances.

The building sits on a plinth that extends approx 1.2 metres above ground level which provides natural ventilation to the underground car park. The visual appearance of this plinth is greatly reduced due to its low level and extensive landscaping scheme. The building's form is divided into 2 distinct 'blocks' that both reduce the overall mass of the building and allow views into and from the site. These 2 blocks are linked together by a 2 story element that is set back from the main façade giving the visual appearance of 2 separate buildings. Each of the block's entrances is visually highlighted with curved entrance canopies.

The proposed development provides almost 2 parking spaces per dwelling (23 spaces for the 13 apartments), including visitor spaces, to meet current adopted car parking standards. Parking is accommodated on site within the secure basement, which is accessed via a vehicle access ramp off West Parade. This basement parking allows for an integrated landscape design that will enhance the character of the area, and also respond to the adjacent Marine Gardens. There is also unrestricted on street parking in the vicinity of the site.

Cycle parking provision is also provided for within the secure basement.

Scale

Both height and footprint have been carefully considered in the design response. The 4 storey element of the proposal seeks to provide a full stop on the corner of Marine Gardens, producing juxtaposition between the open gardens and the development site. Through the setting back of the top floor levels, the development's overall scale is reduced, forming a sympathetic relationship with neighbouring properties.

This well articulated façade design is further enhanced with the penthouse floors at each end of the building utilising areas of glazing, to achieve a visually lightweight upper floor. This is reinforced through the careful design of the roof fascia and soffit to further minimise the visual impact of the upper floor. This has the benefit of further reducing the buildings mass, and reflects the bulk of the hipped roofs as existing.

Appearance

The design of the scheme strongly reflects the desire of the designers to respond to the Art Deco influences within the local and surrounding areas, to create a sleek and interesting building façade that is typical of an Art Deco / Art Moderne building. The building design includes projecting bays, balconies, overhanging elements, raised façade treatments and is successfully integrated within the landscaping proposals in order to create a high quality development.

The development seeks to respect the existing building line and does not notably increase the height of the development, apart from at its western

extent. The 4 storey element of the proposal seeks to provide a full stop on the corner of Marine Gardens, producing juxtaposition between the open gardens and the development site. This will also act as a gateway development into Worthing from the western approach. During this design process we have carefully considered the wider site context surrounding the site, which includes Marine Gardens, Hastings Court and the seafront.

The main building mass is shown to be finished in smooth white render, with raked render horizontal lines defining the edges to balconies. Projecting elements are also shown to second floor window heads and to the rooftop apartments. Both penthouse apartments are clad in vertically laid zinc, creating a striking rooftop feature and juxtaposition with the main rendered element. This also achieves a visual reduction in overall building massing. The overall buildings' massing is now arranged into 2 linked 'blocks' from the initial design models which showed 3 linked 'blocks'. This issue was discussed and agreed in principle with the Planners during initial consultation discussions.

The southern façade is generated from cubic geometric forms together with curved building lines and strong horizontal emphasis. The horizontal and curved elements form goes back to the liners that in the 1920s and 1930s plied the North Atlantic trade route, a common design element from Art Deco buildings. Raised design elements located above windows not only create a projecting solar shading device to the floor to ceiling glazing of the upper floors, but also help to minimise the extent of the roof treatment.

Horizontal design elements are continued through into the metal window design, the narrow sightlines of the window profiles are unobtrusive, and do not compromise or detract from the presence of the building itself. These horizontal elements are also continued through with the detailing of the metal work handrails to the ground floor level and to the upper balconies.
The overhanging roofs and large amounts of glazing to each penthouse level create a minimised feeling of scale and 'lightness' to these upper stories. This innovative and varied architectural approach, together with the use of vertically laid zinc cladding, further reduces the overall massing of the scheme through the juxtaposition of different material use. Corner glazing has been curved to follow the lines of the building and has softened the overall appearance of the building form.

Generous balconies are provided to south facing apartments, providing private amenity space and taking full advantage of the sea views. The northern façade has been carefully designed in relation to any potential overlooking issues with neighbouring properties. This has been achieved through the design of the apartment layouts by having all non-habitable rooms to face northwards and by considering all north facing window openings in relation to their relative distance to the adjoining residential properties. Through the combination of high level windows to eliminate overlooking from neighbouring properties and use of corner windows to direct views from within the development.

Through the setting back of the top floor levels, the development's overall scale is reduced, forming a sympathetic relationship with neighbouring

properties. This well articulated façade design is further enhanced with the penthouse floors at each end of the building utilising areas of glazing, to achieve a visually lightweight upper floor. This has the benefit of further reducing the buildings mass, and reflects the appearance and bulk of the hipped roofs as existing.

Balconies to the south and western elevations exploit views from the site and reflect Art Deco design characteristics. The proposed development also respects the established building line along West Parade.

Materials

The main building mass is finished in smooth white render, with raked render horizontal lines defining the edges to balconies. Projecting elements are also shown to second floor window heads and to the rooftop apartments. Both penthouse apartments are clad in vertically laid standing seam zinc, creating a striking rooftop feature and juxtaposition with the main rendered element. This also achieves a visual reduction in overall building massing.

Windows will be finished in a dark powder coated aluminium crittal-style frame, with associated projecting cill.

Landscaping

Lizard Landscaping has been commissioned to produce a Landscaping Report for this development that will describe the existing landscape character and adjacent communal garden areas. Planting proposals for this development will be detailed together with off site planting proposals for Marine Gardens. It is offered that the landscaping of the eastern boundary of Marine Gardens adjoining the development site be improved, subject to relevant agreements being established.

The development will have its own extensively landscaped communal gardens that will incorporate seating areas and raised planters. Open space and hard and soft landscaping will be maintained by a nominated management company.

Communal garden areas for the use of all residents of the development will consist of seating areas bounded by feature soft landscaping together with a garden soft landscape scheme. The use of raised planters will be used along the building frontage and to the access ramps to soften and mould these elements into the proposed landscaping scheme.

Access

Vehicle, Pedestrian and Cycle Networks

The site is conveniently located within a short walking distance of the local shops. There are also regular bus services to surrounding centres of Worthing, Brighton and Chichester. Trains to London are accessible from West Worthing Railway Station. The site is considered to be in an accessible

location for employment. Secure cycle storage will also be provided for each new dwelling, and will be located within the underground car park.

Accessibility

Inclusive access to the site will be provided by means of flush thresholds at entry points to the site. Together with ramped access to each entrance, and lift access internally, this will provide full mobility access to the main entrance of each new dwelling in accordance with Part M of the Building Regulations. Within the apartments, the WC facilities are designed to be accessible for both wheelchair users and ambulant disabled users, including all doors to be DDA compliant.

The ramp leading to the secure underground car park is designed for vehicular use only, and will incorporate all required transition strips for vehicle use.

The underground parking is designed with two lifts serving the parking area, and will have 2 fire escape exits via external stairs.

Conclusion

Overall, the Planning Application provides additional dwellings on Brownfield land, reducing the need to construct dwellings elsewhere on open spaces, and provides a significant opportunity to ensure new housing is created to meet local needs.

The design process resulting in this application has been rigorous and carefully considered to create the optimum design solution. As a result, a scheme has been created that is inspired by and takes reference from the local Art Deco architectural style, forming high quality and thoughtfully designed residential units, which also enhances the appearance of the locality.

The development's layout, density and orientation of the scheme take full account of the site and its surroundings. Sustainable and renewable energy sources have been carefully considered to minimise the developments energy requirements, and is fully DDA compliant."

The following is an extract from an Addendum Design and Access Statement.

"Design Amendments

Scheme Design Changes

Review of changes from current submitted planning scheme;

GENERAL CHANGES

1. *Building footprint amended as follows:-*
    a) *Ground floor south-west corner now curved to match curved balconies above,*

b) Recessed link element: The overall width to the link element has been increased from 5metres to 6.61metres. The distance recessed has now increased by 500mm to 4.5metres set-back from main façade. This element will be finished in grey coloured render that together with the increased set-back and width, will give a greater degree of visual separation between the 2 blocks.

c) Minor adjustments to south-east and north-east corners to improve overall 'balance' of elevation treatment.

d) Massing to northern elevation has been reduced, which increases the separation distance between Hastings Court from 11.925metres to 14.090metres (an increase of 2.165 metres).

EASTERN BLOCK

2. Entrance steps to eastern block reduced in width from 4.880metres to 2.520metres.

3. Vertical entrance feature to eastern block replaced with elliptical entrance canopy that together with the reduction in entrance steps width provides a better transition from the adjacent buildings to the east.

4. The penthouse overall width to the eastern block has been reduced from 12.480metres to 9.175metres (a reduction of 3.305metres), and material finish changed from vertical zinc cladding to white render. These amendments have resulted in a building form that is more sympathetic to the adjacent No. 41. The now plainer eastern block site more comfortably with its 'larger brother' western block.

5. Fenestration to the increased width of the link element now features more glazed area, again helping the visual separation between the 2 blocks.

6. The stair well and lift shaft to the eastern block has been moved northwards, helping to reduce the visual impact of the lift over-run on the street scene, and helps improves internal layouts.

7. Minor amendments to eastern elevation window treatment.

WESTERN BLOCK

8. Reduction in overall width of penthouse to the western block from 16.620metres to 15.230metres (a reduction of 1.390metres), and material finish changed from vertical zinc cladding to white render. The change in material finish for both penthouse levels addresses concerns on the integration of the upper levels with the rest of the building.

9. Stair well and lift shaft to western block have been moved southwards to be within the building envelope, simplifying the northern façade treatment to the penthouse.

10. *Generally minor amendments to help fenestration hierarchy on southern elevation.*

11. *Raised horizontal feature bands added to northern elevation, adding greater visual interest to this aspect.*

12. *Corner windows amended to now show obscured glazing panels, that direct views from within to prevent overlooking.*

13. *Window treatment to northern elevation on both penthouse levels remains unchanged, which helps fenestration hierarchy and visual interest.*

14. *Glazed windows to western vertical feature amended, forming a singled glazed opening at each level.*

Solar Analysis

The solar analysis was done using the software 'Sketch-Up Pro v6', a 3D modelling programme with solar shading analysis software with the capability of analysing shading impact. The proposed development was modelled in 3D, as a massing study model. A 3D model of the terrain was also created, based on topographical survey plans. This survey information also allowed accurate modelling of the surrounding properties, to allow an accurate solar analysis to be undertaken.

This series of images show that there are no overshadowing issues relating to this development for the amended building massing.

Conclusion

Concerns raised by the Planners relating to the spacing between the eastern and western block have been addressed, with the increase in width of the separating 'link' element and increased set-back from the main façade, together with the use of grey coloured render which gives a greater degree of visual separation between the two blocks.

The eastern block's southern elevation has been simplified, and penthouse width reduced, which provides an improved transition from the adjacent buildings to the east, and also sites comfortably with its 'Mother' and 'baby' relationship. A change of material finish to both penthouse levels now incorporate a white render finish to provide a homogenous building appearance.

The northern elevation treatment has also been remodelled to add a greater visual interest to this aspect, whilst increasing the separation distance from the adjacent Hastings Court. The revised detailing to the windows on the rear elevation protects fully the amenities of residents to the rear whilst maintaining a traditional rhythm and scale of fenestration to this elevation.

The overall cumulative effect of the amendments outlined here, have created a scheme design that responds further to the existing properties to the east,

whilst maintaining the architectural quality and integrity of the scheme as a whole."

Extract from Planning Statement

"Conclusions

This scheme has been fully assessed against all relevant national and local policy and guidance and all other material considerations and is considered to be acceptable. The project team have worked from the outset with local residents, stakeholders and Worthing Borough Council to evolve the scheme to its submitted form.

The proposal is considered to provide for a high quality design on a prominent site, adding punctuation, architectural quality and visual interest to the streetscene and ensuring the enhancement of the visual vitality and vibrancy of the western extent of the Worthing Seafront.

The design of the proposal in relation to scale, mass, bulk and height has been given careful consideration in relation to the context of the site in relation to existing development. Materials and finishes proposed would be of the highest quality with sustainability measures also proposed.

The amenities of existing and future occupiers have been subject to rigorous consideration in relation to loss of light, overlooking, sense of enclosure and noise. The separation distances, angles of outlook and prospect have been respected fully in relation to surrounding development to ensure no detrimental impact on the amenities of neighbouring and future residents.

Car and cycle parking is considered adequate to meet the needs of the development in an area well located in relation to public transport, shops and services.

Given the considerations of this statement and the further reports produced in support of this application the proposal would make a significant and positive contribution to the built environment within West Worthing and offers an excellent opportunity to revitalise and improve the site from its currently underused state."

3. CONSULTATIONS

West Sussex County Council including the Highway Authority raises no objections following the domestic refuse/recycling store revisions and subject to conditions as set out below and receipt of suitable development contributions. In so doing it notes that, in terms of traffic generation, the proposed development would not be likely to generate significant volumes of additional traffic compared to the current uses on site. It also comments that the proposed parking provision is within the current maximum parking standards and, should any limited additional parking demand result from the development, there appears to be capacity on West Parade to accommodate parking without raising any highway safety concerns. It further notes that the

site is readily accessible by a range of sustainable modes of transport. In this respect the site is within walking and cycling distance of a range of services including education, employment, health care and food retail. Bus stops serving a range of destinations and rail services are also within walking and cycling distance and the site is adjacent to the signed cycle route. Additionally, the proposals show safe / secure cycle parking that would meet the current minimum standards for the scale of development, though it raises some reservations over shared access with motor vehicles. Finally, it recognises that the proposed access to the site has been the subject of a Stage 1 Road Safety Audit and the applicants have provided a Designers Response. It accepts the Designers' response to those recommendations.

"Conditions:
Access
No development, hereby approved, shall be occupied until the proposed site vehicular access has been constructed in accordance with the approved site plan to be submitted to and approved by the Local Planning Authority.
Reason – To provide suitable access to the development.

Car parking
No development, hereby approved, shall be occupied until the car parking spaces have been provided, surfaced and marked out in accordance with a detailed construction plan to be submitted to and approved by the planning authority. These spaces shall thereafter be retained at all times for their designated use.
Reason – To provide the maximum level of car parking for the development in accordance with the District Council car parking standards.

Cycle parking
No development, hereby approved, shall be occupied until covered secure cycle parking spaces have been provided in accordance with a detailed construction plan to be submitted to and approved by the planning authority.
Reason – To provide alternative travel options to the use of the car in accordance with PPG 3 and PPG 13.

Turning
No development, hereby approved, shall be occupied until a turning area has been provided, surfaced and marked out in accordance with a detailed construction plan to be submitted to and approved by the planning authority. This turning area shall thereafter be retained at all times for their designated use.
Reason – To provide an adequate turning area in accordance with current standards.

Visibility
No construction of the dwellings, hereby approved, shall be commenced until the visibility splays at the location of the proposed site vehicular access has been constructed in accordance with the approved site plan, and shall thereafter be kept free from obstruction to a height of 600mm.
Reason – For the reasons of highway safety.

Existing access
The use hereby permitted shall not be carried on until all accesses to the site other than hereby approved have been stopped up permanently and obliterated and returned to a state sympathetic to the adjacent highway to the satisfaction of the Local Planning Authority and Highway Authority.
Reason – In the interests of road safety.

Wheel Washing
No development, hereby approved, shall be commenced until an appropriate wheel washing facility located adjacent to the construction site access has been provided in accordance with the approval of the District Council.
Reason – To ensure the public highway is kept free from debris and mud being deposited from the site.

Construction Traffic
No development, hereby approved, shall commence until an area for the storage of materials, parking for construction traffic and an appropriate turning area has been provided within the site clear of the public highway in accordance with a detailed construction plan to be submitted to and approved by the planning authority. These areas shall thereafter be retained at all times for their designated use.
Reason – To ensure that adequate space exists for the storage of materials and the provision of parking and turning for construction related traffic.

West Sussex County Council advise development contributions (TAD) of £13,640 are required to mitigate the additional pressure on the transport network from the development to be secured by a S 106 agreement. No other contributions are required, save £144 for Fire and Rescue services."

The **Executive Head of Health, Housing and Community Safety** raises no objections, save a precautionary condition on potentially contaminated land should be imposed.

The **Environment Agency** comments that:-

"I can confirm we have no objection in principle to the proposal as submitted but would, however, wish the following to be taken into consideration:-

Flood Risk

This proposal lies in Flood Zone 1 and falls within the scope of our Flood Risk Standing Advice.

Potential Contamination

The Local Planning Authority (LPA) should ensure the principles of "Planning Policy Statement 23: Planning and Pollution Control (PPS23) , Annex 2: Development on Land Affected by Contamination" are followed. This means that all risks from contamination (to human health, buildings and other property, the natural and historic environment) need to be identified so that appropriate action can be taken to address these risks.

We encourage good practice on the assessment and remediation of contaminated sites therefore we recommend that the applicant:

- *Applies the risk- based framework set out in the Model Procedures for the Management of Land Contamination (CLR 11) and follows the guidance in that document so that the best decisions can be made for the site*

- *Refers to our guidance on requirements for land contamination reports*

- *Use BS 10175 2001, Investigation of potentially contaminated sites – Code of Practice as a guide to undertaking the desk study and site investigation scheme.*

- *Uses MCERTS accredited methods for testing contaminated soils at the site*

Demolition/Sustainability

Due consideration should be given to the possibility of reusing and/or recycling materials produced as a consequence of demolition. All waste must be disposed of by an appropriately licensed carrier and taken to an appropriately licensed disposal site under the relevant Duty of Care Waste Regulations. Further information can be obtained from www.environment-agency.gov.uk.

Protection of Controlled Waters

This site lies within a sensitive groundwater area. Groundwater is therefore potentially at risk from activities at the site and all precautions must be taken to avoid discharges and spills to ground both during and after construction

All surface water from roofs should be piped direct to an approved surface water system using sealed down pipes. Open gullies should not be used.

A closure valve should be installed in the surface water drainage system to contain any polluting material in the event of an emergency."

The **Strategic Planning and Regeneration Manager** comments that:-

"The main policy issues that are relevant to this application are:-

CT 3; Seafront environment
H 10: Demolition and change of use
H 18: Loss of amenity.
BE 1: Good standards of design and materials.
TR 9: On site parking provision.
LR 8: Residential development of 10 or more units

This proposal will lead to an increase in the housing stock and therefore complies with Para. iii of policy H10.

The Art Deco design of the new build should satisfy the requirements of Policy CT3 in terms of enhancing the character and appearance of the seafront area. The scale and massing of the build however could potentially be an issue.

There are no policy reasons for refusal of this application, subject to consideration of the above.

The development of 13 units puts it above the threshold for a leisure contribution. The development contribution is £22,979."

Southern Water comments as follows:-

"Our initial investigations indicate that Southern Water can provide foul sewage 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.

We request that should this application receive planning approval, the following informative is attached to the consent:-
'A formal application for connection to the public sewerage system is required in order to service this development.

Our initial investigations show that there is currently inadequate capacity in the local network to provide surface water disposal to service the proposed development. The proposed development would increase flows to the public sewerage system, and any existing properties and land may be subject to a greater risk of flooding as a result.

We advise that the applicant investigates alternative means of surface water disposal, considering the following options:-

- *Discharge to soakaways*
- *Attenuate surface water runoff to no greater that 5 l/s (under all storm conditions), for connection at manhole reference 1051. This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Where flow attenuation is proposed and the sewerage in question is to be offered for adoption, the sewerage undertaker should be involved in discussions with all relevant parties to agree the ownership/responsibility for the facility.*

Southern Water requires a formal application for a connection to the public sewer.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example "The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development."

Southern Water further comment that t*hey would prefer that surface water from the proposed development is discharge*d *to soakaway if at all*

practicable. However, I understand that existing site has been investigated and it has been found that the existing site discharges surface water to the sewer system. The general principle of no net increase in flow on redevelopment sites is normally acceptable. Southern Water will, however, require provision of proof of the existing connection and calculations confirming that the proposed flows will be no greater than the existing flows received by the sewer for approval prior to commencement of works on site.

Southern Water would request that should this application receive planning approval the following condition is attached to the consent:

"Construction of the development shall not take place until details of the proposed means of surface water disposal have been submitted to, and approved by, the Local Planning Authority in consultation with Southern Water."

The **Waste Strategy Manager** supports the revised domestic refuse/recycling arrangements.

The **County Ecologist** comments that:-

"No requirement for bat survey. Nearest known record 1.2km 1983. Due to an outside chance of presence insert the following informative/advisory to any future approval:

The applicant is advised that should protected bat species be present work must stop and Natural England informed. A license may be required from Natural England before works can re-commence, Natural England will advise."

The **Leisure and Cultural Services Manager** comments that it is difficult to establish whether the actual building is closer to the park or larger in scale than the existing villas but notes that the proposed development does not appear to have a particularly detrimental impact upon the adjacent Marine Gardens and that the art deco styling may complement the gardens in design terms. The symmetrical nature of the Gardens makes it necessary to plan carefully any new landscaping. He reports that they have some ideas with regard to some improvements that could be made within the existing fairly formal framework of the gardens and that they have a bigger aspiration to install fencing around the gardens to prevent out of hours access and the vandalism and anti social behaviour that goes on there.

The **Sussex Police Crime Prevention Design Adviser** comments that there will need to be controlled access to the car park and recommends ground floor windows and final exit doors comply with relevant standards , glazing to finals exit doors must be laminated and note the importance of lighting in crime security.

The **Twentieth Century Society** comments as follows:-

28th April 2009:-
"We would like to re-iterate the fact that this (No. 44 West Parade) *is a decent 1930's seafront house, not listable or particularly special in a national context, but nevertheless a house of decent proportion that is part of a collection of*

similar domestic architecture that gives the front a character. It is also an interesting property for the way in which it also fronts the park – these 'two facades' make it a cut above the ordinary. I would further suggest that the new building is completely out of scale with the rest of the buildings on the front – and clearly constitutes over-development of the site.

1st September 2009:- *The Twentieth Century Society would like to object to the above application. We believe the proposed redevelopment of 13 flats will have a negative impact on Marine Gardens – a wonderful and well-preserved example of inter-war pleasure gardens. The proposed new building, though attempting to re-create an Art Deco aesthetic, is out of scale and character with the surrounding collection of modestly-sized abut architecturally diverse individual private houses which define the promenade. We understand that No. 44 Marine Gardens was built for Kennedy-Allerton, Worthing Town Clerk, in c.1930, giving it added local and historic interest. It is a well-executed building which shows the signs of being architect-designed, rather than being constructed by a local property agent. Its double-fronted elevations make it an appropriate end to the series of house, as well as facing Marine Gardens itself."*

4. REPRESENTATIONS

At the time of writing, over 50 letters of representation have been received, mainly from Hastings Court and other local residents raising the following concerns:-

i) The scheme remains highly objectionable with only token changes to the original in the latest revisions. – a few corners have been rounded, the recessed link has been adjusted and the rear building line redrawn a little further away but the building is still too high with the addition of a penthouse and the ground floor raised due to underground parking.
ii) Loss of privacy to neighbouring dwellings, particularly Hastings Court, due to overlooking from flats and the roof terrace due to the proximity of the development and its increased height.
iii) Overbearing impact due to the height and proximity of the development to neighbouring dwellings.
iv) Loss of No. 44 which is of local historic interest (designed by Harold Potter for Worthing Town Clerk John Kenneth Allerton) and built to complement Marine Gardens although it has been disgracefully neglected and some of the windows have been altered. It could be repaired and converted to two flats. However, the other two houses are in excellent condition and have interesting designs. These are examples of few remaining prestigious family houses which should be retained.
v) Replacement of a stretch of houses with more apartment blocks further unbalancing Worthing's housing, given the developer already has enough empty, unsold units.
vi) Harm to Conservation Area and listed bollards.
vii) Reduction to property values.
viii) Contrary to the Masterplan which seeks to protect and enhance the distinctive character of places such as Marine Gardens and retain the

character and old fashioned charm of Worthing which undermine the efforts to revive the town's fortunes.

ix) Will breach rights to light of Nos. 17 and 18 Hastings Court and loss of light to south and east facing balconies generally.

x) This is solely for financial gain. The developers are unable to fund the development and this is a cynical attempt to prop up an ailing balance sheet.

xi) Will breach human rights of Nos. 17 and 18 Hastings Court.

xii) Development breaches covenant on the site which restricts development to one detached property on the site.

xiii) Loss of sea views enjoyed by neighbouring properties, particularly Hastings Court and from Marine Gardens, despite revisions to application. Sea views are a real amenity (not just confined to living rooms) and many residents will lose sea view completely whilst others would have a barest glimpse of the sea. Loss of views from No. 17 on south west corner of Hastings Court and Nos. 10 and 24.

xiv) Oppressive views from Hastings Court due to poorly articulated, box-like north elevation of the development, marring effect of plant which may be placed on the roof and scale, massing and proximity of the development which removes views from between Nos. 44 and 43 and also reduces view between the new development and No. 41. It will appear overwhelming and intrusive.

xv) Marine Gardens is very carefully conceived symmetrical 1930s development, unique to the area and further afield and part of the historic fabric of the town. This brief and airy interlude is enjoyed by all. The new development is unsympathetic in form and scale and will dwarf Marine Gardens' openness, will erode the historic seafront heritage and is out of place. The symmetry will be lost forever. Harm to England's glorious coastline from desecration of beautiful seaside parade.

xvi) This is over development. The present skyline is broken up by the detached houses and their sloping roofs and scale of existing development and trees present a uniform vista from surrounding development. The proposed buildings are much larger, (deeper, higher and wider) than the existing houses (calculated by one objector as an increase in building bulk of 45% and reduction in open space of 24%) and completely out of character with the surrounding two and three storey buildings, despite the changes to the application.. There are no flats west of Grand Avenue up to Wallace Avenue and the development would be harmful to the townscape, eating into and swallowing up a third of the remaining fine homes. The design is obviously contrasting and out of character with the area and would be visually intrusive. Inadequate open space and landscaping around the development. Full impact can only be appreciated from widest perspective from the seafront and even from a boat at sea. It is vital the future of West Parade is considered in an overall plan to avoid lack of cohesion and a mish-mash of building dictated at the whim of developers.

xvii) Detailing is unsympathetic to character of the area. Doubts over the long term ability of painted render and extensive metal work to withstand the prevailing salt laden south west winds.

xviii) This will set a precedent which will encourage further development of 1930 neighbourhoods by intrusive blocks of flats.

xix) Loss of peaceful afternoons in the sunny south west garden of Hastings Court due to the development.

xx) Damage to neighbouring properties, particularly Hastings Court, due to settlement caused by the underground car park and interference with the water table. A full benchmark survey by the Council /developer is required to establish any damage caused and repairs funded by the developers.

xxi) Increased smell and noise from refuse facilities of the development will be considerable.

xxii) Why not keep the uniqueness of the existing houses, convert them to flats and add another floor or follow the lead of the development at Glynde Court where redevelopment was in a harmonious style?

xxiii) Harm to road safety on the seafront due to inadequate on- site parking facilities for visitors, bearing in mind proximity to a pelican crossing and parking on the sea front is limited because of traffic calming (which may be recued still further by proposed cycle lanes) and parking controls. Width of West Parade and its straight nature also encourage speeding. Harmful impact of increased traffic and allied additional pollution and increased difficulties of accessing to/from Rye Close. Only one access to the underground car park which is shared by cars and bicycles and any mishap will block all access. Insufficient headroom on underground parking ramp to allow access by Ford transit van or refuse trucks so tradesman and bin men will have to park in the street.

xxiv) Inadequate consultation on revisions. Requested montage of north elevation unfairly declined.

xxv) Risk of flooding inadequately addressed. Area has a history of flooding including adjacent houses and Marine Gardens.

xxvi) Development does not respect building line as claimed. Many other factual errors in the application documentation and description is confusing. Lack of detail in plans.

xxvii) Unfair as No. 33 West Parade‘s proposals for a roof addition were discouraged by the Planners.

xxviii) The design of the development is attractive but a development on this scale is destructive. To remain part of a harmonious ensemble, the development would need to delete the penthouse and the white render finish replaced by mellow brick.

xxix) Redevelopment contributes to the country’s carbon footprint.

xxx) Site is not accessible to local facilities, especially for less mobile.

The **Worthing Society** comments as follows:-

“Having examined the plans and documents submitted to you for the above redevelopment and visited the site, we are firmly of the opinion that this proposal should be rejected on the following grounds:-

These three detached houses (circa 1930) are well constructed (although 44 is superficially dilapidated) and form the western part of a row of similar houses between Marine Gardens and Rye Close, facing the promenade. To replace them with one structure comprising three stories of residential flats

over a large basement car park would result in an incongruous building quite out of keeping with the neighbouring sea front houses. The proposed structure has a flat roof whereas the other houses in the row have pitched roofs. The design of the structure in our opinion is visually intrusive and out of kilter with existing properties in the immediate neighbourhood.

The proposed structure has a larger footprint than the aggregate of the existing three houses and part of this footprint extends well beyond the existing building line which has been established for many years running parallel to West Parade.

Some of the sea views from the south facing windows of Hastings Court will be obstructed by the proposed development.

Although the application states that there is no flood risk, this should be confirmed by the Environment Agency as in our opinion this statement is questionable. The basement car park is vulnerable to flooding from the sea and sea levels are known to be rising. The flood risk should be obtained for the (say) next 75 years.

In our view the applicant and its consultants have not made an acceptable case for destroying these three valuable houses. The thirteen flats proposed can hardly be compared with the existing three family houses in terms of accommodation, garden area and design. The houses could be brought up to current standards of insulation etc. at a relatively modest cost, compared with the considerable expense of demolition and building a block of flats.

The reduction in carbon emissions is an important part of government policy; we are exhorted frequently to keep such emissions to a minimum. Whilst we acknowledge that thousands of housing units are required at the present time we do not consider the provision of highly priced flats in this area meets this need and we can do without the resultant carbon emissions in this case.

May we draw your attention to the probability that this proposal will be in conflict with Policies CT3, BE1, BE18, H10.

We are strongly of the opinion that these three houses should be protected and preserved."

We wish to make an addendum to our objections already posted on this proposed development and emphasise our concerns at its impact on the environment of Marine Gardens, which is on the Register of Parks and Gardens of Local Historic Interest.

You will be aware that No. 44 West parade was built circa 1930 for J. Kennedy-Allerton OBE, Worthing Town Clerk and designed by local architect Harold Potter to enhance and mirror the features of the pavilion in Marine Gardens. J. Kennedy-Allerton guided the development of Worthing for almost three decades and played a key role in the town's growth between the two world wars. By the time he retired in 1941, Worthing had grown out of all recognition.

Of late, No. 44 has suffered alteration and neglect. Fenestration has been altered and the original green glazed roof tiles replaced but the house still retains its role in the setting.

The demolition of these three houses and replacement with a block would most certainly set a precedent for the other houses on West Parade. The destruction of family size homes to make way for apartments for retired and mature residents is detrimental to the demography of the town. The proposal would also have an impact on the amenities of local residents, particularly Hastings Court, where a sea view will be blocked. Since a view is now considered for property valuations, it is only fair that "a view" is regarded as an amenity.

Adding these comments to our previous letter of objection emphasises our hostility to this development proposal."

5. PLANNING ASSESSMENT

The main issues raised by this proposal are:-

a) The principle of residential redevelopment and dwelling mix.
b) Impact on living conditions of neighbouring and future occupiers.
c) Loss of the existing properties, quality of design of the replacement buildings and layout and impact on the character and appearance of the area.
d) Access and parking.
e) Flood risk.
f) Sustainable Design and nature conservation.
g) Adequacy of development contributions.

As such, the application should be principally assessed against saved Worthing Local Plan Policies RES7, RES12, BE1, CT3, H10 and H18 and South East Plan Policies SP3; SP4; CC2; CC3; CC4; CC6; CC7; H1; H4; H5; T2; T4; NRM4; KTG6; SCT1; and SCT5. Government policy in PPS1 (Delivering Sustainable Development), PPS3 (Housing), PPS25 (Development and Flood Risk); PPS22 (Renewable Energy) and PPG13 (Transport) and allied design and other guidance is also particularly relevant.

The principle of residential redevelopment and dwelling mix

Support for the principle of residential development is provided by South East Plan Policies SP1, SP3 and H2, together with Government policy in PPS1 and PPS3, since the scheme is infill redevelopment on previously developed land, in the urban area, though local facilities are somewhat limited, despite the town centre being reasonably close. Certainly, the development would make more efficient use of land (resulting in a net increase of 10 dwellings), at a density of 65 dwellings per hectare. This is above the minimum threshold of 30 set out in PPS3 and not inappropriate for this seafront location, reasonably close to the town centre where higher density flatted development is well represented. A reasonable dwelling mix of 2 and 3 bed room flats and one 4

bed room flats also meets the objectives of PPS3 and South East Plan policy H3 in terms of sustainable communities. Additionally, it chimes with the findings of the Strategic Housing Market Assessment prepared for the Local Development Framework by helping meet the unmet need for more family sized accommodation. Whilst the site is not identified as a potential development site in the Strategic Housing Land Availability Assessment as a "windfall" scheme, it would contribute towards the South East Plan housing provision target.

As such, the proposal is acceptable in principle but the acceptability of any specific scheme depends on its particular circumstances and these are considered below.

Loss of the existing properties, quality of design of the replacement. buildings and layout and impact on the character and appearance of the area

Nos. 42 and 43 West Parade are pleasant, inter war suburban houses but of no intrinsic architectural distinction. No. 44 is a more distinguished period building with some local historic interest, enjoying a prominent location by the park. As a group, Nos. 42-44 contribute to the characteristic and broadly cohesive townscape of this part of the seafront. No. 44 in particular, balances the contrasting, but equally distinctive, Modernist house at No. 45, on the west flank of the park which is designated as a Local Interest Building. The group also provides a foil for the set piece development based around Marine Gardens. However, lying outside of any Conservation Area and not statutorily listed, none are protected under planning legalisation. Accordingly, whilst their loss is regrettable and would erode a part of the town's seafront heritage, this could not be resisted in principle under planning policy. Nonetheless, their architectural and townscape merits are relevant, in so far as any replacement scheme would, under planning policy, be expected to achieve at least a corresponding quality, whilst responding to local distinctiveness and exploiting any reasonable opportunities for enhancement and optimising development potential.

Turning to the merits of the replacement scheme, it is quite apparent that the proposal diverges from the specific pattern, scale and design of the *existing* buildings. Above all, its physical bulk is significantly larger than the existing houses. In particular, the penthouse of the larger block rises some 3 metres above the ridges of the existing houses and the smaller block rises by a metre. Their profiles are also broader and deeper than the hipped roofs of the existing houses and the spaces between the existing houses are largely lost. In the case of the space between Nos. 44 and 43, this is subsumed into the mass of the larger block and its penthouse, whilst the space between Nos. 42 and 43 is infilled up to just above the equivalent of eaves level of the existing houses. The footprint of the new development is also appreciably deeper and broader. Finally, the contemporary modernist art deco architectural style of the proposal contrasts with the more traditional suburban domestic style of the existing houses and the Edwardian influences of No. 44, especially.

That said, and recognising the obvious appeal of a more faithful reproduction of the existing buildings and their scale, there are cogent and persuasive arguments in the scheme's favour which merit serious consideration. Not the

least, the broader seafront already accommodates significant diversity, with an array of period and architectural styles, patterns and scales represented. These range from the row of post-war high rise residential towers and slabs at Marine Point and eastwards (not forgetting the Victorian, Dolphin Lodge), to the 3 storey purpose-built inter war flat roofs blocks arranged as a set piece around Marine Gardens and further west at Wellesley Court and the post-war, wide and pitched roof residential block at Roberts Marine Mansions, as well as the groups of low rise, inter- war, hipped roofed suburban houses which sit in between. Individualistic art deco buildings at No. 45 West Parade (3 storey) and at No. 44 (two and half storey) on the application site add to the variety. Against this background, the general form of the proposal need not be considered necessarily over–assertive, alien or incongruous. Indeed, the opportunity for the new Millennium to make its contribution to the seafront by introducing a more contemporary built form may be welcomed. Recent examples abound, with new contemporary styled residential blocks approved or built at Eirene Avenue, Marine Drive and Brighton Road on the seafront, albeit 3 storeys in height .

Looking at the evolution and detail of the proposal in its particular context, it is evident that copious efforts have been made to try and integrate the development into the townscape as well as achieve a high quality composition and design. In particular, extensive negotiations have resulted in the scheme being significantly remodelled and downscaled and the composition and design substantially refined.

Starting with the larger of the proposed blocks which is, perhaps, the most controversial element of the scheme, this stands at the western corner of the site, adjacent to the wide and open park and across from the distinguished No. 45 West Parade and relatively remote from the suburban seafront housing. At the same time, it faces the open seafront and resides at the western end of a stretch of buildings. Whilst significantly larger than its immediate neighbours, its scale would not be visually out of place in these circumstances. Specifically, it avoids overpowering the 2 storey suburban housing in the vicinity and would serve as an end-stop to adjacent development and a foil and defined edge to the openness of the park and seafront, responding to the corresponding book-end building at No. 45. Its relationship with the 3 storey Hastings Court to the north is a similarly acceptable, as the buildings are generally 20 metres or more apart, but still just over 14 metres at their closest point by the south west corner of Hastings Court. Moreover, the third storey of the proposed development is similar to the height of Hastings Court and both this floor and the larger block's penthouse are inset at around 2 and 4.5 metres respectively to avoid visually overpowering this neighbour.

In terms of the relationship of the smaller of the proposed blocks to its eastern neighbours, its scale sensitively steps down to 2 storeys immediately adjacent to the suburban house at No. 41 and enjoys a separation distance of some 4 metres with this neighbour. Even the roof of its (third storey) penthouse is slightly lower than the roof ridge of No. 41 and is inset from the edge of the building by just less than 2 metres. This avoids overpowering this neighbour and similar considerations apply to the houses in Rye Close.

The lift over-runs in both blocks are modest and well set back. They would not be prominent.

The impact of the development on seafront views generally is helpfully assessed in the submitted Urban Design Statement. To a significant degree, the development would be seen against the backcloth of the large buildings at Marine Point and Dolphin Lodge when viewed from the western seafront and Wellesley Court and, to a lesser degree, Roberts Marine Mansions when viewed from the eastern seafront. It is difficult to see how the scheme could be unduly prominent in these circumstances. As for the impact on the set piece development around Marine Gardens, this certainly is an interesting and unusual example of town planning. However, its geometric and ensemble form is not readily discernible from West Parade, and, again, it is difficult to see how the proposal would significantly detract from its setting, given the above and its composition, design and form as discussed below. Indeed, the overall scale of the development, arguably, also introduces a more appropriate and pleasing hierarchy of built form in this locality, with the tallest buildings now facing the seafront and stepping down in a graduated fashion to the hinterland.

The scheme's composition is generally of a high standard. In particular, the modulation of the development into three separate, basic elements helps try and reproduce the form, patterning and spacing of the seafront buildings and allied rhythm - i.e. larger "feature" block with front tower above entrance and smaller, understated block (both surmounted by penthouses), and the two blocks connected by a subordinate link building which is plainer, smaller and recessed and rendered in contrasting tone to reinforce its status. It also lends the scheme an intelligible, differentiated but harmonious and pleasing form and significant interest. As noted above, the massing of the development is stepped and in parts the footprints staggered to reinforce this impression and to try and avoid a bulky or monolithic appearance. Set well back from the building edge and extensively glazed, the penthouses take on a contrasting and lighter form to the two main blocks and would not be unduly prominent viewed from the street. A more human scale, compatible with the neighbouring houses generally, is achieved by the highly articulated form as expressed in the horizontal pattern and detailed design of the fenestration, and the balconies and vertical entrances features. Copious use of curves, light rendered finish and extensive glazing generally further serve to diffuse and reduce the impression bulk and lighten the appearance of the building, generally. The dual frontage of the western block suitably addresses the park, adding interest and animation on this important and exposed frontage. The rear elevation has been significantly improved during negotiations to offer an interesting and well modulated and articulated elevation.

Overall, the scheme respects the prevailing building line and maintains the open forecourt, characteristic of the seafront. The quality of the landscaping proposed and removal of the prominent front curtilage parking is a distinct improvement on the current situation and the refuse/recycling facilities are well screened. The offer to enhance the landscaping of Marine Gardens is welcomed and supported. The detail may be negotiated and the works secured by a legal undertaking. The vehicular access to the basement

parking is relatively inconspicuous due to a curve in the approach drive and landscaping.

In terms of architectural style, the contemporary modernist art deco design sits very comfortably in the seafront townscape, compatible with the town's rich art deco heritage, including many buildings in the immediate locality such as Hastings Court and No. 45 West Parade, and complements similar seafront schemes recently approved or built such as at Eirene Road or Marine Drive. A good standard of design has been achieved.

Impact on living conditions of neighbouring and future occupiers

As noted above, the physical mass of the proposed buildings is substantially larger than the existing houses. Besides being taller and broader, the two main blocks are sited closer to the rear boundaries of the site by generally 4 to 5 metres and the development would step beyond the back of No. 41 West Parade by just over 2 metres.

However, following recent revisions, the siting, massing and form of the development have been more sensitively re-arranged to avoid any unacceptable impacts.

In terms of overbearingness, separation distances with Hastings Court of generally 20 metres or more are achieved, excepting the pinchpoint by the south west corner where separation distances of 14 metres still remain. Separation distances of 4.5 metres to No. 41 West Parade and around 18 metres to the main building at No. 1 Rye Close would also prevail. These are generally substantial distances in themselves. However, the impact is diminished still further by the stepped form of the new blocks with upper floors significantly set back and the staggered footprint of the blocks with the building pulled back at critical points, including the link building close to the Hastings Court pinchpoint. The orientation of Hastings Court is also critical here. Moreover, the modulation and articulation of the buildings, including fenestration and use of light render help reduce the impression of bulk. Furthermore, the windows on the facing flank wall of No. 41 West Parade are obscure glazed and much of the common boundary with the application site is currently occupied by substantial garages which screen its back garden. In addition, the bulk of the former curtilage space of the care home at No. 1 Rye Close is occupied by single storey buildings which look towards a small internal courtyard and are unaffected. Some compensatory openness would also result from the removal of the existing substantial outbuildings and extensions adjacent to immediate neighbours, including the substantial pitched roof garage on the boundary with No. 41's rear garden and the large rear conservatory, close to that boundary as well as the garages at the back of No. 44, adjacent to Hastings Court.

Quite apart from a loss of outlook generally, the loss of sea and sky views from Hastings Court across the application site is a particular concern of some residents of this block. However, supporting documentation submitted by the applicants indicates the actual impacts would be relatively limited.

Critical to this assessment is the fact that existing views across the application site are already quite constrained. In this regard Hastings Court has a curved and angled footprint which is orientated to face north-west across Marine Gardens onto Winchelsea Gardens, rather than face the application site. Due to the internal layout, flats do benefit from a dual aspect but their rear elevations, generally, look south east towards Rye Close. Added to this, four curved turret stairwells stand on the south east and east elevations. These limit views still further for the flats in the more northerly part of the block across the application site. In any event, the views from ground floor flats across the application site are effectively obscured by the substantial existing buildings on the site and the large outbuildings by the common boundary. The south eastern aspect from first floor rooms and balconies in Hastings Court does, nonetheless, provide brief glimpses of the horizon between and around the existing buildings on the site. Slightly better views are obtained from the second floor, including views over the roofs to the sky but not the sea. Views from Rye Close are very limited or non-existent. The best sea views, however, are from the upper floor flats on the south west corner across Marine Gardens across the park, rather than through the application site. Interestingly, the opportunity to exploit views from the large roof by creating a communal roof terrace/garden, have not been exploited and this may be because of access and structural strength issues.

The proposed scheme would certainly reduce the sea views of neighbours across the site due to its increased bulk. Only a narrow glimpse of the horizon would be visible from the second floor of Hastings Court above the two storey link element in the scheme and the first floor flats would be restricted to views of the sky. The views from ground floor flats and Rye Close properties would be largely unchanged. However, seaward views across the gap between the eastern block in the new scheme and No. 41 would remain. In addition, the principal views from the flats on the south west corner of Hastings Court, which are generally closest to the new development, would not be substantially affected.

Natural light and sunlight studies submitted by the applicants indicate that actual impacts on neighbouring properties would be very limited. Generally, increased overshadowing is confined to a greater incursion into the curtilage area of Hastings Court. This does include the landscaped garden area in the south west corner of the site but this would be unaffected during the summer months when it may enjoy its greatest use. Hastings Court itself is most affected for a brief time at around midday in the period of the winter solstice, when the sun is very low in the sky. However, the submitted studies demonstrate that there would be no breaches of Building Research Establishment (BRE) indicative sunlight standards for any window in Hastings Court. The one instance where a breach occurs is confined to a small secondary window to a ground floor bedroom in a care home in Rye Close, where sunlight is already restricted. The breach appears to be small and technical. Natural light losses are limited to a marginal breach of standards of one glazed door to a ground floor kitchen window in Hastings Court, which is served by two other unaffected windows, and standards for the room as a whole are not breached.

The scheme has been intelligently designed to avoid problems of overlooking with the main orientation of the development facing southwards and westwards to the seafront and park. The upper floor windows serving habitable rooms are either obscure glazed or high level on the inner and eastern outer flanks and to the rear, or, set back an acceptable distance from the nearest dwellings with facing windows serving habitable rooms. Likewise, the roof terraces and balconies are confined to the front, western flank overlooking the park and internal flanks. There is a degree of inter-visibility already between the application site properties and its neighbours and the scheme would not unacceptably aggravate this, especially given the location and the character of the area.

There would be a more intensive use of the site. However, access is at the front, remote from neighbouring properties and the parking is sited underground. The re-sited refuse/recycling facilities are also remote from the nearest house at No. 41. Good screening and buffers close to the boundaries also serve to minimise disturbance. In any event, this is an urban location, close to the seafront and public park where higher levels of activity may be expected.

All the flats would be of a good size and would enjoy private amenity space in the form of balconies or roof terraces and extensive communal gardens.

The aim is that the underground car park would be naturally ventilated by louvres in the raised planters to the rear of the site and the entrance ramp and louvres to the south. The Executive Head of Health, Housing and Community Safety has raised no objections to this form of ventilation, or the location of the louvres, but if mechanical ventilation were to be used, this would need to be carefully controlled. A suitable condition may achieve this.

The impacts of construction on the stability of nearby buildings are generally dealt with under other regulatory means such as through building control or civil law.

Access and parking

The site is situated in the heart of the urban area with good road connections. However, good quality, convenient public transport is limited. The nearest shops are at Rowlands Road, around 1 km away, although the town centre is not much further. Overall, the site enjoys an acceptable level of accessibility and there is no objection on this basis.

There would be an increase in traffic generation. However, concentrated into a single point of access and designed to meet the appropriate standards, the Highway Authority considers that this development could be satisfactorily accommodated within the existing road network and, in this respect, has subsequently accepted in full the Designer's Response to the submitted Stage 1 Safety Audit.

The 23 car parking spaces are within the maximum standards and are considered appropriate for the type of flats and the location. The Highway Authority also accepts that there appears to be sufficient available on-street

parking on West Parade itself to absorb any overspill because there is extensive parking space.

Pedestrian access arrangements are safe, convenient and inclusive. Cycle parking facilities are satisfactory. Concerns expressed over shared use by cycles and vehicles of the access to the basement appear misplaced as this arrangement is common practice and no different to shared use of the public highway. The domestic refuse store has been re-sited to the forecourt following concerns raised by the Waste Planning Manager and Highway Authority and now provides safe and easy access. The applicants have demonstrated that there is sufficient headroom to the basement parking area to allow use by transit vehicles.

Flood risk

The site lies within Flood Risk Zone 1, the lowest category of risk. A Flood Risk Assessment has, nevertheless, been submitted which concludes that because it is a small site in Zone 1, a sequential test under the Government's PPS25 Development and Flood Risk: Development is not required. It also shows that there is sufficient capacity to discharge surface water to the public sewer. However, Southern Water's preference is for discharge to soakaways and they have requested a suitable condition to reserve control of this matter. The Environment Agency has issued advice but not raised any objections. In terms of marine flood risk, it is apparent that the living accommodation is raised well above ground level.

Sustainable design and nature conservation

The scheme incorporates sustainable design with a commitment to achieving Level 3 of the Government's Sustainable Homes Code.

The County Ecologist has advised that the site does not have significant potential for hosting bats. The proposed landscaping added to that at Marine Gardens, could increase wild life interest.

Development Contributions

Financial contributions in respect of mitigation measures to absorb the additional pressure on the existing transport network (£13,640), the fire service (£144) and existing amenity space (£22,979) would be required.

6. CONCLUSIONS

The principle of residential redevelopment is acceptable on this brownfield site, within the heart of the urban area, even though a full range of local facilities and services are not very near. The scheme optimizes development potential at a suitable density. The dwelling mix is satisfactory and the scheme would contribute towards meeting housing targets.

The loss of the existing houses is regrettable because of their townscape value, particularly No. 44 which is a fine distinguished building, but these

buildings are not protected. The proposal building would be substantially larger than the existing houses and would be more prominent but, following revisions to downscale, remodel and refine the scheme, it is considered that the proposal now achieves a suitably high standard of design, which is sustainable and sensitive to its context and which would enhance the seafront. The scheme would have some impact on neighbouring residential properties but not unacceptably, particularly given the orientation, siting and layout of Hastings Court. Traffic, parking and servicing arrangements are acceptable and the development would not be exposed to flood risk. A unilateral undertaking to secure the necessary development contributions and landscaping at Marine Gardens is awaited.

As such the proposal is supported subject to the recommended conditions and receipt of a suitable unilateral undertaking.

7. RECOMMENDATION

THAT THE DECISION IN THIS CASE BE DELEGATED TO THE EXECUTIVE HEAD OF PLANNING, REGENERATION AND WELLBEING TO AWAIT THE COMPLETION OF A LEGAL AGREEMENT IN RESPECT OF DEVELOPMENT CONTRIBUTIONS WITH A VIEW TO PLANNING PERMISSION BEING GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:-

1. 5 year permission.
2. C12B Windows to be obscure glazed.
3. C12F Provide combined aerial facilities.
4. C12I Restrict balconies/roof terraces.
5. C12L Provide refuse/bin stores for flats.
6. C13LRV Sustainable development.
7. C5B Provide parking before occupation.
8. C5K Provide secure cycle parking for flats.
9. C6F Measures for surface water discharge.
10. C6I Existing access(es) to be stopped up.
11. C6H Access before occupation/commencement.
12. C6K Park/unloading area during construction.
13. C6L Materials/plant area during construction.
14. C7E Provide scheme for dust suppression.
15. C7G Limitation on hours of construction.
16. C7I Restriction on external lighting.
17. C8A Agree/provide landscaping scheme.
18. C9B Agree samples of materials.
19. Agree architectural details.
20. C13K Investigation of potential contamination.
21. Flood risk mitigation.
22. High Level windows.
23. Boundary treatment.
24. C6B Turning areas to be agreed and provided.
25. Visibility sightlines.
26. No plant on roof or mechanical ventilation in basement without prior approval.

IT IS ALSO RESOLVED THAT IF THE APPLICANT SUBSEQUENTLY DECIDES NOT TO SIGN THE LEGAL AGREEMENT, THE EXECUTIVE HEAD OF PLANNING, REGENERATION AND WELLBEING BE AUTHORISED UNDER DELEGATED POWERS TO REFUSE THE APPLICATION.

8. BACKGROUND PAPERS

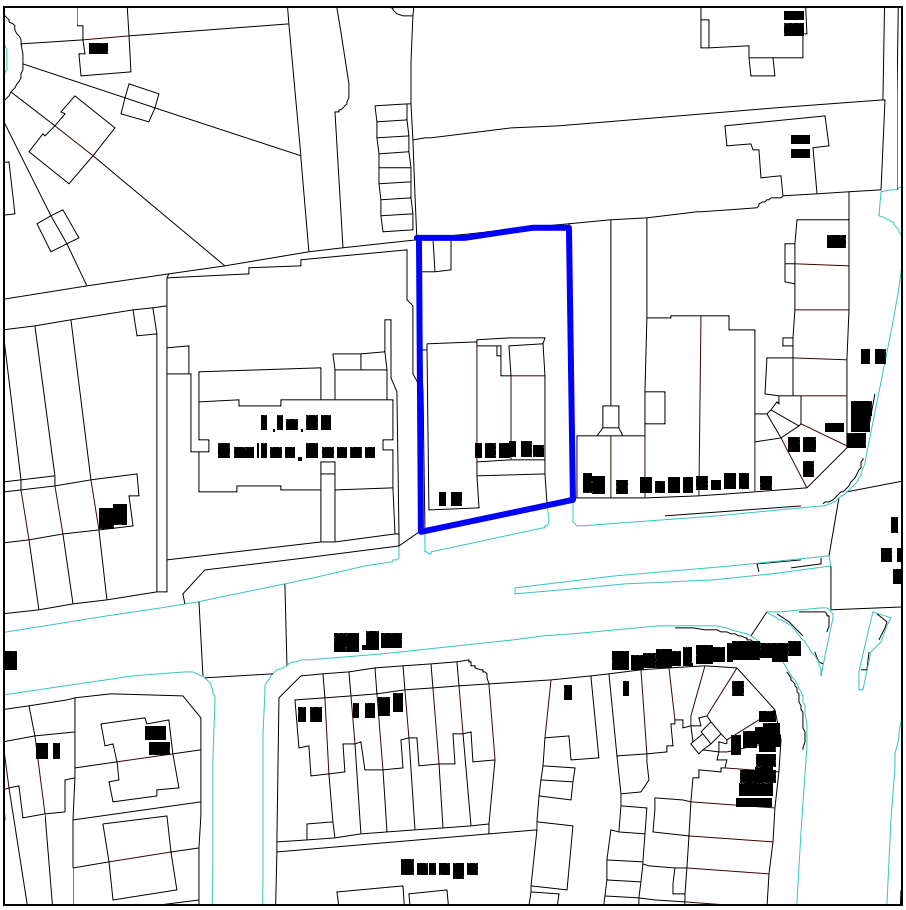
Observations of West Sussex County Council including the Highway Authority
Letters of Representation from Members of the Public
Letters of Representation from The Twentieth Century Society
Observations of the Environment Agency
Observations of the Executive Head of Health and Community Safety
Observations of the Strategic Planning and Regeneration Manager
Observations of Southern Water
Observations of County Ecologist
Observations of the Waste Strategy Manager
Observations of the Leisure and Cultural Services Manager
Observations of The Twentieth Century Society
Observations of the Police Crime Prevention Designer

Saville Jones Architects
Worthing Homes

WB/09/0732/FULL
SAL
PD

Location : 12 Littlehampton Road

Proposal: Demolition of existing building and construction of new building comprising 22 flats in part three and a half storey, two and a half, two and one storey buildings including car parking for ten spaces and landscaping.



Not to Scale

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1. THE PROPOSAL AND THE SITE

This is a full application to redevelop this site of two storey post-war buildings comprising commercial on the ground floor and flats above, with 22 flats in two blocks. The frontage building would be a three and a half storey block and the rear block would be three storeys stepping down incrementally to one storey at its northern end. There would be ten on-site parking spaces.

The site and surroundings

The site is on the north west side of the Littlehampton Road/Offington Lane crossroads on the outer fringe (non-core area) of the Thomas A Beckett neighbourhood shopping centre, in a mixed residential suburb. The site is 0.116 hectare, rectangular and generally flat with a gentle slope up from south to north.

The existing buildings were built in the late 1960s. They are two storeys with single storey elements at the rear. No 14 is the more western building and projects forward of No. 12 in brick with a rendered first floor and gable. The recessed No. 12 encloses a colonnaded area below the first floor which is tile hung. The buildings benefit from a relatively deep forecourt and accommodate 3 vacant commercial units at ground floor (providing some 352 square metres of floorspace) and two flats on the upper floor.

Vehicular access is along the eastern boundary and leads into a hard surfaced car park occupying the whole of the rear area which includes two large garages in the north west corner. Pedestrian access to the upper floor flats is at the rear across the roof of the commercial units. This roof area serves as a roof terrace.

To the west, and separated by a vehicular access, is Carlton House. This is a 1960s, flat roofed, 3 storey block of flats, with blank flank elevations, except for windows serving a stairwell. There is a 3 metres tall fence supplemented by several substantial conifers on the common boundary at the rear. It is set back behind the building line with a lawned frontage and sits on slightly raised ground (just less than a metre).

To the east is Nos. 8-10 Littlehampton Road, a 3 storey 1950s block with hipped roof, whose upper floors step in at the rear to create a recessed area. It contains shops on the ground floor and flats on the upper floors, accessed from an enclosed, projecting rear stairwell. Its main side facing wall is blank save for a few obscure glazed windows serving non habitable rooms, though its rear elevation contains windows serving bedrooms. A large commercial car park is situated at the rear. The common boundary is open, marked only by bollards. Beyond Nos. 8-10 Littlehampton Road and running much deeper into the site is a 3 storey office/retail block Nos. 5a, 5b, 5c and 5d.

To the north is the relatively recently constructed residential development at Nos. 11 and 15 Offington Lane, now renamed Walnut Court. A tall windowless gabled elevation three and half storeys high sits two metres off the common boundary with the current application site on slightly higher ground. A two storey linked residential block faces the site but is situated some 11-12 metres from this boundary which is marked by a 2 metre high fence supplemented by a landscaped strip comprising plants and bushes. Some semi mature birches which previously featured on this eastern boundary appear to have been felled during construction.

Littlehampton Road is a busy distributor road (A2032) and the neighbourhood shopping centre is well served by buses. It offers only a limited range of local facilities but still includes a post office, public house, pharmacy, newsagents,

and hairdresser. There are double yellow lines and a bus stop outside the application site and nearby public car parks at the rear of No. 9 Offington Lane and within the north east quadrant of Poulters Lane/Offington Lane.

The proposal

The application proposes to clear the site and erect a three a half storey residential block on the frontage with a lower detached block at the rear. The front block would be set slightly forward of the building line and between one and one and half metres from the western boundary. There would be a vehicular underpass on the east side in a similar position to the existing access. There would be a parking area for ten cars, arranged in linear fashion along the eastern boundary with.

The design of the front block features a central projecting gable which provides the pedestrian entrance. Whilst the main element of the block rises some 3 metres above Carlton House, the eastern wing is marginally recessed and lower and broadly aligns with its eastern neighbour. The main roof appears to be pitched with linked double gables on the western flank and barn ends on the largely screened eastern flank. However, these conceal a large central flat roofed area behind. The top floor is set in the roof and is served by flat roofed dormers at the front and back and windows in the side gables and barn end.

The rear block is sited between 1.0 metre and 2.5 metres from the western boundary but over 12 metres from the eastern boundary. It's main outlook is eastwards facing the car park, buffered in parts by a very narrow landscaped strip. It is accessed from two communal entrance doors. The block steps down in a graduated form from three storeys, to one and a half and then one. It is set between 1.5 and 2.5 metres from the northern boundary. Again, the roof appears to be pitched, incorporating a range of projecting, gabled bays and half dormers on both flanks and with a gable at the rear which altogether produces a staggered footprint. However, the pitched roofs also conceal a large central flat roof.

The open space at the rear is dedicated almost entirely to car parking. However, the car park incorporates landscaping and is paved to serve as a shared pedestrian and vehicular courtyard. Small tarmaced rear gardens are shown on the western boundary and a number of the flats on the upper floors of both blocks would have Juliette balconies. The first and second floor flats in the north east corner of the main block would have small balconies in the recessed corner.

The southern part of the ground floor rear block would accommodate an enclosed cycle store for 20 cycles and refuse storage. A tarmaced clothes drying area would be created on the northern boundary.

The frontage of the main block would be laid out as a soft landscaped garden for the adjacent flats, bounded by a low brick wall.

Both blocks are designed in a contemporary style, reportedly, influenced by the nearby Tudorbethan style of the inter-war commercial buildings. Defining

features are the strong vertical lines and divisions, steep pitched roofs, bays, flat roofed tall dormers, slim and tall windows, and bracketed eaves in the gabled bays. The development is designed as a cohesive group of buildings faced principally in white render with contrasting dark grey brickwork, mostly on the ground floor. Roof tiles are unspecified but appear to be red/brown plain tiles.

The proposed development is to be occupied by Worthing Homes for affordable rented housing comprising 10 x one bed flats and 12 x two bed flats.

It is designed to achieve Level 3 of the Government's Sustainable Homes Code.

The application is supported by a Design and Access Statement and Daylight and Natural Light Impact study and draft unilateral undertaking. It has been preceded by extensive pre –application negotiations.

2. APPLICANT'S DESIGN AND ACCESS STATEMENT

The applicant has submitted the following Design and Access Statement:-

"1.0 INTRODUCTION

1.1 This report relates to the planning application to the Worthing Borough Council for the demolition of 12 Littlehampton Road, Worthing, and the erection of new residential accommodation for Worthing Homes.

2.0 DESIGN

2.1 Development Proposals

2.1.1 The site under consideration is No. 12 Littlehampton Road, Worthing, West Sussex. The property is situated on the north side of the Littlehampton Road, just to the west of the Thomas a Becket crossroads.

2.1.2 The site is currently occupied by a two-storey commercial building comprising two shop units and two residential units over, together with car park and service yard to the rear. (see Fig. 1 and Fig. 2).

2.1.3 The proposal is to demolish the existing building and erect a new four-storey apartment block, fronting Littlehampton Road and with a rear section running north-south, stepping down from three storeys at the southern end to single storey at the north end. The remainder of the site being laid to gardens and car parking. The new development will comprise 10 no. 1 bedroom apartments and 12 no. 2 bedroom apartments.

2.1.4 The scheme is designed to achieve Code for Sustainable Homes category 3 as a minimum, but it is anticipated that the final scheme will achieve category 4.

2.2 Layout

2.2.1 The site is deeper than it is wide and so the new accommodation is running north to south, along the western side of the site, leaving the eastern side for access road and car parking. Parking provision is for 10 cars.

2.2.2 This arrangement allows the existing vehicular access from the Littlehampton Road to remain.

2.2.3 The apartments at the southern end of the site face the Littlehampton Road, while those behind, have an east-west aspect.

2.2.4 The southern block extends over the site access road, at first floor level and above.

2.2.5 The pedestrian routes to the new residential accommodation will be from the Littlehampton Road, with direct access into the southern block and via a pathway to the rear accommodation.

2.2.6 In addition to the car parking, the site will include covered bicycle storage and an enclosed bin store. Areas in front of the apartments and around the perimeter of the site generally, will be landscaped and planted.

2.3 Scale

2.3.1 The new development has been designed to present a mixture of storey heights and massing, with the buildings ranging from single to four storeys in height. The tallest part of the development is the four storey block fronting the main road. This matches the existing buildings to the east of the site. The top floor of the new development being within the roof of the building with dormer windows. Carlton House to the west of the site is a three storey building and is located over 6m from the proposed development.

2.3.2 The rear block, running north-south is single storey at the northern end, closest to the Nos. 11-15 Offington Lane development. This part of the proposed development steps up to two and then three-storeys, thereby creating a gradual increase in height from north to south.

2.3.3 In addition to the variety of storey heights the design incorporates gables and modelling of the walls to break down the mass of the building and present a more human scale. There are also a variety of window heights with some being full height with protective balustrading, or 'Juliette Balconies'.

2.3.4 The design has influences from the 'Tudorbethan' buildings on the Thomas a Becket crossroads, picking up on the bay and gable without being a copy or pastiche.

2.3.5 A Daylight and Sunlight Report has been prepared and is included within this application

2.4 Landscaping

2.4.1 The site will be laid out for car parking at the rear of the building, on the east side of the site. This will be finished in brick/block paving. Surrounding areas will be landscaped and some of the ground floor apartments will have small garden areas.

2.5 Appearance

2.5.1 The proposal is to use a mixture of brick and render to the elevations, with plain tiles to the roof.

2.5.2 The design has been developed in close consultation with the Planning Department at Worthing Borough Council. The style of the building reflecting the strong influence of the 'Tudorbethan' buildings on the western corners of the Thomas a Becket crossroads, in a contemporary manner with a strong vertical emphasis, steep roof pitches and gables.

2.6 Use

2.6.1 The apartments will provide social housing through Worthing Homes housing association.

3.0 ACCESS

3.1 The site is located close to the Thomas a Becket crossroads and is well served by buses. West Worthing Railway Station is just under 1 mile away.

3.2 The site is on the Littlehampton Road, which is the A2032 with good access from the west of the town. It is also close to Offington Lane, the A2031, with good links to the A24 and towns to the north and also to the A27 with towns to both east and west.

3.3 There are local shops very close to the site.

3.4 There will be level access into the building at all entrances.

3.5 None of the apartments is designed for wheelchair users.

4.0 PLANNING POLICY

4.1 The site lies within the Thomas a Becket District Neighbourhood Shopping Centre, but the existing property has been empty for some time.

4.2 The scheme will also follow the requirements of PPS 3, with the overriding concern that namely that everyone has the opportunity of living in a decent home.

4.2 The following Worthing Local Plan Saved Policies have been considered in the design:

Planning Policy BE1

In accordance with Planning Policy BE1, this scheme has been designed to give a high quality and to enhance the existing. The design takes into account the massing of the buildings and features around it.

Planning Policy BE16

In accordance with this policy, the proposal includes the creation of external hard and soft landscaped areas.

Planning Policy H2

The proposals make efficient use of the site and also provide a accommodation for small households in line with this policy.

Planning Policy H9

The proposals occupy an infill site with a change of use, which this policy seeks to support.

Planning Policy H10

The proposals involve the loss of two residential units but provide 22 new residential units and so conforms to this policy by increasing the number of dwellings.

The following West Sussex County Council Structure Plan Policies have been considered in the design:-

Structure Plan Policy CH1

The proposals accord with Structure Plan Policy CH1 in seeking to maintain the character of this distinctive part of the town, with the design influence being taken from the distinctive buildings at Thomas a Becket.

Structure Plan Policy NE5

This policy seeks to protect employment opportunities. Whilst this proposal involves the loss of two commercial units, these are empty and have been so for some time, indicating that there is no demand for such accommodation in this area.

Structure Plan Policy DEV4

This policy seeks to ensure that new development takes place close to public transport. The proposal site is well served by local buses and there is a railway station less than a mile away. New cycle storage provision is also proposed as part of this scheme.

5.0 CONCLUSION

5.1 An Outline Planning Application for a residential development on this site was approved in October 2004, reference: WB/04/01102/OUT. That approval was conditional on the design and external appearance of the building(s) and the landscaping of the site being approved as reserved matters.

5.2 The current application seeks to get approval to those reserved matters, although landscaping design will not be completed until later in the project and so we would ask that this be made a condition of any full planning approval granted.

5.3 *The proposals provide a high-quality development providing much needed social housing in a good location, close to shops and public transport and within easy reach of the main routes into and out of the town."*

3. CONSULTATIONS

The Strategic Planning and Regeneration Manager comments that:-

"The site is located within the non-core area of Thomas A' Beckett Neighbourhood shopping centre.

There are a number of saved Worthing Local Plan 2003 policies that are relevant;

BE1 - Design
H10 – Loss of existing dwellings
H18 –Amenity
TR9- Parking
LR8 – Leisure contribution
S12 – Non core uses in neighbourhood/district centres

History

A number of records relate to this site including an approval in 2004 for an outline application for a four storey block of 14 one bed flats and 10 two bed flats 04/01102/out) subject to reserved matters approval). This application included retail on the ground floor.

Current proposal

This application seeks to demolish the existing building and construct 22 flats – 10 x 1bed flats and 12 x 2 bed flats. It involves the loss of 3 retail units – approx 450sqms. In addition it will involve the loss of two existing residential units.

There are number of policy considerations in respect of this application;

- *Loss of retail*

  The retail units are located at the edge of the centre and within the non-core element. There is a residential block, Carlton house, to the west and the 'core' area of the centre to the east.

  Saved policy S12 of the WLP 2003 which relates specifically to the non-core area of district and neighbourhood centres allows for a flexible approach to the uses proposed. Objective 20 of the WLP seeks to promote local centres as a focus for retailing, business, leisure and social facilities at a community level. In the non –core areas the policy allows for social and community uses as well as A1, A2 and A3. In this case the proposed development would result in the loss of 3 retail units to residential use. As such the proposal would be contrary to policy S12.

- *Health Check and survey history of Thomas a Beckett neighbourhood centre. Our surveys between 1998 -2007(oct) show that these three units were occupied. The last uses at Oct 2007 were as follows;*

  12a - D1 - Health and Beauty
  12b – A1 – Business Computers
  14 (12 ?) – A2 – Business centre

  The design and access statement included as part of the application indicates that the retail units are vacant and have been for sometime but no further information has been submitted.

  A health check was carried out on this parade in 2005 but there is no recent assessment of the parade. In 2005 the conclusion of the health check was that the centre did not appear to be meeting a local need although it was functioning well with no vacancies. At that time only 3% of the floor space was occupied by convenience uses. At the time the centre was dominated by service uses especially offices and property services. There was a question as to its role as a neighbourhood centre. Further work will be considered as part of a review of the functions of the centres within the retail hierarchy for the ongoing LDF work.

It is nevertheless currently defined as a neighbourhood centre and there is a saved local plan policy relating to acceptable uses.

- *Affordable Housing*

  The site is included as a site within the SHLAA 2009 as a site with planning permission. Its status is indicated as suitable and achievable by 2010/11. Gross units to be delivered =21 net units =19 units. It is noted that the site is owned by an RSL. The approved application referred to, included the provision of retail on the ground floor.

  The Strategic Housing Market Assessment (SHMA 2009) identified that there is an acute affordable housing need. The need for affordable housing is a result of a combination of market conditions, low earning bias and existing social housing stock. The report shows acute pressures on affordable housing, partly influenced by the significant barriers to market entry which currently exist. The results of the housing needs assessment estimates that the net annual housing need in Worthing is between 161-261 households. This compares to an annual housing requirement for 200 homes per annum in the SEP. The lower estimate is based on acute need for social rented housing from those in reasonable preference groups. The higher estimate is based on meeting the need of all those on the councils waiting list.

- *Loss of residential*

  There will be two residential units lost but replaced by an increased number so no objection raised.

- *LR8 Contributions*

  A leisure contribution is required for this application. The application is in the Tarring ward and contributions are required for equipped children's play space, casual/informal play space and adult/youth outdoor sport.

  The total contributions are as follows;

  <u>Leisure contribution</u>

  12 x 2 bed = 12 x 3 = 36
  10 x 1 bed = 10 x 2 = 20

  Total occupancy = 56

  On site provision requirements:;

  Equipped – 36 x 234 = 8424
  Casual/ informal -56 x 39.37 =2204.72

Adult/youth - 56 x 248.88 = 13937.28

Total contributions = £24,566.

Conclusion

In the light of the additional information submitted together with the acceptance by the Economic Development section, I would agree that a case can be made in this instance to justify the loss of these units, in that they have been marketed, they are edge of parade, the parade is struggling and has a history of problems and that there is some community benefit re affordable housing. Therefore, in consideration of the above, no policy objection is raised."

West Sussex County Council Highway Authority comments that:-

"This response comprises of the views of West Sussex County Council Local Development Division. The highways and infrastructure contribution requirements of this proposal have been considered and these views are incorporated within this response.

The planning history for this site is duly noted, as is the fact that there is an existing outline consent on this site, approved under WB/04/01102/OUT, for the provision of 24 flatted units with 24 parking spaces, and 144sqm of retail floor space. The current scheme differs with the number of residential units and parking provision reduced, and with the small retail element removed altogether. A schedule of accommodation for the approved and proposed uses is also included. This details that WB/04/01102/OUT comprised of 21 units rather than 24 as the description seems to imply. It's therefore unclear what has been approved previously (24 or 21 units) but viewed against the 22 units now proposed and in terms of vehicle movements, there would be very little difference in terms of vehicle movements compared with that already approved.

I am mindful of the fact that current WSCC policy would require a Safety Audit to accompany a planning application proposing 10 or more residential units or 1,000sqm of commercial floor space. I am mindful also that there is an existing site access that is to be retained and used for this proposal, the fact that the Highway Authority did not raise any highway safety issues with the previously approved scheme, and that the current proposal may result in a less intensive use of the access when viewed against that which is already permitted. On that basis, there would seem no justification to seek a Safety Audit in this instance.

As mentioned above, no changes are proposed to the existing site access, other than the increase in the width of the access road and provision of a segregated footway. There is also a central median island within the A2032 that restricts vehicle movements and permits vehicles to turn left in and left out only. No concerns would be raised to the continued use of this access.

A notable difference between the approved and presently proposed schemes is the reduction in car parking provision. The approved application included

24 parking spaces. The current scheme includes 10 spaces. The proposed parking provision is within the WSCC Parking Standards. There is limited on-street parking availability within close vicinity of the site, with there being in particular no waiting restrictions along the A2032 site frontage. There is a car park within very close walking distance however, and thus it may be anticipated that any additional car parking demands may take place within this.

The site is sustainably located with there being passenger transport facilities to the immediate frontage of the buildings. Worthing town centre is a reasonable walking or cycling distance to the south. The location of the site should therefore encourage the use of sustainable transport and lessen dependency on the use of the private car. The cycling parking provision does need to be increased to accord with the minimum parking standards with a minimum of 34 cycle parking spaces provided.

In light of the approved scheme, there would be no highway objection to this proposal.

Contributions are required pursuant to s106 of the Town and Country planning Act 1990 to mitigate the impacts of the subject proposal in terms of demand on Highways and Sustainable Transport that would arise in relation to the proposed development.

Planning obligations requiring the above money is understood to accord with the Secretary of State's policy tests outlined by the in the ODPM Circular 05/2005 Annex B.

All TAD (Total Access Demand) contributions have been calculated in accordance with the stipulated local threshold and the methodology adopted as Supplementary Planning Guidance (SPG) in November 2003.

The calculations have been derived on the basis of an increase in 20 Net dwellings and an increase in an additional 10 car parking spaces. They are £15,040.

In conclusion, there would be no objection on highway grounds. Comments are awaited in regards of the archaeological implications. Infrastructure contributions would be required as detailed above.

CONDITION
Car Parking
The flats, hereby approved, shall not be occupied until such time as the car parking spaces have been provided in accordance with the approved site drawing.
REASON – in the interests of highway safety.

Cycle Parking
The flats, hereby approved, shall not be occupied until such time as provision for cycle parking has been provided within the site in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

REASON – to encourage the use of sustainable methods of transport.

No development contributions towards upgrading education (schools) or fire service are required as the proposal is for affordable housing."

The Economic Development Team comments are as follows:-

"*This property has featured in our Commercial Property Register and is detached from the main parade. We appreciate the property has been marketed unsuccessfully for more than one year and a change of use on this commercial space should not impact on the viability of the main parade. We have, therefore, concluded that we are unfortunately unable to raise an objection*."

The Environmental Health Manager's full comments are awaited but previously he raised no objections subject to the satisfactory insulation of the flats from road traffic noise and precautionary examination of the site for contamination.

The **County Archaeologist** comments that:-

"Advice has been sought in regards of the archaeological implications of this proposal and the following comments have been made by the West Sussex County Council (WSCC) Senior Archaeologist.

In 2007 I commented on two applications at this address (WB/07/0341/OUT and WB/07/1399/ARM) directly to Worthing Borough (before the Development Team approach was formalised).

I observed that the northern boundary of the application site lies a few metres south of the location where an important group of Romano-British cremation burials together with complete/ near complete funerary pottery vessels was discovered in 2006. These had come to light in the rear garden of 11-15 Offington Lane (which lies adjacent to the application site to the north) in the course of archaeological evaluation and recording undertaken prior to redevelopment by Taylor Woodrow.

I recommended that a condition should be attached to the planning consent for the 12, Littlehampton Rd residential development to provide for a scheme of archaeological recording in advance of the construction of the proposed new flats and following the demolition of the existing structures on site. Although the existing building fronting Littlehampton Road may have disturbed any archaeological features and deposits within its footprint, there is an area of car parking (presently down to concrete hardstanding) to the rear (north) of the existing building which will be built upon in the footprint of the proposed development and which may contain undisturbed features/ deposits beneath the anticipated depth of the hardstanding.

I suggest a 'negative' or 'Grampian' style condition to provide for recording following demolition but before the commencement of construction. (Although the standard wording may refer to commencement of development - which could be interpreted literally as the demolition phase - in practice the

archaeological recording would fit in before commencement of construction. Nevertheless, the removal of the concrete hardstanding will need to be undertaken under archaeological supervision as part of the condition relating to archaeology. I recommend the example condition given in PPG16 para 30 or Circular 11/95, Appendix A, condition 55. I am happy to advise Worthing Borough on the suitability of a Written Scheme of Investigation (specification) submitted in due course by the applicant's archaeological contractor."

Southern Water raises no objections.

The Environment Agency's comments are awaited but it raised no objections to previous applications subject to the imposition of a suitable condition regarding surface water drainage.

4. REPRESENTATIONS

At the time of writing, five representations from Nos. 101 Ardingly Drive, 18 Northfield Road, 11 Walnut Court (15 Offington Lane), 6 Rogate Close and 5 Littlehampton Road have been received raising the following objections:-

i) Concern at overlooking, loss of privacy, loss of natural light and overbearing impact to Rogate Close from building taller and nearer than existing buildings.
ii) A three an a half storey block of flats is not in character with the area.
iii) It is over development and will place a strain on existing amenities from over 50 extra people. The present mains soakaways and drainage are barely adequate at the moment and the development at Nos. 11-15 Offington Lane will add to this problem.
iv) It will have an adverse effect on highway safety, traffic and parking impacts: the development is close to the busy and dangerous Thomas A Becket junction, where parking is already restricted. Cars have to park on surrounding roads. Traffic is already very heavy at peak times and term time, often tailing back to Stone Lane. Parking is inadequate for the size of development. Each flat will probably have more than one car. The development at Nos. 11-15 Offington Lane results in visitors' spaces being used by residents and unauthorised parking. The management company are considering introducing wheel clamping which will also force residents to park on the street. The previous application had 19 to 24 parking spaces and green spaces, whilst the current application has just ten car parking spaces in an overcrowded area and no green spaces.
v) Development must be designed to avoid light pollution to the night sky

5. RELEVANT PLANNING HISTORY

WB/04/01102/OUT: Outline application for the construction of a 4 storey block of 14 one bedroom and 7 two bedroom flats with ground floor retail space and car parking. Approved 30th December 2004.

WB/06/0647/OUT: Outline application for the construction of a three and a half storey development containing 12 flats to the rear of 12 Littlehampton Road including demolition of the rear portion of the existing building and extension to the south elevation. Refused 8th August 2006 on over-development, design, neighbour amenity and development contribution grounds.

WB/07/341/OUT: Outline application for the construction of a 4 storey block of No.14 one bedroom and No.7 two bedroom flats with ground floor retail space and car parking. Withdrawn 8th May 2007

WB/07/01399/ARM: Application for Approval of Reserved Matters for the design and external appearance of the building and landscaping of the site pursuant to Outline Planning Permission WB/04/1102/ OUT. Undetermined.

6. PLANNING ASSESSMENT

The main issues raised by this proposal are:-

- The principle of residential redevelopment and loss of commercial units.
- Quality of design and impact on the character and appearance of the area
- Impact on living conditions of neighbouring and future occupiers
- Access and parking
- Adequacy of development contributions
- Archaeological impacts

As such, the application should be principally assessed against saved Worthing Local Plan Policies, RES7, RES12, LR8, BE1, RES9, TR9, S12, H10 and H18 and South East Plan Policies SP3; SP4; CC2; CC3; CC4; CC6; CC7; H1; H4; H5; T2; T4; NRM4; KTG6; SCT1; and SCT5. Government policy in PPS1 (Delivering Sustainable Development), PPS3 (Housing), PPS22 (Renewable Energy) and PPG13 (Transport) and allied design and other guidance is also particularly relevant.

The principle of residential redevelopment and loss of commercial units

The principle of residential development on this site has already been established in the relatively recent permission (WB/04/01102/OUT refers). Whilst other approaches are possible and may be preferable, this scheme serves as a yardstick against which the new proposal should be assessed, though the detail of this development has never been approved and the subsequent Reserved Matters application (WB/07/01399/ARM refers) remains undetermined. The site has been acquired by Worthing Homes and the

scheme remodelled and rebalanced in collaboration with Officers to maximise the affordable housing content and to try and improve the scheme's design quality and sense of place.

In strategic terms, the new proposal continues to make more efficient use of a sustainably located brownfield site, consistent with Development Plan and Government policy generally. Specifically, the development results in a net increase of twenty dwellings on the site and would contribute towards the South East Plan housing provision target for the town.

The density of 190 dwellings to the hectare appears rather high, even for a one and two bed development. However, it is not significantly different to that of the approved scheme of 181 dwellings to the hectare, especially bearing in mind that the approved scheme contained a similar physical mix, but, crucially, also incorporated an additional 144 square metres of commercial floorspace. Moreover, the density is consistent with the sustainable location.

There is an acknowledged acute shortage of affordable dwellings for rent in the town which the new scheme would help satisfy (unlike the approved scheme which appears to have been intended for market housing, not being linked to any affordable housing provider). In particular, the dwelling mix accords with the affordable housing need priorities identified in the Strategic Housing Market Assessment and reflects the priorities of Worthing Homes as one of the town's principal Registered Social Landlords.

The loss of the commercial units is regrettable in some ways but it is considered this is an acceptable departure from prevailing policy.

In terms of loss of retail, as the Health Check prepared by the Strategic Housing and Planning Manager in 2005 on the Thomas A Beckett Neighbourhood shopping centre reveals, the retail element of the centre was in decline even before Tesco opened nearby in Rectory Road. At the time of the Health Check, it is recorded as providing the least convenience retailing provision of any designated Neighbourhood Centre in the town, with only 3% of units and floorspace dedicated to such shops. In this context, the Health Check notes the heavy dependence on offices/commercial uses in the centre and that it suffers a poor range of amenities in the surrounding area. It suggests the centre is operating as a small scale business centre rather than meeting any sort of local need. Given that the premises are relatively small in size and the units are in a designated non–core section of the centre and are physically peripheral to the centre (being located on its outer western fringe adjacent to housing), the loss of the retail element is more acceptable. Some compensatory benefits would accrue to the Centre from the additional spending by the future residents of the scheme.

The loss of employment uses is noted. However, despite marketing, the commercial premises have been vacant for two years, apart from a small rear area of No. 14 which was occupied briefly but is now, once more, vacant. A number of other premises in the centre are also vacant, including the adjacent offices. Against this background, the prospects for re-occupation in the near future appear limited and, bearing in mind a recent successful appeal against the Council's refusal to accept the loss of offices at nearby No. 5 Offington

Lane, it would not be appropriate to resist the loss of business use here, particularly in the light of the benefits of much needed affordable housing.

Quality of design and impact on the character of the area

The starting point for consideration of the form of the proposed scheme is the apparent shortcomings of the approved outline scheme.

Although the permission was in outline only, it did fix the four storey height of the development, the number and mix of flats (14 x one bed and 7 x two bed), its siting (front block with deep centrally located tail at the rear) and its access (undercroft access similar to the current proposal). The illustrative supporting plans showed this arranged as a uniformly four storey (3rd floor in the roof) building with extensive undercroft parking in the rear of the building and all the remaining curtilage space laid out as open car parking/circulation space.

Whilst the illustrative drawings for the front block achieved a good standard of design, Officers consider that, when judged against more recent contemporary expectations of design quality and sense of place, the layout and form of the rear part of the scheme fell disappointedly short. The detailed drawings accompanying the Reserved Matters application only serve to underline these concerns.

For this reason, Officers have worked with Worthing Homes to explore any opportunities to remodel the scheme in order to try and lift its design quality and, in particular, install a sense of place, whilst still optimising the development potential of the site and meeting other planning requirements. It is considered that the submitted scheme achieves this and raises the standard.

In respect of the front block, this is very similar in bulk and height to the approved scheme and only marginally taller than the roof ridge of the existing building's front gable and main roof ridge and very similar to the height of the adjacent block at Nos. 8-10 Littlehampton Road. In common with the approved scheme, it also incorporates a central gable with main entrance and subordinate east wing with undercroft vehicular access, which help to modulate and articulate the building, making it legible and relating it well to the street.

The proposed block is about 1.5 metres forward of the approved scheme but still in line with the forward most part of the existing buildings at No. 14 and largely screened by the tall, commercial buildings to the east. Certainly, the new block would be taller and more forward than the flats at Carlton House to the west. However, these flats are set well back and are well separated from the application site. In townscape terms, they mark the break between, on the one hand, the commercial heart of the Neighbourhood Centre, characterised by large scale of development and shallow forecourts, and, on the other hand, the surrounding residential suburbs, characterised by a more domestic scale with soft landscaped, deeper front gardens. In these circumstances, the new block would not be incongruous or obtrusive.

In terms of design, the contemporary approach adopted is handled well and not out of context in the townscape. Indeed, its steep pitched roof, gables and bays and its palette of white render and dark brick are subtly reflective of the characteristic form of the Tudorbethan buildings at the Thomas A Beckett crossroads. The overall composition of the new block and detailing, particularly its strong verticality, are striking whilst the front boundary treatment would retain a hard urban edge.

For these reasons, it is considered that the front block would introduce an interesting, high quality contemporary piece of architecture to the centre which would sit comfortably in this setting.

Turning to the rear block and its curtilage, the form of the rear block and its layout are the principal changes in this new application. The rear block is now re-sited closer to both the western boundary and its rear northern boundary than the approved scheme. However, its stepped form, which drops to one storey close to the northern boundary which, whilst giving short but workable separation distances from its neighbours, allow it to visually integrate with the surrounding development. This stepped form and the modulation of the block into three constituent elements, together with its articulation and use of vernacular forms (pitched roofs, bays, gables, half dormers) quality detailing and complementary palette, lend the rear block an interesting and pleasing composition and appearance and confer a clear identity, relating well to the front block and achieving a real sense of place.

The layout of the curtilage space complements the form of the rear block. The block now looks out onto a shared, paved courtyard where parking has been pared down to the essential minimum and is broken up, screened, buffered and softened by judicious planting. More planting would be desirable which the limited space simply does not allow. Meanwhile, facilities such as cycle and refuse storage, and washing lines are carefully integrated and concealed.

The scheme incorporates sustainable design with a commitment to achieving Level 3 of the Government's Sustainable Homes Code.

<u>Impact on living conditions of neighbouring and future occupiers</u>

As noted, the approved outline scheme comprised a uniformly four storey (3rd floor in roof) block with a centrally sited tail. The front element was very similar to the current application but the tail was set off the boundary of the neighbouring Carlton House building by just over 11 metres and by around 7 metres off the boundary with Nos. 8-10 Littlehampton Road. The tail extended some 23 metres, significantly beyond the depth of both flanking neighbours, but ended some 16-18 metres away from the northern boundary of the site. Windows serving habitable rooms faced the rear and both flanks. At that time the residential redevelopment scheme at Walnut Court (Nos. 11 and 15 Offington Lane) had not been approved and dense tree planting within that site close to the boundary provided substantial screening. In these circumstances, it was considered that the two schemes would have enjoyed an acceptable relationship.

Compared to the approved scheme, the main changes to the new scheme are its deeper but much lower scale rear block which is sited closer to Carlton House. However, it is considered that, overall, the new proposal would provide a better relationship with both flanking and rear neighbours.

Looking in detail at neighbour amenity, an adequate separation distance between the rear block and Carlton House would remain. Coupled with its significantly lower height (1.5 metres) and the fact that the application site sits on significantly lower ground at this point, no unacceptable impacts on outlook would, as a consequence, occur, especially bearing in mind the white rendered walls and building's articulation. As the northern part of Carlton House site is given over to parking and is partly screened by an outbuilding and trees, the impact of the deepest part of the rear block is minimal, particularly as it steps down to one and a half and single storey. A sunlight and daylight report, submitted to support the application, indicates that there would be no discernible loss of natural light. In the same vein, sunlight would be affected for less than an hour in the early morning of the summer solstice. Again this is negligible. As the facing flanks windows of Carlton House do not serve habitable rooms, no loss of privacy is likely to result from facing windows in the new scheme. There would only be oblique angled views from the rear block to Carlton House's rear elevation. Given the separation distances, screening and modest height of the deepest part of the rear block, no unacceptable loss of privacy would result from this element of the scheme.

The two flats on the upper floors of Nos. 8-10 Littlehampton Road would, arguably, be less affected by the new scheme due to the significant increased separation distance of the rear block, which, though deeper, drops to single storey. The recessed north east corner of the new block on the upper floors reproduces a feature of the approved scheme and safeguards the outlook of the adjoining residents, and, being set back, is screened from the rear facing bedrooms of these flats. The sunlight and daylight report indicates some minor loss of natural light to a rear (north) facing first floor window of one flat but this serves a bedroom and is not materially different from the approved scheme's impact. In these circumstances it is acceptable. No windows serving habitable rooms suffer any loss of sunlight according to the same report. Again, there would only be oblique angled views from the new rear block to Carlton House's rear elevation and, given the separation distances and reduced scale, no unacceptable overlooking should result. Indeed, it could, arguably, represent an improvement on the approved scheme.

The tail of the new rear block would be much closer to the residential development at Walnut Court, to the north. However, it proposes a single storey blank gable at its closest point. Moreover, the nearest part of Walnut Court is also a blank end gable. The only part of Walnut Court adjacent to the application site with south facing windows is well recessed and, due to the layout, it is, effectively, screened from the new rear block by its neighbour's gable end. It is regrettable that the full tree screen was not retained in the construction of Walnut Court. However, the residual screening provided, coupled with the boundary treatment proposed in the new scheme and supplemented as necessary, would be adequate.

The car parking in the new scheme is significantly less than the approved scheme and, unlike the approved scheme, now only occupiers a narrow section of the common boundary with Walnut Court, rather than a whole frontage and is also partly buffered . For these reasons the impact of traffic and parking on neighbour amenity would be appreciably less intrusive.

In terms of the living conditions of future occupiers, it is recognised that outdoor amenity space is limited. However, except for three flats located in the roof of the front block, all flats would benefit from private garden space, a balcony or Juliette balconies, and, bearing in mind the dwelling mix, this is acceptable in principle.

The communal drying area is acknowledged as a particularly convenient and sustainable facility. That said, the proposed tarmac is an inhospitable and unattractive surface for the rear gardens and washing line area. A more suitable paving with some soft landscaping is recommended to be secured by condition.

All homes are designed to meet Homes and Community Agency standards which, generally, provide more generous internal space than market dwellings and offer a more sustainable construction. Above all, the rear block offers a much better outlook and physical environment than the approved scheme.

Access and parking

The site is very sustainably located close to local shops, facilities and bus routes. The proposed vehicular access reproduces the general arrangement in the approved scheme and is satisfactory.

The chief concern of a number of local residents is the parking provision. The proposed ten spaces is significantly fewer than the 23 proposed in the approved scheme for just 21 flats. However, there are persuasive reasons to believe that the demand for car parking from this development will be materially less. This is, firstly, because the site enjoys a very sustainable location and secondly, because of the small size of the dwellings especially with their tenure as rented social housing. Indeed, Worthing Homes report that only 38% of their households own a car, which is an average across Worthing Homes' whole housing stock, that is most likely to apply here in respect of the one and two bedroom dwelling units proposed. Thirdly, generous public off street parking is available very conveniently close behind the commercial units in No. 6 Offington Lane and within the north east quadrant of the Thomas A Becket crossroads. Usage is, reportedly, low during the evenings and at weekends and these facilities could meet any displaced demand from visitor parking generated by the development and, possibly, from residents. Fourthly, there are good cycle parking facilities in the development. Finally, the Committee will be familiar with Government and Development Plan Policy on parking levels. This recognises that car parking levels in residential schemes should reflect those factors outlined above with a view to keeping provision down to the minimum necessary and should not force developers to provide more than they believe necessary. Importantly, the Highway Authority has supported this approach with a corresponding lower level of provision. Not least, there are also clear major benefits from

reduced on-site provision in terms of the scheme's overall improved quality of environment and design. Indeed, the current scheme is not achievable without such reduced provision.

Pedestrian access and cycle storage are satisfactory but the design of the drive and courtyard, which is shared between cars and pedestrians, will require very careful detailing to ensure a high quality space which has regard to pedestrian safety. This may be secured by condition.

Adequacy of development contributions

The applicant has submitted a draft unilateral undertaking for the necessary development contributions in respect of improvements to local transport (£15,040), and outdoor recreation (£24,566) in the local area to accommodate the additional pressure on local infrastructure. Members will be updated at the Meeting.

Archaeological impacts

The development of the adjacent site at Walnut Court (Nos. 11-15 Offington Lane) revealed some rich finds and the County Archaeologist has identified the likely potential for more remains to be discovered on the application site. The safeguarding of any archaeological remains can be secured by an appropriate condition.

7. CONCLUSION

The principle of residential redevelopment was established in the recent permission, and, being a brownfield, sustainably located site, the relatively high density proposed optimises potential and accords with Government and Development Plan Policy. The provision of affordable housing and dwelling mix would also meet a pressing established need. The loss of commercial space is regrettable but acceptable in view of the moribund state of the centre and the site's peripheral location and history of vacancy, despite marketing, and because of its limited future prospects for recovery. There are also significant compensatory benefits from additional affordable housing.

The form of the proposal builds upon the quality of the approved scheme's front block and improves upon the arrangement of the rear element and use of curtilage space. The proposed high quality, contemporary piece of architecture would sit comfortably in the street and is sustainably designed with a real sense of place. Whilst the rear block is deeper than the approved scheme, this steps down in scale, and, given the separation distances would not adversely impact on neighbouring amenities. Vehicular access arrangements reproduce the form of the approved scheme but with reduced parking provision which is acceptable in view of the sustainable location, tenure and dwelling mix of the proposal and other available public car parking facilities nearby which is consistent with Government policy. Identified archaeological interest may be secured by condition. The required unilateral undertaking to secure the necessary development contributions has been submitted in draft form and a completed version is expected shortly.

As a result, the application should be supported, subject to suitable conditions and receipt of an appropriate unilateral undertaking.

8. RECOMMENDATION

THAT THE DECISION IN THIS CASE BE DELEGATED TO THE EXECUTIVE HEAD OF PLANNING, REGENERATION AND WELLBEING TO AWAIT THE COMPLETION OF A LEGAL AGREEMENT IN RESPECT OF NECESSARY DEVELOPMENT CONTRIBUTIONS WITH A VIEW TO PLANNING PERMISSION BEING GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:-

1. 5 year planning permission
2. C11C Protect dwellings from road noise.
3. C12B Windows to be obscure glazed.
4. C12F Provide combined aerial facilities.
5. C12L Provide refuse/bin stores for flats
6. C12B Windows to be obscure glazed.
7. C13D Archaeological evaluation required.
8. C13F Provide amenity space before occupation.
9. C13K Investigation of potential contamination
10. C13LRV Sustainable development
11. C5B Provide parking before occupation.
12. C5K Provide secure cycle parking for flats
13. C6A Provide access before use commences.
14. C6F Measures for surface water discharge.
15. C6K Park/unloading area during construction.
16. C6L Materials/plant area during construction
17. C7E Provide scheme for dust suppression.
18. C7G Limitation on hours of construction.
19. C8A Agree/provide landscaping scheme.
20. C9B Agree samples of materials.
21. Agree architectural details
22. Agree Boundary treatment

AND THAT IN THE EVENT OF THE LEGAL AGREEMENT NOT BEING SATISFACTORILY CONCLUDED WITHIN THE 13 WEEK PERIOD, THAT THE APPLICATION BE DELEGATED TO THE EXECUTIVE HEAD OF PLANNING, REGENERATION AND WELLBEING TO REFUSE THE APPLICATION ON THE BASIS OF FAILURE TO PROVIDE FOR THE REQUIRED DEVELOPMENT CONTRIBUTIONS.

9. BACKGROUND PAPERS

Observations of the Highway Authority
Observations of the West Sussex County Planning Officer
Observations of the West Sussex County Archaeological Advisor
Letters of Representation from Members of the Public
Observations of the Environment Agency
Observations of the Sussex Police Crime Prevention Design Adviser
Observations of The Executive Head of Health and Community Safety
Observations of the Strategic Housing and Planning Manager

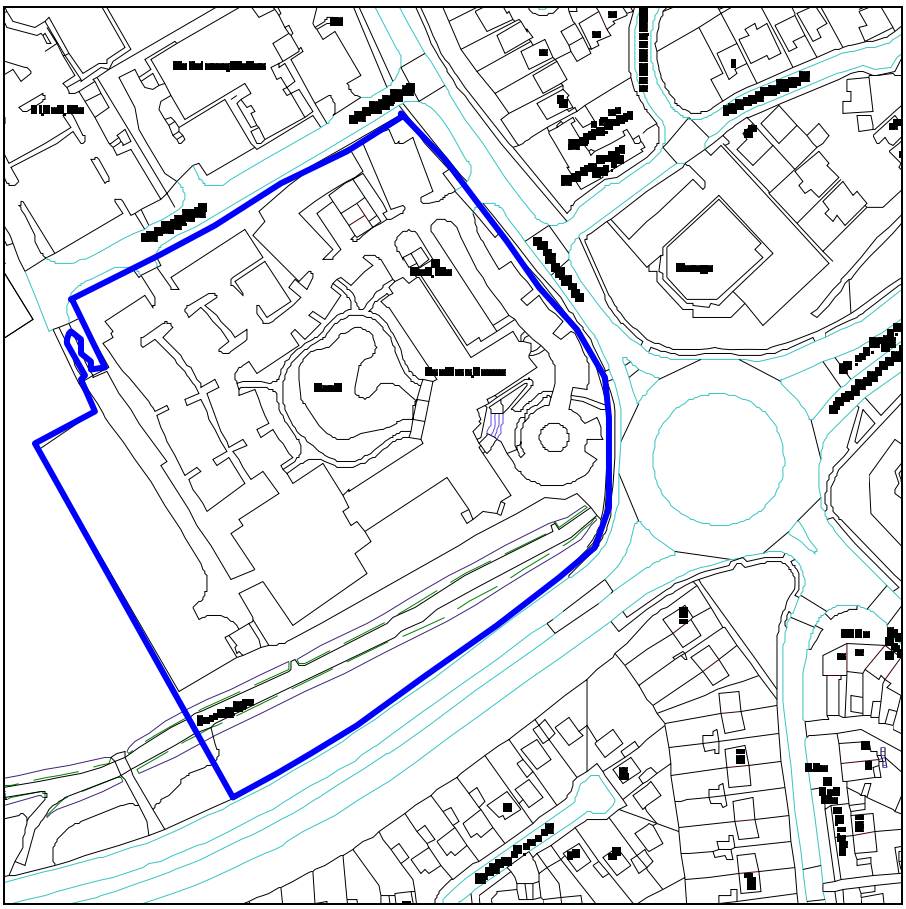
17th November 2009

WB/09/0794/FULL
NOR
PD

Mr G Deans

Location : Southern House Yeoman Road

Proposal: Proposed rationalisation, reorganisation of existing car park and accesses; provision of additional parking area; retention and continued use of existing overspill parking area; provision of smoking shelter; provision of cycle shelter; lighting provision.



Not to Scale

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2. THE PROPOSAL AND THE SITE

This is a proposal to rationalise and extend the existing car park, alter the traffic access and internal circulation, reconfigure the landscaping and remodel the cycle parking facilities and smoking shelter.

The site is the Southern Water regional headquarters located to the north west of the roundabout junction of Littlehampton Road (A2032) and Yeoman Road on the western fringe of the town in the West Durrington area. The site is large, rectangular and flat, being some 2.6 hectares in size. The building was purpose-built for Southern Water in the 1980s and faces the roundabout. It is four storeys high, providing, some 7000 sq ms of (gross internal) floorspace and currently accommodating around 660 staff (full time or equivalent).

The principal access to the site is from Yeoman Road and uncontrolled, save for a ban on right turns (to the roundabout) during rush hours. However, two secondary/ emergency accesses are also provided off Yeoman Way, the more western access being single lane width only and sited on a bend. These are normally gated. Visitors enter the building from the front (east) and staff from the rear (west).

Car parking for 404 spaces is currently provided. This includes 94 spaces on the far western edge of the site which exist without the benefit of planning permission and are not formally laid out (the applicant suggests there are between 75 and 83 spaces). The authorised car park is surfaced in tarmacadam and features extensive landscaping and is lit by lighting columns. It comprises a large number of trees and low hedges running between banks of spaces and around the perimeter. A lake is situated behind the office block in the centre of the site. There are cycle sheds in the north eastern part of the site and a small, rudimentary smoking shelter behind the lake.

The site is adjoined to the west and north by Yeoman Way and business uses, including the recently completed Yeoman Gate development To the east of Yeoman Road are business and residential uses. The southern boundary of the site, adjacent to Littlehampton Road comprises a long, deep green space, through which runs Ferring Rife, a local stream. The area to the south of Ferring Rife is principally woodland but the area to the north is principally a grassy bank. This area is currently gated off from the main office site and car park. The green space continues to the west of the site, adjacent to Littlehampton Road and into Northbrook College.

The proposal is to regularize the existing unauthorised car parking and rationalize and rearrange the authorised car parking areas to create an entirely new car parking area by encroaching onto the grassy bank north of Ferring Rife (providing some 30 spaces). This would result in a net increase within the whole site of 101 spaces, raising the total to 505 spaces within the whole site. The landscaping would be slightly reconfigured to soften the appearance of the parking areas and to compensate for the loss of some planting required to rationalise car parking. Screen boundary planting would remain and, overall, tree planting would increase using native species. The regularised western parking area and new parking area adjacent to Ferring

Rife would be grass-creted and would be porous to offer sustainable drainage.

New cycle parking for 35 cycles would be provided to the east of the existing store to raise levels to 60. This would be in the form of clear curved shelters. A new smoking shelter would be sited behind the lake in the form of a glazed rectangular box shelter. New lighting would be provided and existing columns rearranged to optimise coverage.

Vehicular access would be reconfigured so that the front entrance off Yeoman Road becomes the main visitors' access and is barrier controlled by means of a vehicle registration recognition system. The most eastern access in Yeoman Way would become the main staff access, supplemented by the most western access which would be "in" only for highway safety reasons.

The motivation behind the application is Southern Water's decision to transfer some 200 additional staff from other premises (outside of the town, including Falmer) to these offices. This raises staff numbers to some 860. It adds to the billing and call centre functions relocated here in recent years. The new staff will be accommodated by internal rationalisation of existing office space at Southern House. The applicants are keen to start the works urgently to tie in with the relocation timetable.

The application is supported by a Design and Access Statement, Planning Statement and draft Green Travel Plan. It was preceded by officer discussions with the Highway Authority and Worthing Borough Council and follows withdrawal of an earlier similar application in 2006 (WB/06/0881/FULL refers) which sought to regularise unauthorized parking and rationalise the whole arrangement (omitting new car parking adjacent to Ferring Rife).

2. RELEVANT PLANNING HISTORY

WB/83/1014/OUT: Outline application for the erection of new offices for use as headquarters for Southern Water Authority on land (5.23 acres) at the junction of Littlehampton Road and Yeoman Road (north-west of roundabout). Approved 18th July 1984.

WB/87/0638/OUT: Outline application for the erection of new offices for use as headquarters for Southern Water Authority (Renewal of WB/1014/83). Approved 11th August 1987.

WB/87/914/ARM: Construction of three/four-storey office building (Approximately 6,500 square metres) for use by Southern Water Authority as new headquarters (Approval of Reserved Matters subsequent to outline consent WB/1014/83). Approved 3rd November 1987.

WB/00/0235/FULL: Formation of new surfaced car parking area with lighting. Withdrawn 2000.

WB/06/0881/FULL: Retrospective application for the extension of parking area. Withdrawn 2006.

WB/07/1143/FULL: Provision of a smoking shelter. (Retrospective). Refused 2007.

3. APPLICANT'S DESIGN AND ACCESS STATEMENT

The applicant has submitted a Design and Access Statement as follows:-

"Design Principles and Concepts

The application does not involve any substantive new buildings or structures. The proposed smoking shelter and additional cycle store are both semi-open structures with Perspex screens to offer some degree of protection from the prevailing wind. They have been kept to a modest size and are located to be accessible to the main building. The designs are intended to be minimalist and unobtrusive. In practice they will be readily assimilated into the wider area of parking. The cycle storage shelter is sited close to the site's Yeoman's Road entrance adjacent to the existing cycle parking facilities. The relevant details are shown on the submitted drawings no. 2260-20.

Layout

The shelter and store do not raise any specific layout issues, each has been sited to be readily accessible to the people using them

The proposed car park reorganisation is aimed at providing an efficient and improved facility in terms of car parking spaces, ingress to and egress from the site and circulation around the site. The proposed layout incorporates existing parking areas, an overspill area to the west of this and a proposed new area of parking along the northern side of the Ferring Rife. The proposals incorporate new tree planting as a visual improvement to the overspill area that helps to break up the pattern of parking bays. The existing and proposed site layouts are submitted as part of the application on drawing nos. 2260.15 and 2260.16 respectively.

The parking layout aims to reduce the present level of use associated with the Yeoman Road access and will allow a better managed means of access to the site by drivers. The entrance barriers will be swipe card controlled with the potential for future number plate recognition.

The proposed layout improves internal circulation and also seeks to reduce previous parts of the car park that had poor visibility at particular junctions and corners.

Appearance

The appearance of the smoking shelter and proposed cycle shelter are considered to be of an insignificant scale to have impact in the overall context of the application site.

The present overspill car parking area will be improved from its present informal appearance. The western part (three rows) which is the majority of the area, has proposed surfacing that will provide a 'green surface' and will be porous to allow rainwater to percolate through the medium into the soil and away by natural means. The eastern row (fourth row from the western boundary) is presently finished in tarmac and this form of finish will be retained.

The central (double row) of parking will be broken up by new tree planting to add a vertical dimension to existing site planting to this part of the site. This aims to break up the parking rows and to provide an attractive feature for this part of the site.

The proposed new parking row adjacent to the Rife will also comprise a green porous surface which is felt to be appropriate to this part of the site.

Existing site boundary planting will be retained. This provides a high level of screening in particular from the southern and eastern boundaries and from the north (Yeoman Way). An existing hedge and associated planting will be kept along the site's western boundary where it abuts the newer development of Yeoman Gate.

The frontage of Southern House and the main area of landscaping to the rear of the building and on its southern side will not be altered to maintain its mature landscaped setting.

<u>Scale & amount of development</u>

The reasons for the application and the proposed parking arrangements are set out in greater detail in the following Planning Statement.

In numerical terms the proposed car parking will provide an essential level of provision to cater for present and relocated staff.

The two proposed shelters are of a size and scale to provide for necessary staff provision. The cycle storage shelter and additional racking proposed will increase provision for secure storage to 60 bicycles.

<u>Landscaping</u>

The application proposes new tree planting including species that are present as part of the site's existing landscaping. The proposed tree planting is described at paragraph 4.3. It aims to provide a vertical dimension to planting at this part of the site, and as it matures, to provide a more substantial green canopy to add to the overall visual amenity of the site. Key established areas of existing landscaping (to the front, rear and south of Southern House) will be retained to maintain the building's setting.

<u>Access</u>

The application does not alter access to the main building either for staff or visitors.

Existing disabled parking spaces for visitors will be retained at the front of the building. Provision for staff is made as and when required and is addressed as part of the wider management of the site and its resources.

The parking, access and circulation proposals are explained in more detail in the Planning Statement.

Access to the smoking shelter and cycle store are referred to at paragraph 2.1 of this Statement.

Access gates will be re-installed in the boundary with Ferring Rife in order to provide access to the watercourse. In addition the porous car parking area along the Rife will be safeguarded to provide access for maintenance purpose when necessary.

PLANNING STATEMENT

Background to application and overview

1. *Southern Water have occupied Southern House for a period of around 30 years. The office building and car park was constructed for their specific occupation and needs at that time. Other office premises currently occupied by Southern Water include those at Falmer, Chatham and Otterbourne. Since its construction, Southern Water's staffing structure and numbers have been changing as new services are provided from their premises to meet the requirements of the Company as it has evolved. The premises comprise their operational headquarters and now incorporate Southern Water's billing centre and call centre. Establishing these facilities at Southern House has seen a significant increase in staffing levels from the period when the premises were first occupied. In addition, establishing their Revenue and Customer Services departments has also seen a rise in staff numbers accordingly.*

2. *Southern Water now face a choice in terms of how best to utilise their present office sites. The options open to them will require one or more of the sites to be vacated and for staff from those premises to be re-accommodated elsewhere. Southern Water's preferred option is to maintain Southern House Worthing as their Headquarters whilst bringing in key staff from the other premises. Other options would be to relocate to one of their other sites potentially with the transfer of their Worthing base elsewhere.*

3. *The site area of Southern House represented by the 'red-line' application site area is 2.6 hectares (6.4 acres). The total gross floorspace of Southern House is 6949 square metres, the office floorspace comprising 4949 square metres. The former figure includes outbuildings such as garages and stores and non-office areas within the main building.*

4. *Current staffing levels are in the order of 660 though this figure naturally fluctuates as any organisation of this size will see staff movement and changes in staffing patterns. However, this is seen as a reliable figure at the present time. With the need to relocate staff from other premises within a period of 6 months, Southern Water are looking towards an increased staffing level and need to accommodate a figure in the order of 200 further staff to bring overall numbers of staff at Southern House to somewhere around 860 persons. The proposed increase in staffing levels is considered to further enhance Worthing's employment base and Southern Water as one of the key employers in the Borough.*

<u>Proposals</u>

<u>Car parking</u>

5. *The proposed arrangements to accommodate incoming relocated staff will be achieved without the need to physically extend the office building. Reorganising the present office accommodation to increase the staffing density within the building will accomplish this. This will be achieved by improving the efficiency in terms of how the office space is used.*

6. *The changing pattern of corporate office facilities has had, and will continue to have consequences in terms of the numbers of staff travelling to and from Southern House and how their pattern of travel can be accommodated and effectively managed. The need for upgraded car parking facilities both in terms of layout and numbers is instrumental in this, as too is the recognition for existing Company travel policies to be improved to encourage less use of the private car and more use of other modes of transport. Southern Water have an ongoing Travel Plan which is in the process of being upgraded to further these objectives. This has been discussed with Officers from West Sussex County Council Highways as part of a series of pre-application meetings that have been held with the Borough Council, the County Council and the Environment Agency. A revised Travel Plan is being produced by Southern Water and a draft version containing relevant heads is included as part of this application (this was an area discussed with WBC and WSCC Highways).*

7. *Whilst it is likely to have a positive effect in reducing overall car usage for the journey to work, it is undeniable that the overall increase in staffing density will require the reorganisation of Southern House's present car parking with an increase in the number of spaces provided.*

8. *At the moment Southern House has 404 car parking spaces including 3 disabled spaces at the front of the building for visitors. These areas are principally to the north and west of the building and include an informal overspill parking area abutting the site's western boundary. The breakdown of spaces shown on the submitted existing layout details is as follows:*

Main car park	*310 spaces*
Overspill parking area	*94 spaces (these are not formally laid out as shown on the drawing and in practice offer between 75 and 83 spaces)*
Total	*404 spaces*
Proposed parking area including rationalisation of existing parking areas and proposed additional spaces	*101 spaces*
Overall proposed total	*505 spaces*

9. *The current overspill parking area is partly hard-surfaced in tarmac (where it abuts the main car park); the remainder is rolled and compressed type 1. The former section has been in use for over 10 years (ie the fourth 'row' from the western boundary), the remaining three 'rows' have been used for a period of 4-5 years when the area was surfaced to accommodate parking demands arising from staff increases at that time.*

10. *The proposal is to surface the western 3 rows of the overspill car park and the proposed parking along the Ferring Rife in a new Grass-crete surface that is porous and allows surface water to percolate through into the ground. It allows grass to grow through as an amenity feature whilst at the same time provides a suitably robust surface. This is considered to be an appropriate form of surfacing treatment that in practice is expected to at least maintain a neutral position in terms of surface water run-off, though in practice it is expected that the proposals will result in a positive improvement. As the application does not involve any material development that would cause additional surface water runoff, nor would interrupt the flow of flood water, flood risk has not been seen as an issue to the application as there is no increase in flood risk. In practice it is expected that flood risk may decrease through these works.*

11. *In pre-application discussions with Officers, it was surmised that the unauthorised overspill parking area could be construed as being lawful based on it being operational development that has been carried out and used for a period in excess of 4 years. Notwithstanding the issues that might be construed from this, the application seeks to regularise the use of this area of the site as part of a comprehensive approach to the parking and access arrangements for Southern House.*

Travel Plan

12. *Southern Water have produced an updated and expanded Travel Plan that is submitted as part of this application. It contains a detailed framework of the measures that the Company seeks to introduce and areas where existing measures are to be reinforced and improved. The aim of the Travel Plan is to achieve an overall reduction in sole - driver car usage to and from the site and to encourage non-car forms*

of travel to work including walking and cycling and public transport. It recognises that some 45% of staff will not have access to the upgraded and improved parking facilities, which in itself places a responsibility on staff to car share either by informal means or by more formal (organised) means. Because of this situation, the restriction on car usage to and from Southern House is self-regulating. However, the Travel Plan recognises that all reasonable effort needs to be made to reduce overall car journeys to the site by 15% over a 5 year period. This area was discussed in detail with Messrs Gledhill and Mouland at the pre-application stage. During those meetings it was recognised that the structure and composition of the Southern House staff base did not fall into a simple category as there are billing and call centres operating from the premises that have much more concentrated staffing densities than ordinary office use a point which subsequent discussions with a Trics data consultant (Ian Coles) confirmed). To provide a properly representative set of baseline data, it is proposed that Southern Water produce staff movement surveys that incorporate an analysis of their methods of journey to work as the baseline data for the Travel Plan. This can be carried out if necessary through independent means. WSCC officers felt that the submitted Travel Plan Heads could be agreed as an 'in principle' document at the application stage, with the submission of a detailed Travel Plan document reserved by condition.

<u>Landscaping</u>

13. *Planting 'diamonds' will be incorporated into the parking areas to provide space for new tree planting. This will help to break up the overspill parking area and to reinforce the amount of tree cover on the northern part of the site. Species proposed will be appropriate to the location and use of the site and the selected species as below reflect the types of trees that have become established elsewhere in and around the application site.*

<u>Planting and maintenance details</u>

14. *Stock planted will be standard trees, which will have appropriate rabbit protection. Plants to be placed in hand dug holes of appropriate depth and provided with appropriate type of fertilizer, firmed in and watered. Any plants requiring support will be accordingly staked. The applicants will be responsible for the maintenance and potential replacement of planting in this landscaped area. Inspections of the area will take place at weekly intervals and watering by hand carried out in periods of drought. Appropriate hand weeding and litter clearance will be carried out at such times. Any plants found to have been damaged or to have died will be replaced within a period of 5 years from planting. Pruning and shaping of trees will take place as and when this may be required, though the extent of this is expected to be very limited during the early years. General care of the planted area will be in association with the upkeep of other planted areas at the application site.*

%	Species
10	Acer Griseum (Paperbark Maple)
10	Alnus Glutinosa (Alder)
40	Carpinus Betulus (Hornbeam)
10	Crataegus Monogyna
20	Prunus Spp (Cherry)
10	Sorbus Aria (Whitebeam)

15. *In terms of the character of the site, the proposals will retain boundary landscaping (including the prominent landscaped belt adjacent to the Ferring Rife) and the key landscaped area and pond to the west of the building.*

Lighting

16. *New lighting is proposed in the overspill and new parking areas. For continuity of design, the types of columns and lighting units will match those that are located elsewhere in the site. The columns are 7 m in height. The lighting units incorporate diffusers to angle light downwards to prevent light spillage upwards and outwards to prevent unnecessary and avoidable light pollution. Photographs are submitted with the application to show details of the existing lighting units and columns. The location of the proposed units is shown on the submitted site layout drawing.*

Access

17. *As part of the proposals to reorganise and improve its parking facilities, Southern Water have assessed the present access arrangements to and from the site. As a result, the scheme incorporates changes to the form of ingress and egress and seeks to utilise the present access from Yeoman Road along with two further existing site accesses off Yeoman Way. This arrangement will allow staff and visitor vehicles to be better separated and to relieve pressure on the current Yeoman Road access. Staff vehicle access will be barrier controlled with the potential for number plate recognition technology to be introduced in the future to add to the level of management of staff parking use.*

Secure bicycle parking

18 *As part of the pre-application discussions held with WBC and WSCC, the provision of improved secure cycle storage was discussed. At that stage, the possibilities of locating a Perspex tunnel-shaped structure at the front of the building had been explored and details were tabled. The structure was to accommodate up to 60 bicycles with a lockable entrance doorway. Since those meetings, further site investigations have indicated that the structure cannot in practice be accommodated in this location.*

19. *Alternative options have been assessed and the most practical solution is to provide an upgrade of the present cycle storage facility which is located as part of a cluster of outbuildings within the site, to the west of the Yeoman's Road entrance. At the moment the area can accommodate 24/25 bicycles and will be refurbished. There is also an existing area of open cycle storage that will be improved with the addition of a semi-open cycle store. The structure will have a perspex screen to offer some degree of protection from the prevailing weather. Both of the areas will be secured. The reorganisation of this area will take the level of provision to 60 cycles. However, the upgrading of secure bicycle parking features in Southern Water's Travel Plan as part of its commitment to encouraging non-car based means of travel to the premises.*

<u>Smoking shelter</u>

20. *The proposed smoking shelter replaces a temporary facility with a permanent arrangement for staff. The proposed location to the west of the rear of the building is accessible to staff and in an area that is sufficiently away from entrances and windows. The structure is intended to be relatively simple, with a Perspex screen to offer shelter from prevailing weather. However, the aim is not to make the facility too elaborate but to provide a functional facility for use by the staff. Planting exists around the site which will help to screen the structure, though this will be readily absorbed within the wider open site. Drawings are submitted with the planning application along with details from the manufacturers.*

<u>Supporting comments</u>

21. *The driver for this application is the transfer of upwards of 200 additional staff from other Southern Water premises. Coupled with establishing the billing centre and call centre at Southern House, the net result has been a significant increase in staff numbers. The current staff relocation is being accommodated through a programme of internal space reorganisation. In more usual circumstances, (where companies plan for higher levels of additional employment), this will be done by extending their premises. In such cases an allowance for additional car parking can be made.*

22. *Southern Water's proposals are a-typical in that the additional staffing levels will be achieved through a more rational and efficient use of existing office floorspace and no physical extensions are proposed. However, there is a clear requirement to retain the present overspill parking area and to provide additional parking through the reorganisation of their current parking areas along with the provision of a new parking area both being necessary to maintain the site as Southern Water's operational base.*

23. *In numerical terms, Southern House will accommodate in the order of 860 staff and including the proposed provision, 505 parking spaces in total will be available, (33 of these spaces will be at the front of the*

building and used for visitors parking). In practice 860 staff will have access to 472 parking spaces. This will clearly require some 45% of staff to either car share, cycle, walk or use public transport to their place of work. In terms of sustainable transport objectives, this situation effectively drives itself through unavoidable necessity. Although additional parking provision is proposed, nearly half of Southern Water's staff will not have access to it. Southern Water already actively encourage non-car means of travel to work, though this is being moved forward in their draft Travel Plan with a wider-reaching series of initiatives to further promote the active use of public transport, walking and cycling and car sharing. In terms of the latter, it is intended that a section of the car park will be designated for car sharing only as a further way of encouraging the more efficient use of the car. Other initiatives to promote alternative means of transport other than the sole use of the car are set out in the draft Travel Plan accompanying the application.

24. *The proposed reorganisation and additions to the car parking facilities will have an additional benefit in dissuading staff from parking in nearby residential streets and in other parts of the surrounding business estates. This is considered to be an important issue particularly when additional staff are to be accommodated at the application site. Coupled with the aims of their updated Travel Plan, a balance is sought between use of the car (and appropriate facilities for on-site parking), limitation of demands for off-site, street parking and the avoidance of car parking through car sharing, walking and cycling and the use of public transport.*

25. *The proposals described in this Statement will allow Southern House to continue to operate effectively as Southern Water's Headquarters building, providing a comprehensive range of services from a core office base. The increase in employment at the site is felt to be a positive issue in a time of recession and negative forecasts of national economic performance. Because of the importance of the planned site reorganisation to Southern Water's future operation at Worthing, the Borough Council are invited to support the application and the proposals for the improvements to facilities at Southern House."*

4. CONSULTATIONS

The Highway Authority comments that West Sussex County Council (WSCC) have undertaken pre application discussions with regards to this proposal and advice has been given in regards of the measures to be included within the Travel Plan. It is also noted that advice was provided in respects of an application back in 2006 that sought retrospective permission to increase the existing car park by 100 spaces. Comments made in regards of that application raised concerns regarding the extension of the car park in effect promoting the use of the private car rather than promoting the use of sustainable transport and that the proposal was consequently in opposition to sustainable transport policies. It would seem that the use of the area proposed for the previous car park extension application has in any case been

used for parking for the past 4-5 years and it may now be viewed as lawful development, which is a matter for consideration by the Planning Authority.

Taking account of the current proposal, presuming the car park extension is considered as lawful, the proposal seeks relatively minor alterations to the existing car park areas to increase the overall number of car parking spaces. The main driver behind this application is the operational change resulting in the need to accommodate an additional 200 staff within the existing Southern Water House (from 660 to 860). There is though to be no increase or extensions to the existing building.

In terms of details, the car parking layout is broadly acceptable but there are several substandard dimension parking spaces and aisles. This proposal seeks also the opening of a further vehicular access from Yeoman Way, which will be as an In access only. No concerns would be raised in regards of this, and the works would require the permission of the WSCC Area Engineer in order to undertake. The main vehicular access from Yeoman Road would also appear to be retained for two way visitor movements but as an In entrance only for staff. The only exit from the staff car park is therefore onto Yeoman Way. From a practical point of view, is the width of the exit sufficient to enable a delivery/refuse vehicle to exit the site via this means? Also, is there adequate stacking space provided at the retained In only access from Yeoman Road as queuing vehicles waiting to enter the site at this access may spill back onto Yeoman Road.

The submitted Travel Plan has been reviewed by the WSCC Business Travelwise Adviser and the following points should be addressed before this Travel Plan can be approved:

- Contact details for the Travel Plan Co-ordinator (TPC) should be included. If the TPC is yet to be identified then a commitment should be included to provide this office with contact details before the new parking spaces are brought in to use.

- Section 6.1 describes the overall commuting patterns observed at Southern Water's offices across the south. These patterns are likely to change when employees from the Falmer office relocate to Durrington. A survey to establish how Falmer employees might access the Durrington site may help to inform the Travel Plan.

- Section 7.3 and 7.4 briefly describe public transport provision in the local area and how this might be promoted (including the possibility of subsidised fares). Specific details about the measures that will form part of the Travel Plan (e.g. provision of route maps and timetable information, interest free loans etc) should be included. (N.B. whilst salary sacrifice schemes are available for bus ticket purchases, for tax reasons it may not be possible to purchase train tickets in this way).

- Section 7.5 states that a car sharing scheme would be introduced, but does not explain what format this would take (in-house database, bespoke website, membership of www.westsussexcarshare.com etc). The County Council has established www.westsussexcarshare.com to

facilitate car sharing by those living or working in the county. The public website is free to use; however employers can purchase private groups where access can be restricted to staff only. Further information can be obtained from this office.

A free emergency ride home facility and preferential parking should be made available to employees that car share. The number of car sharing spaces that will be provided should be stated in the Travel Plan.

- It is unclear whether the measures outlined in section 7.7 will be implemented in the Travel Plan, or whether this is simply an ideas list. Some of the measures (e.g. Car Club) may have practical limitations.

- The site location map at Appendix A is useful, however future revisions would benefit from:
    - The inclusion of local bus route information and fare information (e.g. from Goring and Durrington Stations)
    - Inclusion of walking time and distance information from local bus stops and rail stations
    - Information about journey planning websites such as Transport Direct
    - Information about on-site parking restrictions
    - Placement of public transport information at the top of the page and directions for drivers at the bottom

- As a Transport Assessment is required for this development, our draft Travel Plan Policy requires that TRICS UK SAM monitoring will be required in order to independently monitor the performance of the Travel Plan. Given that existing overflow parking to be formalised but no additional parking is to be provided, car travel will be restrained to a degree. TRICS SAM monitoring would, however, provide additional confidence that any staff parking in local roads will be picked-up. (N.B. only 17% of employees responded to the 2007 staff travel survey, which is a low response rate)

- Travel Plan targets need to be **SMART** (Specific, Measurable, Achievable, Realistic and Time-bound). Our draft Travel Plan Policy requires that Travel Plans at new development sites should achieve a 15% reduction in the 12-hour weekday vehicle trip rate within 5 years of occupation, when compared the expected trip rate forecast by the TRICS database.

It is acknowledged that there may be a lack of data relating to call centres in the TRICS database, which in turn means that it will not be possible to set a trip rate target. The following actions are therefore proposed, which will enable a trip rate target to be set:

    - Initial TRICS SAM survey within 6 months of occupation (i.e. transfer of staff from Falmer site)
    - Use of the above to set a maximum vehicle trip rate target for the site (e.g. the vehicle trip rate should not be greater than identified in this initial TRICS SAM survey at year 5)

- Second TRICS SAM survey at year 3 to check that the vehicle trip rate has not worsened (and prompt remedial action if it has).
- Final TRICS SAM survey at year 5.

West Sussex County Council's draft Travel Plan policy would normally require that TRICS SAM surveys be undertaken on an annual basis, however, as no additional parking spaces are to be provided in this case, surveys are not required in years 2 or 4. This will allow funding that would have been allocated to monitoring to be invested in Travel Plan measures.

The driver behind this application is understood with there being a number of additional staff employed on the site. However further information is required in support and amendments required to the draft travel plan submitted in support of this proposal.

Further to these comments, discussion has been undertaken between WSCC and Southern Water. Southern Water have been advised that viewed against the DfT guidance as more than 100 new parking spaces are being provided, a TA would typically be sought. However, the Highway Authority is mindful of the existing use and the number of resultant vehicle movements, as well as the reasons behind the current application, and the possibility that the 200 additional staff would be accommodated at Southern House without necessarily needing planning permission. On that basis a Transport Statement and Travel Plan is now sought in connection with this proposal. The main emphasis is being focussed upon the Travel Plan. However, to set up a system of targets and monitoring to reduce the number of vehicle movements to the site, and to encourage increased use of walking, cycling and passenger transport, the Highway Authority is of the understanding that a Transport Statement/Travel Plan will be provided in the very near future. The Highway Authority has also sent some suggested wording for a condition to the applicants to secure the Travel Plan.

Discussions are ongoing but subject to the Transport Statement and Travel Plan being agreed, or at least elements of the Transport Statement secured via condition, then there would be no objection.

The following wording for such a condition is suggested:-

"*Within three months from the granting of planning permission, the Applicant shall submit to the Planning Authority, in consultation with the Highway Authority, a Travel Plan completed in accordance with current Department for Transport Guidance. The Travel Plan shall include details of the monitoring framework and set targets to reduce personal motorised vehicular trips amongst staff. Once approved the Travel Plan shall be implemented and the results of the agreed monitoring provided to the Highway Authority at intervals as specified within the approved document.*

Reason - to encourage less dependence upon the use of the private car and encourage the increased use of walking, cycling and the use of passenger transport amongst staff."

The Executive Head of Health, Housing and Community Safety raises no objections.

The Environment Agency's full comments are awaited but raise no objection in principle to the proposal as submitted but would wish the following to be taken into consideration:

Planning Informative

The site incorporates/is bounded by the Ferring Rife, a main river under the jurisdiction of the Environment Agency. Under Section 109 of the Water Resources Act 1991 and/or Byelaws, any works whatsoever in, over, or under the channel of this watercourse on its banks within 8 metres from the top of the channel would require the prior consent of the Environment Agency.

Pollution Prevention

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings should be passed through an oil interceptor with an overall capacity compatible with the site being drained.

The Strategic Planning and Regeneration Manager comments are awaited and Members will be updated at the meeting.

The County Ecologist comments that he is surprised and disappointed that the application has been submitted without an ecological assessment of the affected bank (alongside the Rife) and a mitigation plan. The application has not been supported by all the requisite ecological information therefore more information is required to make a suitable determination (DPO 1995).

It is reasonable to assume that protected reptiles are resident on the bank alongside the Rife. In accordance with ODPM Circ. 05/2006 paragraphs 98 & 99 surveys relating to legally protected species must support the application (also refer to PPS9 paragraphs 15 & 16). PPS9 paragraph 16 concludes that "Planning authorities should refuse permission where harm to the species *[legally protected or of conservation concern]* or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm".

Development of the bank without due regard to biodiversity would also run counter to South East Plan policy NRM5 resulting in a further degradation of the Borough's habitat matrix/network and a reduction in the habitat value of the rife with no corresponding compensation (PPS9 paragraph 12).

As stated earlier, because no ecological report has been submitted it is impossible to assess the impact of the development and the effectiveness of any proposed mitigation indeed, because of this the development may also be counter to the Wildlife and Countryside Act 1981.

He understands that there are some economic pressures driving these proposals that are important to the borough nonetheless, development cannot

be permitted that will result in demonstrable harm. However, given the exceptional circumstances, the economic priorities, the stage of the application and the ecological potential of the site itself and trying to be as fair as possible to all parties but keeping 'in accordance' with ODPM circ. 06/2005 para 99 and Wildlife and Countryside Act 1981 (and in addition to the rife improvement condition) a condition for an Ecological Clerk of Works to be present to oversee the clearance operations may be appropriate on the understanding that the applicant is clear that they proceed 'at risk'.

The applicant is advised that should protected species be present work must stop; the consultant ecologist will make a judgement of the most appropriate course of action based on the significance of any find and Natural England may have to be informed. A licence may be required from Natural England before works can re-commence; Natural England and the consultant ecologist will advise. Please be aware that to continue with clearance to the detriment of known protected species may become a criminal matter.

Condition

No development or preparatory works affecting the bank alongside Ferring Rife to be undertaken until a suitably qualified Ecological Clerk of Works has been commissioned to undertake a scoping survey of the site to inform the bank clearance works that will be carried out only under the strict supervision of the Ecological Clerk of Works.

Reason: To safeguard legally protected species, other notable species and habitats

He also recommends a suitable condition to secure compensatory habit enhancement elsewhere:

Condition

Prior to the commencement of construction, a Ferring Rife ecological improvement plan shall be submitted to and approved in writing by the local planning authority.

Reason: To mitigate loss of habitat forming part of the Ferring Rife wildlife corridor

Informative:-

The applicant is advised that should protected species be present work must stop; the consultant ecologist will make a judgement of the most appropriate course of action based on the significance of any find and Natural England may have to be informed. A licence may be required from Natural England before works can re-commence; Natural England & the consultant ecologist will advise. Please be aware that to continue with clearance to the detriment of known protected species may become a criminal matter.

5. REPRESENTATIONS

At the time of writing representations from Land and Brand New Homes, 81 Yeoman Gate; Natwest and Royal Bank of Scotland; Shoal Ltd, Unit C1 Yeoman Gate; and Worthing Astronomical Society have been received raising the following concerns:-

i) Great concern if any further pressure is applied to the exit and entrance in Yeoman Road. In peak times, there are queues along its length endeavouring to exit, notwithstanding the pressure on the ambulance station for their own ambulances to return.

ii) We wish to object in the strongest possible terms as the proposal will produce a total gridlock of traffic in Yeoman Way which is already a nightmare between 4:30 and 5:30pm each day. You already have the Equiniti car park with some 500 cars disgorging onto Yeoman Way which makes exiting the units in Yeoman Gate a nightmare at all busy times. Under your proposal you will be routing all the Southern Water cars, of which there are a considerable number, which at the moment exit direct on to Yeoman Road into this already congested bottleneck. This will cause a total gridlock. Every Unit holder in Yeoman Gate would feel the same way; have they been notified of the proposal? If carried through this will destroy the commercial value of our present site which at present offers acceptable access to clients and staff and there would be a strong possibility that all the employers based in Yeoman Gate would consider leaving the site. We trust that the proposal will be amended to leave the Southern Water exit unchanged from the present.

iii) As occupier of Unit A2 Yeoman Gate we have inspected the application and are writing to you to express our concerns. We believe the proposed re-location of the main staff vehicular entrance to Southern Water's Southern House offices existing car park from Yeoman Road to Yeoman Way, plus the creation of a second 'overspill' staff entrance on Yeoman Way (directly adjacent to our office) could potentially cause significant access issues during peak morning and evening rush hours. Being located as we are at the north-east of Yeoman Gate we are only too aware of the issues created by parking shortages, mainly from Equiniti, but also with regard to our own needs. The "chicane" at Yeoman Way adjacent to our building has insufficient parking restrictions. Although the Highways Agency and Police have been informed they are unwilling to restrict parking further on the basis it will merely move the problem into residential areas surrounding the offices. Larger vehicles (refuse collections and delivery vehicles for example) often have great difficulty negotiating this area. This development, as a result of staffing changes at Southern Water, will only exaggerate the problems. The access into the second entrance, adjacent to our premises, will be difficult and we would suggest you view this for yourselves, it being worse towards the start of the week and in the mornings. Creating something in the region of 1,000 additional daily 'barrier controlled' vehicle movements to and from Southern Water's offices via Yeoman Way could severely impede vehicular access for those drivers who either work at or visit the adjacent Yeoman Gate business park.

There is currently no other vehicular access to Yeoman Gate other than via Yeoman Way. This is already hampered by vehicles parked on the roadway and the rush hour traffic flow created by Equiniti which is often significant, not to mention their own overflow.

We entirely appreciate the need to support local employers in the town but in considering this application the access issues, and parking restrictions and needs, in Yeoman Way should be reviewed and addressed in regard to not only this application but also as a result of not being appropriately dealt with or appreciated in previous developments (Yeoman Gate for example) and changes in others factors over time (Equiniti staffing levels for example). The need for a solution at the junction of Yeoman Way/Yeoman Road is essential be it through a roundabout or by the restriction of right turns out of and into Yeoman Way, and probably Southern Water's existing access as well.

We are aware of planning restrictions governing the number of parking spaces available, Yeoman Gate itself having to abide by and be a victim of these. However, as we all know, we cannot influence and control how our staff travel to work and these spaces must be provided. It is essential though that as planners you are provided with honest information and that you consider the reality of these outcomes. Will 100 further spaces be adequate? Probably not so the wider impact of this scheme and, as I have mentioned, the evolution of past schemes has to be recognised for the benefit of, and impact to, the locality.

iv) Concerns over light spillage and night sky light pollution from car park lighting and require safeguards.

6. PLANNING ASSESSMENT

The main issues raised by this proposal are:-

- The principle of intensifying office use and implications for local economy.
- Scale and form of car parking proposed and alterations to access and implications for sustainable and safe travel and road network
- Impact on the amenities and functioning of neighbouring businesses and residents.
- Quality of design and impact on the character of the area.
- Environment impacts including impact on wildlife, surface water drainage and flood risk.

As such, the application should be principally assessed against saved Worthing Local Plan Policies RES7, BE1, TR9 and H18 and South East Plan policies SP3; SP4; CC1; CC2; CC3; CC4; CC6; CC7; RE3; RE5; T2; T4; T5; NRM4;NRM5; C5; SCT1; and SCT3, and Government Policy in Planning Policy Statement 1: Delivering Sustainable Development, Planning Policy Statement 9:Bio-Diversity and Geological Conservation: Development and Flood Risk and PPG13: Transport is also particularly relevant.

The principle of intensifying office use and implications for local economy

Although no physical works to the office building are involved, clearly the consolidation and intensification of the Southern Water's offices is the motivating force behind the current application. Southern Water is a long established and major local employer, of prime importance to the local economy. Its decision to consolidate several sub-regional offices at the West Durrington headquarters is a significant boost for the town during the recession and helps offset recent closures of large offices by a number of businesses. The additional 200 jobs created from a transfer of functions will raise local spending power and incomes and raise the profile of the town. Making more efficient use of existing office space to accommodate the additional staff is a sound use of resources.

Scale and form of car parking proposed and alterations to access and implications for sustainable and safe travel and road network

The reconfigured parking and access measures proposed are critical to facilitating the employment expansion at the site.

The 101 additional car parking spaces proposed in the application represents a substantial increase. In normal circumstances, this scale of increase would be considered excessive for the size of the offices and contrary to Government and Development Plan sustainable parking/transport policy (maximum parking standards for such B1 office uses are one space for 30 square metres of floorspace whilst the proposal results in a nominal increase to one parking space per 13.8 square metres floorspace).

However, there are special considerations. Of prime importance is the fact that some 200 staff from other offices are to be relocated to the site without any additional increase in office floorspace. This raises employment density to unusually high levels (from 10.29 square metres floorspace per worker to 8.1 square metres per worker, roughly half to a third of typical densities). Parking levels, accordingly, need to reflect these circumstances.

At the same time, however, measures in line with sustainable transport policy are necessary to ensure parking demand at the site is restrained and managed to the necessary minimum (to avoid undue pressure on the network and minimise carbon emissions) and also does not exceed on-site parking supply (to avoid over spilling onto adjacent streets). The Highway Authority did raise initial concerns over the potential impact on the network of higher traffic levels but have agreed that any concerns here may be addressed as part of the submitted Green Travel Plan and allied Transport Statement. Negotiations with the Highway Authority to fine-tune the Green Travel Plan and ensure it has the necessary scope and enforceable controls are advanced and are expected to be concluded shortly. This should include measures to correlate the use of parking areas with staffing levels. The Committee will be updated at the Meeting.

Looking at the proposed additional parking provision itself, it appears the large section by the western boundary, which provides at least 75 spaces, may

have been in use for several years and the application simply seeks to retrospectively regularise this. Some, at least, may even be able to lay claim to lawfulness by virtue of the length of time they have been established. Certainly, such parking appears to have operated without harm to neighbouring properties or the road network, although it has allowed an unsustainable pattern of commuting to develop for current employment densities. This adds weight to the proposal.

As part of the scheme, the rationalisation of the existing parking, generally, allows more efficient use of the site. However, a substantial area of new parking on the grassy bank adjacent to the Ferring Rife is still proposed. In transport terms, this may still be justified to service the more intensive office use but potential harm to wildlife is an issue and this, together with a possible way forward is considered below.

In terms of the operation of the rationalised/increased parking areas and revised access arrangements, the Highway Authority has raised no objections. The arrangements appear to be sensible and justified, making fuller use of existing vehicle accesses which may even improve the traffic situation at the roundabout.

Impact on the amenities and functioning of neighbouring businesses and residents

The physical works to the car park required for by the rationalisation of existing parking and even the new parking area, new cycle parking and smoking shelter are relatively modest and remote from residential neighbours. It would be appropriate, however, to enhance the current meagre boundary landscaping adjacent to the units in Yeoman Gate to serve as a screen and soften the edge of the site with its large amount of parking. This may be secured by condition.

Quality of design and impact on the character of the area

The car park is large and dominates the curtilage of the site, despite the landscaping and central lake. However, it is at the rear of the building and is, for the most part, screened by boundary planting and broken up by integral landscaping. The works do not significantly alter the character and appearance of the curtilage area and though some landscaping is removed to optimise parking, some compensatory planting is also provided and the grass-creted areas help soften the appearance. The smoking shelter is discreetly sited and of a basic but acceptable design.

Environmental impacts including impact on wildlife, surface water drainage and flood risk

The chief concern here is the potential impact on protected and unprotected wildlife of the proposed new parking area and internal circulation road (and adjacent lighting column) proposed on a large section of the grassy northern bank of the land adjacent to Ferring Rife (next to Littlehampton Road).

This parking is a feature unique to the current application and unfortunately no ecological survey was submitted with the application as might be expected and encouraged in Government and Development Plan policy (not to mention prescriptions under wildlife legislation) to establish its wildlife value, in advance. Unfortunately, it is too late in the season to undertake such a survey now and any such survey would need to wait till until Spring 2010 at the earliest.

The applicants understood the area to have little prospect of wildlife value as the river bank is maintained grassland and believed the main ecological value of Ferring Rife to be in other nearby sections, at the very least, the more natural wooded area immediately to the south of Ferring Rife, opposite the site . The Environment Agency appears to lend some support to this view.

However, the County Ecologist has raised concerns that, despite appearances, there are records of protected species (reptiles) nearby and there is the real prospect of some such wildlife interest being harboured on the site. Unjustified works which harm a protected species or its habitat may be in contravention of Wildlife legislation. The Council's recently prepared Biodiversity Desktop Report also indicates other wildlife interest in Ferring Rife and there is a designated Site of Nature Conservation Importance in the Arun District, though the section of Ferring Rife in Worthing is unprotected by any such designations.

Negotiations to try and find a way forward which protects any important wildlife whilst facilitating, as far as possible, the car parking extension which is understood to be important to the office relocation, are ongoing.

The favoured option of Officers at this time is that put forward by the County Ecologist in response to offers by the applicants of compensatory habitat enhancement elsewhere (and supported by the Environment Agency). This would result in the works being subject to monitoring by an appointed Ecological Clerk of Works who would have the power to stop the works if it became apparent that protected wildlife was present. Depending on the value of any wildlife found, it could be translocated elsewhere to a safe haven or works stopped and the site protected. Allied to this, a scheme of habitat enhancement elsewhere in Ferring Rife would be agreed by the Council (in conjunction with the County Ecologist) funded and implemented by the applicants to compensate for loss of the current habitat. This is subject to such measures being feasible. The alternatives would appear to be simply to omit this part of the proposed car parking area from the application, carry out an ecological survey in the spring and review the situation then. In any event, the light column in the new car park area, closest to the remaining unaffected area of Ferring Rife will need to be resited to avoid it harming the remaining habitat.

The grassy bank area appears to have been left undeveloped in the original planning permission as part of landscaping and drainage measures. The Environment Agency's comments on the impact on drainage here and more generally within the site are awaited, but it should be noted that the regularised parking area and the new parking area are to be grass-creted. This is a porous material and allows for natural drainage.

7. CONCLUSION

This is a proposal to facilitate the consolidation and more intensive occupation of the offices at Southern House by rationalizing and expanding car parking and rearranging access. The boost to the local economy is recognised and welcomed. Whilst the levels of parking would, in other circumstances, be excessive, they are justified in this instance by the high density of employment brought about by the consolidation of employment subject to the imposition of a suitable Green Travel Plan. No significant impacts on the road network are expected and no harm to neighbouring uses is anticipated despite the objections. The works do not harm the appearance of the site. There are concerns over the potential to impact upon protected wildlife from building a car park next to Ferring Rife but a suitable way forward has now been agreed based on a watching brief and a compensatory habitat enhancement elsewhere. Subject to suitable conditions, the application should be supported.

8. RECOMMENDATION

Planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. Landscaping details to be agreed including enhancement of boundary planting adjacent to the north and western boundaries.
3. Details and positions of external lighting to be agreed.
4. Green Travel Plan to be agreed.
5. Surface Water Drainage.
6. No development or preparatory works affecting the bank alongside Ferring Rife to be undertaken until a suitably qualified Ecological Clerk of Works has been commissioned to undertake a scoping survey of the site to inform the bank clearance works that will be carried out only under the strict supervision of the Ecological Clerk of Works. No works shall be carried out other than as approved by the said Ecological Clerk of Works. All measures directed by the Ecological Clerk of Works shall be carried out as instructed and in the event of the said Clerk determining that there would be unacceptable prejudicial harm to any protected wildlife the works shall cease and the land restored in accordance with the Clerk of Works instructions.
7. Within six months of the date of this planning permission, a Ferring Rife ecological improvement plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented, maintained and monitored in accordance with the improvement plan and allied timetable.
8. Boundary treatment.
9. Within six months of the date of this planning permission a Management Plan shall be submitted to and approved by the Local Planning Authority which controls the levels of available car parking on-site and regulates the number according to staffing levels at the

premises at the time (as measured by numbers of full or equivalent staff), such that, if staffing levels fall significantly, the amount of parking provided on-site shall be reduced correspondingly in a manner as set out in the Management Plan. The agreed Management Plan shall be implemented fully and maintained thereafter, with appropriate reviews.

9. BACKGROUND PAPERS

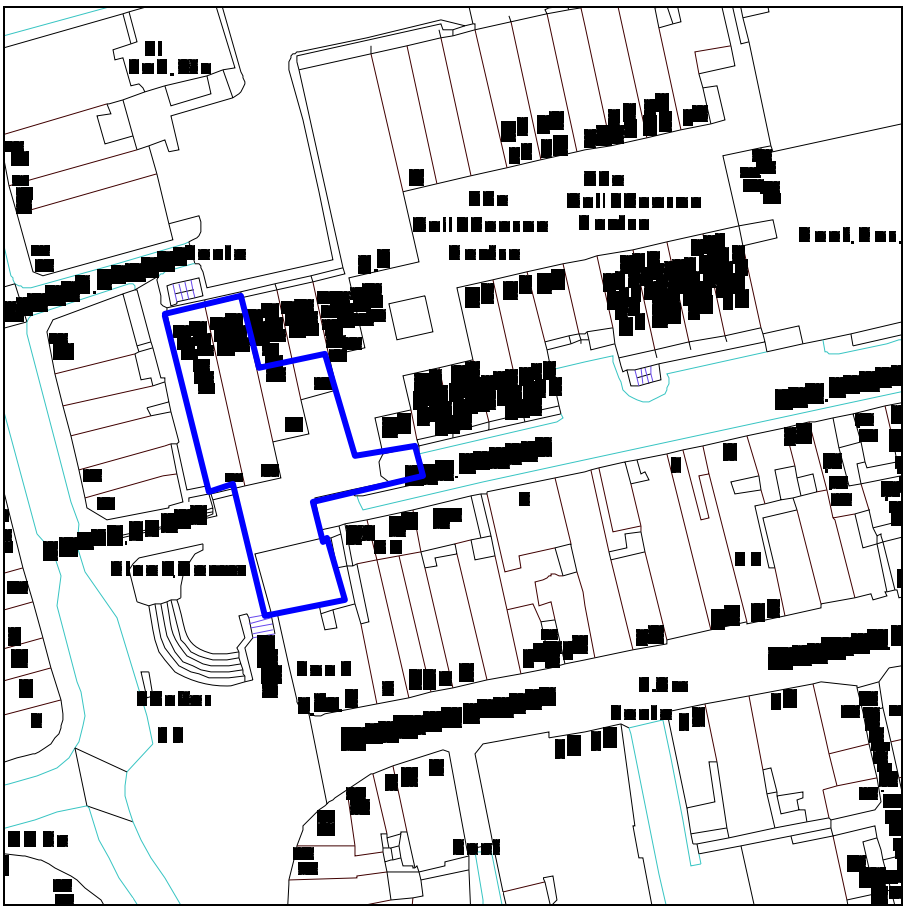
Observations of the Highway Authority
Observations of the Environment Agency
Observations of the Executive Head of Health, Housing and Community Safety
Observations of the Strategic Planning and Regeneration Manager
Observations of the County Ecologist
Letters of Representation from Members of the Public

Mr David Newton M.R.I.C.S
Addaction

WB/09/0193/FULL
CEN
PD

Location : 29 Guildbourne Centre

Proposal: Change of use from office and shop storage on first floor to advice and counselling centre with associated offices for drug and alcohol services (class use D1).



Not to Scale

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3. THE PROPOSAL AND THE SITE

Introduction

This is a proposal to use a large part of the first floor of the Guildbourne Centre as an advice and counselling centre for drug and alcohol services with back offices and is accessed from the adjacent pedestrianised area, close to the end of Ann Street and the entrance to the centre.

At its meeting on 6th October 2009, the Development Control Committee deferred consideration of the proposal to allow for further consultation. This

has been undertaken and the results, together with other updates (including the previous Addendum report) and assessment have been consolidated into this revised report.

The Site and Surroundings

The Guildbourne Centre was built in the 1970s as a large, medium rise, mixed development with covered shopping malls at ground floor and first floor level, offices at Guildbourne House and on the first floor, flats on the second, third and fourth floors, and a multi storey car park to the rear. It is situated in the heart of the town centre surrounded by a mixture of shops, bars, restaurants and offices.

The application premises are situated in the south west corner of the centre at first floor level, and comprise 840 square metres of (gross internal) floorspace, accessed at ground floor level through a pair of west facing glazed doors to a brick and glass stairwell.

The main pedestrian access to the shopping malls is some 8 metres away from the application premises entrance. Night access through the Guildbourne centre malls to a number of upper floor flats is provided by separate key pad access doors, some 2 metres away (the centre is closed off from around 6/7pm to the public).

The premises have been vacant since at least June 2007 and were last used by a travel agency as offices with a staffed reception area inside the ground floor stairwell building and prior to that as offices and shop storage.

The Proposal

The submitted plans show the internal layout of the application premises altered slightly to provide 9 counselling rooms supported by a first floor reception and waiting area. An internal lift is also to be introduced next to the stairs. Other internal refurbishment works are also planned.

The proposed operation is described in detail in the supporting statements. It would be run by Addaction, a charity which provides free and confidential counselling, information and advice to people who may be affected by alcohol and/or drug misuse. It works with adults, young people and families. The premises would provide a “one–stop-shop” for its existing services by consolidating the established services provided at Grafton Road, Liverpool Gardens, Teville Road and Parkfield Road into one integrated service whilst incorporating a range of new services and programmes. Addaction have been commissioned by West Sussex County Council and West Sussex PCT to provide this service and work closely with key partners in the health services as well as the police, the probation service and Worthing Borough Council. Thirty trained staff would be employed at the premises which would operate from 9am to 5pm Monday to Friday with two evening sessions between 5pm and 8pm. It would also run from 9am to 12 noon on Saturdays. Around 40 clients would visit per day.

2. APPLICANT'S DESIGN AND ACCESS STATEMENT

The applicant has submitted the following Design and Access Statement:-

"Drug and alcohol services are not new to Worthing. There are already established drop-in, structured group programmes, criminal justice and prescribing services present across the town as well as a children and family service in West Worthing. Until recently these were delivered by different providers in three four main locations across the town. These being, Grafton Road, Liverpool Gardens, Teville Road and Parkfield Road

The recent tendering exercise undertaken by West Sussex County Council and West Sussex PCT has brought all the drug and alcohol services in Worthing together into one contract and a single provider organisation. Addaction has been commissioned to deliver this service

Addaction's vision for services in Worthing is to provide more services, better services and fairer services to the residents of Worthing.

To achieve this Addaction believes that bringing all the Worthing services together under a single "one-stop" shop will be of most significant benefit. This vision has been universally accepted as best practice by the PCT; West Sussex County Council, Health Care Commission, Sussex Police, Sussex Probation Service, National Treatment Agency and Service Users.

Having a single service site will enable people needing drug & alcohol services and those needing information and/or advice in Worthing to have:

- *Better access*
- *More integrated services*
- *Reduce attrition*
- *increase engagement*
- *increase retention*

There are a host of other benefits of a one stop shop such as:

- *Immediate access for service users to a multi-professional team at the point of contact*
- *Housing of our seconded social workers*
- *Housing of our children and family teams*
- *Housing of satellite surgeries from partnership agencies i.e. dept advice, Job Centre Plus*
- *House our new Counselling service*
- *House our new women's programme*
- *House our new volunteer programme*

As a result the success of the service will be improved as well as providing a better opportunity to service users, their families and friends to maximise support and recovery.

Having a town centre location enables greater access through public transport enabling people to come into the service, receive the support they

need and leave without the need to hang about outside or move between different locations in the town to receive the right support.

As part of the successful tender, Addaction has enhanced its services elsewhere in West Sussex, creating more opportunities for service users, their families and friends to access support locally. If anything the development of other service centres in mid and West Sussex will provide people with more choice and reduce the need to travel into Worthing.

Addaction recognise that drug and alcohol misuse affect communities and families as well as individuals and are already developing all services to ensure they have a family focus and can support the needs of carers, siblings, children and others. Many of Addaction's clients find themselves turning to drugs and alcohol as a coping mechanism for job losses, bereavement issues, domestic violence and normal day to day pressure such as debt. Although a percentage of these individuals do resort to criminal activity to fund their alcohol or drug use, the majority of our clients do not.

There is a specific part of the service called DIP (Drug Intervention Programme), which together with Drug Rehabilitation Requirements is targeted specifically at offenders and through this aspect of the service Addaction works closely with the police and probation to target those who's offending is linked to drug misuse and enables Addaction to provide intensive support to those who need it most.

None of the current premises from which current services are provided are large enough or have sufficient access to enable the vision to be delivered for the people of Worthing. The new premises above the Guildbourne centre, has its own entrance discreetly located outside the centre. It will have the additional benefit of having a lift making the service DDA compliant. Given the space available at the Guildbourne Centre and the creation of a good sized waiting area within the premises it will give clients immediate access without the need for anyone to be hanging about outside the centre.

Addaction runs services throughout the country from in excess of 60 locations. The majority of these locations are in town centres close to shopping areas and other commercial uses. Locations above shops similar to these proposals exist at Hastings, Crawley, St Neots and Penzance and additionally adjacent to residential accommodation. In all cases there have been no incidents involving people attending Addaction's premises for help and support.

Addaction recognises that because of work commitments, childcare commitments and other reasons not everyone can come to the service during basic office hours. It is also true that often family members want information and/or advice but that other commitments prevent them from coming during the day. In consequence Addaction will be looking to develop limited evening, Saturday and other possible extended hour services, again to maximise accessibility. This also means that there won't be a particular time of day that would create a "bottleneck" of people coming into the

service and thus reduce the possibility of numbers of clients congregating at any one time

Addaction has considerable experience of running "shop front" premises in town centre locations and have a good track record in working with local communities to address needs, raise awareness and support community development.

As a part of our integrated service Addaction has a strong partnership with criminal justice agencies including the police and in particular local PCSO's who ensure that the external environment in which the service operates is regularly patrolled as well as forming part of Addaction's assertive outreach team with whom Addaction are in partnership to target treatment naïve clients i.e.; those clients with substance misuse issues who are not in treatment and whose behaviour is impacting on the local community.

Addaction employs suitably experienced and qualified staff to work with people needing services in an appropriate manner. Staff build relationships with local businesses, community groups and local residents to ensure the service is run in an open and transparent manner which enables them to deal with any concerns promptly and appropriately. In certain instances there are regular meetings with members of the local community and local traders to look at any issues they may perceive as being as a result of Addaction's presence and to seek solutions.

Addaction have had a presence in Worthing since 2005 and so have already built up strong community relationships. Other agencies now forming part of the Addaction programme have been present in Worthing for much longer.

Since the local Retail Development Brief was proposed in 2007, there have of course been dramatic changes with the current economy. As a result we are aware that the Retail Development Brief has been reviewed as times are very different now to what they were even two years ago and as such we understand that the Guildbourne centre no longer has been identified for refurbishment but still remains a "long term possibility" in terms of total re-development.

However, any town centre re-development takes time to implement given the complexities around site assembly, planning and transport issues; in the meantime we can add real value by improving the lives of service users and their families and friends by providing an essential service.

Controlled substances are <u>not</u> kept on any of our premises."

3. <u>CONSULTATIONS</u>

The Highway Authority comments that:-

"The proposal is for the change of use of a commercial unit to provide a counselling centre. From an inspection of the plans alone no safety issue is anticipated to arise from this proposal. Vehicle parking is available in the

nearby public car park and the site is well served by public transport, and therefore WSCC has no highway concerns regarding this application."

The comments of the **Executive Head of Health, Housing and Community Safety** are awaited.

The **Strategic Policy and Regeneration Manager** comments that:-

"Policy S9 states that:

Within the Guildbourne Centre, as shown on the Proposals Map, the following types of development will normally be permitted:

a) A1 Shop;
b) A2 Financial, professional or other services, principally for visiting members of the public;
c) A3 Food and drink use; and
d) Community and leisure uses which contribute to the vitality and viability of the Guildbourne Centre and/or town centre and which create no significant adverse effects.

The community and leisure uses that may be appropriate could include beauty salons or health suites, crèches, health care uses, advice centres or meeting rooms.

The proposed use would fit in with the advice and health care uses so there do not appear to be any policy constraints on the proposal."

The Economic Development Manager comments that:-

"This office space has been vacant since 2007 and although it is in a prominent location, it has proved very difficult to let.

We do not envisage this application will impact on the traders in the Guildbourne Centre due to the independent access point and Addaction's established partnership working with the police.

We welcome occupation of this prominent office space, to improve employment in the town centre."

The Community Safety Manager comments as follows:-

"I have discussed this application with Worthing Police and I would support their comments as set out below.

Addaction provide an excellent service for people in our community that need that particular care and support. Their move to a more accessible place is one that I would support."

Worthing Police comments as follows:-

"I note in particular:-

The application is an integration of current services, and does not mean a step change increase in clientele.

There will be a waiting room facility inside the premises, with immediate access, thus negating any gatherings outside of the centre.

No bottlenecks in scheduling of clients, with the bulk of sessions being appointment based.

No controlled substances on the premises, hence no dispensing on site.

Given the above, I would certainly not be looking to oppose this application."

Worthing Town Centre Initiative comments as follows:-

"The Worthing Town Centre Initiative feel that if the application is for the relocation of the office and its current clientele from one Town Centre premises to another then we do not envisage any difficulties as we are currently unaware of any issues at the current location.

If however, it is the intention of the organisation to consolidate other offices from other locations into Worthing Town Centre then we would consider this to be over intensification of such use and this could be a catalyst for behaviour which may conflict with the running of a vibrant, safe and healthy Town Centre. Clearly if intensification takes place in an area already susceptible to difficulties this could lead to a severe detrimental effect on the Town Centre."

4. REPRESENTATIONS

The initial consultation generated representations from flat Nos. 207, 304, 307, 310, 402, 404 Guildbourne Court and traders at Rudis Bar at No. 2 Ann Street and Yankee Candle in Unit 30 Guildbourne Centre which raised the following concerns and objections:-

i) Not willing to support the proposal until security is provided for fourth floor residents of Guildbourne Court in view of its exposed character and access and use of the stairwell by prostitutes.
ii) The livelihood of the traders will be affected and flats will be unsellable.
iii) A merger of 4 centres with 840 sq ms floorspace and employing 30 staff signifies attendance by a lot of people with problems. Numbers could increase with escalating social problems.
iv) The entrance is very close to the residents' coded entrance and the code on the key pad could be seen by clients, similar to a recent occasion involving youths.
v) Need to consider the worst case such as someone, who is homeless, turning up without an appointment when they could "lose it".
vi) Negative impact on the centre and wider town centre as custom declines and brings harm to the local community.
vii) The Guildbourne Centre should remain solely a shopping centre and people do not want to shop with drug and alcohol addicts.
viii) There are plenty of other vacant offices around Worthing which should be explored.

ix) The site is unsuitable in a predominantly retail area, close to a bar and contrary to Council's policy to revitalise the town centre and seafront. It is better placed in a health centre or hospital or other suitable location.
x) It will attract persons proven in the past to have committed violent and retail crime and the site will only entice such behaviour.
xi) It is doubtful whether regular patrol by a local PCSO will occur in practice due to other commitments.
xii) There are elderly people in Guildbourne Court who would feel vey intimidated by the use.
xiii) Problems that would ensue include exacerbation of drug problems, increased drug paraphernalia abandoned in the area with attendant hazards, increased crime, increased anti social behaviour will increase and harm to tourism.
xiv) Police officers are aware of the inherent problems of such centres.
xv) Residents have had to pay out for security measures at the Guildbourne Centre due to anti social behaviour and vandalism, including people sleeping in nooks and crannies. The proposal will only promote the centre further as a place to congregate and sleep. Shops and residents will suffer.
xvi) Problems of credit crunch, smoking ban in bars and reduced footfall experienced by retailers will be exacerbated by the proposal and deter customers, particularly females from using Rudis Bar.
xvii) There are enough problems already with homeless people and drunks hanging around the area and pestering and threatening residents, constantly having to be moved on by the Police. If the Council wishes to support location businesses then they should decline this application.
xviii) Report is inaccurate in that no access to the premises from Market Street is provided.
xix) Ann Street is already used by skateboarders and cyclists who congregate here after dark and consume alcohol. They will overlap with the clients of the premises, adding to problems.
xx) Inadequate consultation - no letters were received by second floor residents of Guildbourne Court and site notice was not apparent.
xxi) Residents' key pad access is very close to the entrance to the Addaction centre.
xxii) No confidence that the Police will have the resources to respond to any problems caused by the proposal, despite proximity of station.
xxiii) Needle exchange service will mean clients will bring their own drugs and dirty needles with allied risks.
xxiv) Why not a one year trial planning permission?

Subsequent additional consultation by means of hand delivered letters to residents of the second floor of Guildbourne Court and site notices displayed in the pedestrianised square resulted in the following objections:

<u>Guildbourne Court Residents Association:-</u>

As you will see from the enclosed petitions there is considerable opposition to the above application by the people who would be most affected. You will note that there are many reasons for not giving approval to this application which those concerned feel are more than sufficient for refusal.

If, however, against their better judgement it is felt by your Committee that approval should be granted then we must insist that the following conditions are included in such approval:

1. *No extension of opening hours to be permitted.*
2. *No drugs or drug substitute to be permitted on the premises.*
3. *No intensification of use by the inclusion or invitation for treatment of non-Worthing residents.*

The above to be made permanent conditions of approval.

We the undersigned residents of Guildbourne Court, Worthing (38 signature petition submitted) *object in the strongest possible terms to the above application for the following reasons:*

1. *The close proximity of the application site to the residents' entrance to Guildbourne Court.*
2. *The electronic key pad for the Guildbourne Court residents' entrance is very close to the entrance to the application site and is cause for considerable concern.*
3. *The residents of Guildbourne Court feel that the close proximity of this site would make our properties unsaleable.*
4. *There are many elderly residents and very young children resident in Guildbourne Court and the feeling is that this use of the site would have a detrimental effect on their lives.*
5. *There are no guarantees that the residents of Guildbourne Court will not be affected by the users of this site.*
6. *It has taken a considerable length of time to make Guildbourne Court a secure location. We feel this use of the site would jeopardise this situation.*
7. *The security staff of the Guildbourne Centre are only available to the shopping area. The residents of Guildbourne Court are responsible for our own security.*
8. *There has been no discussion between the applicants and the Guildbourne Court Residents' Association as set out at Section 8 of the Cabinet copy of the application.*
9. *There is no logical reason to locate such an organisation in the town centre.*
10. *The only possible gain from this organisation being located in the Guildbourne Centre will be the rent payable to the landlord.*
11. *Locating an organisation which is likely connected with drug and alcohol abuse at this location will do nothing to enhance the reputation of the town or the Guildbourne Centre.*
12. *We are fearful of the proximity of drug and alcohol abusers so close to our homes.*
13. *Many of the users of this type of facility are homeless and will sleep rough under the front of the building as has happened in the past and is very intimidating.*
14. *Concentrating the drug and alcohol abusers at one location in the town centre is a recipe for disaster.*

15. *Once established, applications to make changes could be applied for in the future and allowed such as longer hours of opening and the possible storage of drugs and we feel this is the thin end of a very dangerous wedge.*

Leaseholders of Guildbourne Centre (Supported by 9 signatures)

We, the undersigned leaseholders, of shops located within the Guildbourne Centre Worthing, write to oppose it for the following reasons:-

1. *Although we have the greatest sympathy for people who, for a variety of reasons, become addicted to alcohol and drugs and have great admiration for those of them, who do seek help, in a genuine effort to rid themselves of these addictions and for those who devote themselves to assisting them to do so.*

    We are also fully aware of the facts that those people who are the victims of serious and long term addictions are often unable to function normally in everyday life, to look after themselves and to keep themselves fit and healthy and to work and earn money to keep themselves and to feed their addictions and this being the case, unlike in respect of other illnesses, being desperate/compelled to feed their addictions, a reasonably large percentage of people could have loss of control over themselves and consider that the position they find themselves in, leaves them no alternative but to find the money by illegal means and therefore, added to their addictions, the life style they consider they are forced to lead, brings other problems and other people and the police become involved.

    We consider that the fact that it is proposed that drugs will not be held on the above premises is immaterial. Some people will be desperate to obtain money for drugs/alcohol in whatever way they can and there are other people who will be only too happy to supply them, providing they have the money.

    The under cover nature of the Guildbourne Centre with its three entrances and exists to Anne Street, Chapel Road and the public toilets/Chatsworth Road, provides an all year round, warm and comfortable meeting place, with seating provided. As above, leading to other convenient meeting places located all around it.

2. *We are concerned that the incidence of shoplifting and petty/more serious offences will increase within and around the Guildbourne Centre.*

3. *We are concerned that the above could significantly increase the workload of the Security staff employed to oversee the shops and Centre.*

4. *We are concerned because – the success or otherwise, of our businesses are dependant upon the footfall through the Guildbourne*

Centre, and, many of our customers have expressed great concern in respect of the proposed location of the above, which mirror our own and have stated that if the above proposal is successful, they will be obliged to seriously reconsider continuing to bring their children/elderly relatives to shop in the Centre. Some people have also raised concerns about the continued safety of the municipal car park above the centre and public toilets.

5. *Due to the recession, several of the shop units on the ground floor of the Guildbourne Centre have long been unoccupied and that area above the Guildbourne Centre, (which has no escalator linking it to the ground floor shopping centre), and, which was previously occupied by several shop units and the Tyrolla pub – has been completely vacant for several years (long before the commencement of the recession). As has that area the subject of the above application, with its entrance at the front of the Guildbourne Centre.*

   The above situation is obviously too apparent to escape the notice of the general public, including visitors to the town and creates a very poor impression – which poor impression is exacerbated by the high parking charges which at present are applicable.

6. *We respectively draw to your attention, the fact that, due to all of the already existing problems, traders within the Guildbourne Centre are already existing problems, traders within the Guildbourne Centre are already struggling to survive and in order to do so – work long hours and try very hard to make their individual shops as bright and attractive as they can and to give a really good, personal service to their customers.*

7. *It can be of absolutely no benefit to the traders within the Guildbourne Centre to so drastically change the usage of that area within it, the subject of the above application and as outlined above, could be extremely detrimental to them.*

   Further loss of footfall through the centre could cause some traders to be forced to cease trading.

8. *We are authorised to inform you that one trader, Mr Taylor, of Five a Day Greengrocers – is so concerned in respect of the continual complaints and adverse comments from his customers in respect of the above proposal, that he has already made the decision to vacate the Guildbourne Centre and to re-locate elsewhere in the town.*

   Worthing Borough Council are the Freeholders of the Guildbourne Centre and receive approx. 23% of the rents paid by the shopkeepers within the Centre and will obviously benefit financially if the above application is successful.

We consider that whilst it is commendable to try to help and provide for people who are the victims of alcohol and drug abuse and associated problems – we consider that it is equally important that the wellbeing and livelihood of others should not be put in jeopardy during the process of helping them – which we have good reasons to believe would be the case and which it is not possible for you to disprove would be the case.

We sincerely believe that the town centre premises, the subject of the above application are not suitable for purpose and that more problems will be created than solved if the application is successful and we respectfully request that the application is not granted.

Hackney carriage license holders and members of Worthing Taxi Association (supported by 38 signature petition)

We the undersigned Hackney Carriage licence holders and members of the Worthing Taxi Association based at the Chapel Road taxi rank object to the above application for the following reasons:-

1. *We feel there will be a loss of earnings for our members due to less people using the town centre for fear of being involved with drug and alcohol abusers at this location.*

2. *Having exchanged needles the nearest likely place for these people to use them is the shelter in Chapel Road next to the taxi rank.*

3. *We are mostly private businesses offering a service to the public which we feel will be jeopardised by the location of this application.*

4. *The members of the Worthing Taxi Association operating from the Chapel Road taxi rank are concerned about the possibility of being attacked in their vehicles by the users of this application site.*

5. *Should this application be approved the members of the W.T.A will seriously consider abandoning the Chapel Road taxi rank to the detriment of the town centre shoppers and traders*.

One letter from 13 Church Walk raising the following concerns:

i) There is another Government funded drug centre at Delaney House masquerading under WCHP where neighbours experience aggravation and uproar and homes are blighted.
ii) Residents of Selden Lane and Church Walk have had enough bad experiences to know that by encouraging bigger facilities for drug and drink addicts on one site it becomes out of control and against Government guidelines to treat drug and alcoholics in the same premises .
iii) Being in the very heart of Worthing, we will be able to view the crack heads sitting around the Guildbourne Centre.

iv) Do we really want to be like Brighton where they encourage drug users to congregate in the city because of all the facilities that are provided for them?

v) There is a five storey empty building on the corner of High Street/Steyne Gardens with no neighbours owned by West Sussex County Council, otherwise direct them out of town to an industrial site as they are running a Government funded business.

vi) This is not in Worthing's backyard – it is on their front doorstep.

5. PLANNING ASSESSMENT

The main issues raised by this proposal are:-

- The principle of the change of use
- Impact on crime and disorder and the amenities of neighbouring residential occupiers and vitality and viability of the centre and wider town centre.
- Impact on redevelopment proposals for town centre
- Access and parking

As such, the application should be principally assessed against saved Worthing Local Plan Policies RES7, TR9, and H18 and South East Plan policies SP3; SP4; CC6; RE3; T2; T4; TC2; S2; S6, and SCT1. The Masterplan and Draft revised Core Strategy, Union Place South: Area of Change 5, together with Government Policy in Planning Policy Statement 1: Delivering Sustainable Development, PPS6: Planning for Town Centres: and PPG13: Transport are also particularly relevant, as are the duties imposed upon the Council under the 1998 Crime and Disorder Act.

The principle of the change of use

The Guildbourne Shopping Centre, which is anchored by Wilkinson's and Summerfield, has struggled somewhat in the past, with the upper mall now vacant and closed and the recession adding to problems.

Redevelopment of the Centre as part of a larger retail scheme for an area north of Warwick Street, south of Union Place, west of The High Street and east of Chapel Road features in the Masterplan and is carried forward in the Draft Revised Core Strategy (Local Development Framework) as a mixed high quality and residential development in Policy Area of Change 5: Union Place South.

In the meantime, the Guildbourne Centre is the subject of (site specific) Saved Worthing Local Plan Policy S9, chiefly concerning permissible uses. This is reproduced below with supporting text and key sections emboldened:

"Policy S9
Within the Guildbourne Centre, as shown on the Proposals Map, the following types of development will normally be permitted:
(i) the amalgamation of small units into larger units where this will improve the viability and vitality of the Centre;
and

(ii) the change of use of units on the upper floor of the Centre to:
(a) A1 Shop;
(b) A2 Financial, professional or other services, principally for visiting members of the public;
(c) A3 Food and drink use; and
(d) ***community*** *and leisure uses which contribute to the vitality and viability of the Guildbourne Centre and/or town centre and which create no significant adverse effects.*

The Guildbourne Centre has declined as a shopping centre in recent years, with virtually all of the units on the upper floor becoming vacant. A number of schemes have been approved with a view to making the Centre more attractive, including additional floorspace, refurbishment within the Centre itself and to the entrance area as part of the overall enhancement of South Street. As further measures to improve the vitality and viability of the Centre itself and of this part of the Central Shopping Area, the Borough Council is prepared to operate a more flexible policy towards change of use of units on the upper floor than elsewhere in the area. A1 Shop, A2 Financial and Professional Services, A3 Food and Drink are all considered to be suitable in principle in this particular location.

Some community *and leisure uses may also be appropriate, provided that the use would contribute to the vitality and viability of the Guildbourne Centre and/or town centre and would have no significant adverse effects. Such uses could include beauty salons or health suites, crèches,* ***health care uses****,* ***advice centres*** *or meeting rooms."*

It is clear from the above that, as a *community use*, the proposal is, in principle, acceptable under this policy, and, that, as a use comprising a mix of *advice centres* and *health care uses,* the proposal is expected to meet the stated tests of contributing to the vitality or viability of the Guildbourne Centre or town centre and causing no significant harm. There is, therefore, a strong presumption in the Development Plan in favour of the proposal.
.
A detailed, objective, assessment of the impact of the proposal supports this view.

Of particular importance, in this regard, is the fact that the premises have lain idle for some time and the marketing evidence submitted suggests little interest. Before the recession the Guildbourne Centre was already struggling but in the current climate, the prospects of these first floor premises being occupied are even less favorable. The proposal would return some large and prominent vacant premises to a positive community use of major benefit to, not only substance mis-users themselves (e.g. alcoholics and hard-drug addicts), but also to the wider population affected by substance misuse. For example, the centre would provide advice to parents on tell-tale signs of drug misuse by their children and counsel adults over prescription drug dependency such as valium. Broader associated benefits to society, which may follow from reduced substance dependency, could include less crime, worklessness, family breakdown and homelessness. PPS6: Planning for

Town Centres specifically promotes social inclusion in town centres and clearly this proposal would advance this objective.

It should be noted that the various premises currently used by Addaction for their services, although individually smaller, are also located in the town centre. The Teville Road premises are on the edge of the town centre, adjacent to the commercial/retail uses in Teville Gate. The Grafton Road premises are in a mixed commercial and residential area. The Liverpool Gardens premises are in a commercial area, also very close to shops. All appear to operate in an unobtrusive and discreet manner, without a significant history of disturbance or complaint. It appears the new "one-stop" centre would continue to offer a similar set of services, albeit some re-formatted, and serve the same basic catchment area as these do at present which is based upon the town and is complemented by similar centres in operation at Brighton and Bognor Regis. Certainly, the Guildbourne site is more central to the primary shopping area than the existing Addaction facilities in the town. However, there is, on the basis of their experience, the range of services offered and the geography of the distribution of such "one- stop" centres, no compelling evidence to suggest that the consolidated premises would be materially different in character to the existing facilities in their operation or impact adversely on the town centre.

Although there is a strong element of relocation and consolidation about the proposal, the 30 associated jobs and the number of clients using the premises will be of direct economic benefit to the town centre from their concentrated activity and spending power. Signage at the existing Addaction premises is very discreet and this approach may be continued at the new premises by imposition of a suitable management plan condition.

The supporting evidence submitted indicates that the application premises are the only realistic option available which meet their requirements for floorspace of 700 square metres which is accessible by wheelchair in a town centre location. They also report that there is a compelling urgency to find new premises as the existing premises at Liverpool Gardens and Grafton Road will be closed in the very near future. Against this background, the Economic Development Manager and Town Centre Initiative have given their general support.

<u>Impact on crime and disorder and the amenities of neighbouring residential occupiers and vitality and viability of the centre and wider town centre</u>

It is recognised that the pedestrian precinct adjacent to the Guildbourne Centre can be attractive to not only shoppers but to others such as skateboarders and some street homelessness who may also have alcohol misuse problems. Indeed, measures to prevent access to the Guildbourne Centre malls at night and to deter crime and anti social behaviour were introduced in the recent past because of prevailing problems.

However, the current proposal has been prepared in consultation with the Police who lend their support on the basis that there would not be a step change in overall services in the town centre, principally a consolidation; there are (supervised) waiting facilities in the premises themselves; there is only

limited scope for tensions caused by clients waiting outside as the majority of sessions are appointment based; and no substances are stored or dispensed on the premises. The Community Safety Manager echoes the Police's support and the Worthing Town Centre Initiative expresses a qualified endorsement on the basis of there being no overall intensification.

Again, the experience of the existing Addaction facilities in the town centre which, have apparently operated discreetly without reason for concern or complaint, enable the proposal to be supported. The close proximity of the application premises to the Police Station in Chatsworth Road, the coverage of the premises and pedestrian precinct and Ann Street by CCTV and good lighting also lend weight to the view that crime and disorder problems should not arise from the proposal itself. Moreover, the access to the premises is discreetly sited away from the main focus of activity in the pedestrian precinct and mall entrance. In terms of attracting the homeless/street drinkers, Addaction report that only 1% of their clients are drawn from this group, the primary service facilities for such people being Worthing Churches Homelessness Project in Marine Place and the Stoke Abbot Health Clinic which will both remain.

The position of the ground floor access to the application premises close to the key pad residential access doors to Guildbourne Court has been the subject of some residents' concern. However, it is noted that the two accesses are entirely separate. Intercom access and internal waiting areas are to be provided at the application premises so there is no reason for intermingling of residents and Addaction clients. Moreover, the evening sessions, when both entrances could be used at the same time (note that residents' access is available within the mall during the day), are limited to two per week between 5 pm and 8 pm. The other security measures outlined above are also relevant. Above all, Addaction report that the clients using the evening services are appointment based and are restricted to those with daytime commitments, such as those in work, education or with child care responsibilities. Almost by definition, these are the least risk clients. Provision of evening services is also critical to providing services for all in line with social inclusion objectives. A management plan for the operation of the proposal may be secured by a suitable condition. The operational hours are not considered to be unsocial given the town centre location.

It is noted there are needle exchange facilities on the premises. However, Addaction report over 90% of such exchange clients are body builders, using steroids. In any event, the presence of such facilities appears not to be problematic in itself, as the town's leading chemists also provide this service in the heart of the town centre. As no drugs are dispended from or stored on the premises, the risk of a break-in and theft for these purposes should be minimal.

Clearly, understandable fears remain amongst a number of residents and the business community over the proposal. However, whilst fear of crime and disorder can be a material consideration in determining planning applications generally, this is only where such fears are objectively justified or the fears have genuine land use consequences. As noted above, the experience of the

existing Addaction services elsewhere in the town centre suggests no hard evidence to justify any such fears.

Impact on redevelopment proposals for town centre

The proposal merely involves re-occupation of vacant premises with only limited alterations, apart from any necessary internal refurbishment. With the advent of the recession, the major town centre redevelopment proposals have been delayed and there is no realistic prospect of any such redevelopment within the next 5 years on the Union Place South retail site. No prejudicial impact on such proposals would arise from the current application.

Access and parking

In the heart of the town centre, the site enjoys excellent access to public transport, shops and other facilities, as well as public car parking at the adjacent multi storey car park. The proposed internal works will provide full wheelchair access.

6. CONCLUSION

The proposal would bring large vacant premises in the heart of the town centre into a positive community use in line with Local Plan policy. Consolidating services currently dispersed across the town centre into a "one-stop-shop" location would introduce benefits for service delivery as well as the wider community. The site appears to be the most realistic option available. There are understandable concerns from the local community over the impact on retailing in the centre and local residents' security. However, the experience of the existing Addaction centres in the town and the operational and security measures in place, together with the proposed layout and the operation of the centre, suggest that no significant problems should arise. The proposal is generally supported by the Police, Economic Development and Policy Managers and the Town Centre Initiative. The location is highly sustainable. As such, and subject to suitable conditions, the proposal is supported.

A temporary permission to monitor the use has been considered but is difficult to justify bearing in mind the substantial setting up costs which would be incurred by a publicly-funded charity in refurbishing and converting the premises, including the installation of a lift. Government advice on imposing conditions is set out in Circular 11/95 which states "*it might be appropriate to grant a temporary permission in order to give the development a trial run, provided that such a permission would be reasonable having regard to the capital expenditure necessary to carry out the development*."

7. RECOMMENDATION

Planning Permission be granted subject to the following conditions:-

1. C1AREV Revised Standard Full Condition.
2. Use limited to that set out in the application and supporting statement.

3. Limit trading hours from 9am to 5pm Mondays to Fridays plus two evenings per week from 5pm to 8pm, and, from 9am to noon on Saturdays.
4. Management Plan to be agreed.

8. BACKGROUND PAPERS

Observations of the Highway Authority
Observations of the Executive Head of Health, Housing and Community Safety
Observations of the Strategic Policy and Regeneration Manager
Observations of the Economic Development Manager
Observations of Community Safety Manager
Observations of Worthing Police
Observations of Town Centre Initiative
Letters of Representation from Members of the Public

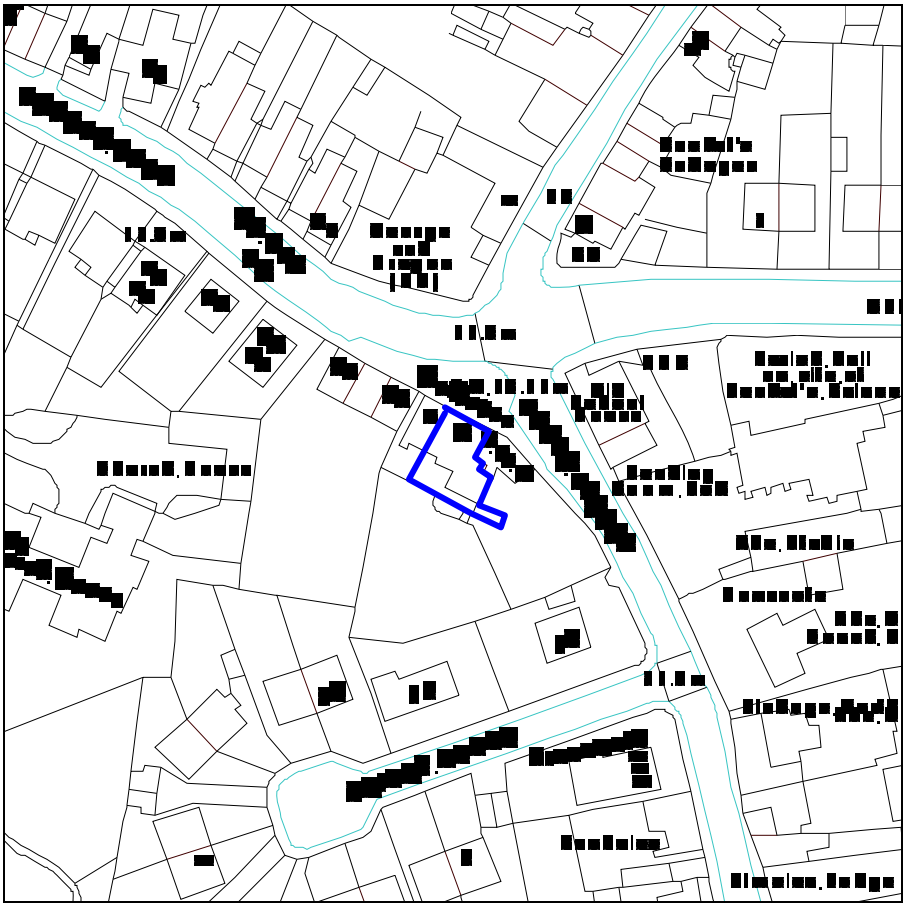
17th November 2009

BPM
Sharron Walker

WB/09/0843/FULL and
WB/09/0844/LBC
TAR
MO

Location : 2 Market House Church Road

Proposal: Change of use from shop (class A1) to proposed restaurant (class A3) with ancillary take-away element with provision of a new extraction fan/duct encased within a face brickwork chimney to the rear elevation.



Not to Scale

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4. THE PROPOSAL AND THE SITE

There are two applications, one for change of use and one for Listed Building Consent. They relate to a double fronted vacant retail unit, previously Threshers off-licence, on the south side of Church Road at its junction with South Street, Glebe Road and High Street in Tarring Village. The building contains two flats above and adjoins a convenience store to the east and

Dukes sandwich shop and bakery to the west. The site to the rear has been recently developed with two houses.

The property is in the heart of West Tarring Conservation Area and Tarring Village with many listed buildings, some dating back to medieval times. The application property itself is Grade II Listed within a row of Listed Buildings.

Permission is sought to change the use of this shop (Class A1) to a restaurant (class A3) with ancillary take-away and proposed opening hours of 11.30am to 11.30pm, 7 days per week. The agent has advised there is no known occupier at this stage but he has submitted a layout plan showing 23 covers and a WC facility. The proposal includes the installation of an extraction duct encased in a new brick built chimney on the rear elevation to a height of approximately 5.0 metres above ground level.

This application follows the refusal earlier this year for planning permission and Listed Building Consent to convert the property into a hot food take-away (class A5) and to erect a metal flue on the rear elevation (WB/09/0557/FULL and WB/09/0558/LBC refer). The applications were refused for two reasons. Firstly, the harm a metal flue would cause to the appearance of the listed building and the conservation area and, secondly, the potential to cause noise and disturbance to local residents and the potential to exacerbate an existing crime and disorder issue.

2. APPLICANT'S DESIGN AND ACCESS STATEMENT

The applicant has submitted the following Design and Access Statement:-

"Overview

The proposal is for the resubmission of application WB/09/0558/LBC, which was originally for the change of use from A1 to A5 (Take-away). Following the rejection of the previous application due to local concerns in the increase in anti-social behaviour and parking, we feel the revised scheme of a proposed restaurant will improve levels on anti-social behaviour in the area, improving the currently vacant site that used to be an off-licence. We feel the traffic flow will also be improved. The new application is for change of use of the existing Vacant A1 Shop, to an A3 Restaurant with an ancillary take-away element. The property is a Grade II Listed Building and is located within a parade of shops on Church Road, Worthing. The only proposed change to the building is the proposed extraction duct that is to be situated discreetly on the rear elevation. The extraction duct is to be enclosed within a solid face brickwork chimney, which has been specifically located away from any openable windows and within a discrete location to reduce the visual and audible impact on the property and local residents. The chimney will match the materials and visual appearance of existing chimneys situated on the property, and will be constructed using reclaimed materials.

The proposed chimney has been located away from any habitable rooms. The windows nearest to the chimney include a common way staircase, a store room and a window that has been blocked up from inside. We therefore do

not consider the chimney/ventilation duct to cause audible/visual impact on local residents.

Use

The property has been vacant since approximately mid June 2009, and was used as an off-licence (A1 Use). The shop has 2 no. Residential flats above, with a separate entrance to the side. The proposed use is for an A3 restaurant with ancillary take-away element.

Amount

The floor area is not changing as a result of the proposals.

Layout

The layout of the property is not changing as a result of the proposals.

Scale

The scale of the property is not changing as a result of the proposals. The proposed chimney is to be kept to a minimum size of approximately 550 x 550mm.

Landscaping

Landscaping is not changing as a result of the proposals.

Appearance

The size of the chimney is to be kept to a minimum, and will be positioned discreetly at the rear of the property; the chimney is a considerable distance away from any openable windows. We therefore do not consider that this will cause audible or visual issues to local residents. The proposed chimney is to be constructed using reclaimed bricks to match the appearance of the existing chimneys.

Access

Access is not changing as a result of the proposals.

Heritage Statement for the Change of use from A1 shop to proposed A5 Hot food take-away with provision of extraction fan/duct to rear elevation of property at 2 Market square, Worthing.

1. *Scheduled Ancient Monument (SAM)*

   The proposed Site and works do not affect a Scheduled Ancient Monument or its setting.

2. *Archaeologically sensitive Area (ASA)*

The proposed site and works are not situated in an archaeologically sensitive Area.

3. *Listed Building*

The proposed property is a Grade II Listed Building situated within a parade of shops on Church Road, Worthing.

The only change to the appearance of the property is a discreet extraction duct located on the rear elevation in a carefully chosen location to minimise visual impact from the rear. The extraction duct is to be located within a face brickwork chimney that will match existing chimneys on the building. The rear of the property is not overlooked by any neighbouring windows and therefore ensuring the chimney has a minimal impact on the property.

4. *Conservation Area*

The site is not located within a conservation area.

5. *Historic Parks and Garden*

The proposed site and works do not lie within a registered park or a garden of special historic interest.

6. *Ventilation Statement for the Change of use from A1 shop to proposed A5 hot food take-away with provision of extraction fan/duct to rear elevation of property at 2 Market Square, Worthing*

The proposed change of use application from A1 to A3 Restaurant with ancillary take-away involves a ventilation and extraction system.
It is proposed to use a system such as the System Air Multibox 500E4-A2 Extractor fan, with an extraction duct of approximately 450 x 450mm, located on the rear elevation of the property.

The ventilation system has a sound level of approximately 56Db.

The duct is to be encased within a face brickwork chimney in a discrete location away from any openable windows."

3. CONSULTATIONS

The **Crime Prevention Design Adviser for Sussex Police** makes the following points:-

"I refer you to my letter reference DD/SW/WOR/09/17 of 17th August 2009, in which I was able to comment on the earlier submission (WB/09/0557/FULL)

which was subsequently refused following concerns by the Neighbourhood Policing Team.

This revised submission seeks a change of use from A1 to A3 use which I would not object to, however, the applicant wishes to retain an ancillary take-away facility which would raise the same concerns as previous.

Should consent be approved, I would request that consideration be given to a temporary period of 12 months in order to allow any impact on crime and disorder to be assessed.'

The **Highway Authority** commented previously as follows:-

"The proposal is for the change of use of a shop to a take-away at Market House in Church Road. The application form states that the property has 3 existing parking spaces; however, it was evident when visiting the site that these are not for public use for the take-away. Customers would not be able to pull over on the main road (Church Road), as this would cause an obstruction. It is therefore anticipated that customers visiting the take-away would park in South Street to the south east of the property where there is available on-street parking.

Although there are concerns over the lack of parking associated with this change of use, there is an established retail use at this site where customers would have parked nearby to visit the former off-licence and other shops. Given that the proposed take-away is located in a residential area, it is anticipated that a significant proportion of customers would walk and those that come by car could park on-street."

The further views of the **Highway Authority** on the current application are as follows:-

"West Sussex County Council was consulted previously on highway matters for this location under planning application WB/09/0557/FULL to which no objections were raised.

The proposal is for the change of use of a shop to a restaurant with an ancillary take-away facility. The application form states that the property has 3 existing parking spaces; however, as noted in the consultation to the previous proposal, it was evident when visiting the site that these spaces are not for public use. It would therefore be expected that these would be used for staff parking.

As stated in the previous consultation, customers would not be able to pull over on the main road (Church Road) because this would cause an obstruction. It is therefore anticipated that customers using the take-away facility would park in South Street to the south east of the property where there is available on-street parking.

Although there were some concerns with the previous application over the lack of parking associated with the change of use, there is an established retail use at this site where customers would have parked nearby to visit the

former of-licence and other shops. It is expected that the restaurant use will generate less vehicular activity than the previously proposed take-away. Given that the proposed restaurant and take-away is located in a residential area, it is anticipated that a significant proportion of customers would walk. The restaurant customers would be expected to park in nearby roads where there is an existing on-street parking capacity. Adequate bin storage should be provided within the curtilage of the site."

The **Executive Head of Health, Housing and Community Safety** requires a condition detailing a sound insulation between the commercial unit and flats above to be submitted, approved and installed prior to the facility opening. Additionally they require anti-vibration fittings to be installed internally to prevent structure borne noise and vibration transmitting up the chimney to residents. A post installation check will be required. Finally hours of operation of the extraction system should be limited between the hours of 0700 to 2300.

4. REPRESENTATIONS

Twenty-one individual letters have been received from local residents (including resident Councillors) objecting to the proposal for the following reasons:-

i) This application is little different from the one previously refused.
ii) The use would exacerbate existing problems with youngsters and anti social behaviour in the area who would be attracted to a take-away.
iii) The use would result in noise and disturbance with people gathering in the street, as well as smells and litter which would be harmful to neighbours.
iv) The use would spoil the village setting and conservation area.
v) A restaurant and take-away would be out of character and damaging to the local environment and local ecology.
vi) The site is too small to sustain a restaurant and has no facilities for a WC for diners. Take-away would inevitably become the main use.
vii) It would be an inappropriate use for a Listed Building and the refurbishment may be detrimental to the original building.
viii) There would be inadequate parking resulting in a traffic hazard and on street parking is to be further reduced with a traffic order soon. Restaurant users would park for longer, possibly illegally or inconsiderately leading to further hazards and obstructions for pedestrians.
ix) The use of motorcycles for the delivery of take-aways would add to traffic danger and safety issues for pedestrians as well as increased local noise.
x) The two local pubs serve hot food and a take-away is not needed.
xi) There are already take-aways close by in South Street.
xii) Why is the applicant anonymous? There is great concern that one of the larger chains will take this unit on to the detriment of the area.
xiii) With obesity levels as they are, locating a take-away close to a school is not appropriate.
xiv) A take-away use will threaten other existing local food outlets.

xv) Such a development would devalue local properties – who will compensate us?

xvi) It would be a commercial overdevelopment of this site out of character with this residential neighbourhood.

xvii) It will lead to a loss of mutual cohesiveness and the creation of a dormitory suburb.

The **Conservation Area Advisory Committee** comment as follows:-

"We would refer to the committee's comments on August 12th 2009 to application numbers WB/09/0557/FULL and WB/09/0558/LBC for this property and repeat our objections to the extraction fan/duct. There is a question raised as to the feasibility of the proposed face brickwork chimney encasing the extraction fan/duct. If this is a practical solution and it is not obtruding above the roofline and does not cause any detraction from the appearance of the Listed Building, then the committee has no objection. It *must be stressed that the case officer should monitor this situation if the work is allowed and ensure that care is taken to preserve the characteristics of the building. The proximity to the historic buildings of old Tarring must always be taken into consideration when changes are proposed in this area."*

5. RELEVANT PLANNING HISTORY

In 2006 planning permission and listed building consent were granted for first floor offices to revert to residential use in the form of two flats.

More recently, on 19th September 2009 planning permission and Listed Building Consent were refused to use the ground floor as a hot food take-away and to erect a metal flue on the rear. (WB/09/0557/FULL and WB/09/0558/LBC refer).

7. PLANNING ASSESSMENT

The two proposals are for firstly, the change of use to a restaurant with ancillary take-away and secondly, the works to the Listed Building required to install an extraction flue within a new brick chimney on the rear elevation.

The principal issues raised by these applications are, therefore, the loss of retail premises, the impact of a restaurant upon the residential amenities of the area, parking and highway safety, and the effect upon the character and historic interest of the Listed Building and the Conservation Area, as well as any implications for crime and disorder. As such the proposal should be primarily considered against saved Worthing Local Plan Policies RES7, H18, BE1 and TR9 and South East Plan Policies CC6, T4, BE1 and BE6.

Loss of retail floorspace

This retail unit is not within a designated shopping parade although it is situated between two retail uses. There are, therefore, no shopping policies relevant to this application which would seek to retain these premises for retail

purposes. A restaurant is, therefore, acceptable in principle and an appropriate use for the premises provided the use would cause no harm to the amenities of the area.

The impact on residential amenity

The satisfactory integration of a restaurant into the area with minimal impact on local residents is dependent upon a number of factors. For example, there are two flats above the premises and the acceptability of such a use would depend upon the existence of satisfactory sound insulation between the ground and first floors, the provision of an efficient extraction system for smells and odours, and, opening times which would not result in late night noise and disturbance for residents.

Any approval should, consequently, be subject to a sound insulation condition. Clearly, the use of a restaurant is likely to result in more associated noise and activity within the premises which could be transmitted upstairs, more so than a wine shop, where less people are likely to gather at the same time. Flats above restaurants are commonplace and nuisance is avoidable with appropriate measures.

Furthermore, an efficient extraction system is important to ensure that cooking smells and odours are effectively removed from the building and are not allowed to escape through open windows and enter the flats above. The kitchen area only has a rear door so the escape of noise and smells would be limited. It would also be important to ensure that the extraction system was maintained in good working order to avoid noise and vibration from the system being transferred through the building to the flats above.

Finally, it is important that the opening times for the premises reflect the scale of activity and the degree of peace and quiet associated with this location which would appear to generally experience low levels of background noise in the evenings when pedestrian and vehicle movements are at a reduced level. The applicant proposes opening times until 11.30 pm but, having regard to the low level activity of the area at that time of night, added to the fact that the adjacent shop closes at 11.00 pm, it is not unreasonable to suggest that a restaurant should also close at 11.00pm. This would avoid the attraction of extraneous late night activity to the area after closing times of the shop and the local public houses which are often the source of noise and disturbance as people are turned out onto the street.

The Environmental Health section's comments also require the extraction system to cease use from 11pm to avoid nuisance to neighbours. This would be consistent with an 11pm closure. The section also requires anti vibration fixings for the flue inside the chimney and sound insulation between the floors. Such conditions are recommended.

Objections have been received to this A3 application on the basis that the available floorspace for diners is inadequate to support a restaurant business and that, as a consequence, the take-away use will be the predominant use by default and, as such, this is a 'back door' way of achieving a take-away. There is also concern that the site does not have any WC facilities for diners

and therefore unsuitable as a restaurant. A restaurant is required to provide one unisex WC to disabled standards to serve up to 25 diners and staff. The applicant has now provided a seating plan showing 23 covers with a WC facility. The likely changes to accommodate a WC as illustrated raise no concerns with regard to the listed building.

Impact on the Highway Network

The site has three staff parking spaces but no public off-street parking and on-street parking outside the premises is limited. Local residents advise that the surrounding streets are very heavily parked, particularly in the evenings and at weekends. Neighbours advise that there are discussions taking place at the moment to extend yellow lines on the south side of Glebe Road and areas of double yellow lines on Church Road. However, the Highway Authority has not commented in respect of further on-street parking controls but, this would restrict further parking availability. In spite of this the Highway Authority is not objecting to the proposal because its view is that parking associated with a restaurant will be no worse than that associated with the previous off-licence, particularly as many customers to the restaurant will be from the local neighbourhood and on foot. It should be noted that it also raised no objection to a take-away on this basis. An ancillary take-away element would not therefore be expected to raise significant highway concerns.

Crime and Disorder and Impact on neighbours

Many objections refer to a significant problem with local youths congregating in the area resulting in anti-social and intimidating behaviour. They already gather outside the local convenience shop next door to the application premises and also to the west in the park. Neighbours remain worried that a restaurant with ancillary take-away in this location will give local youths more reason to hang around the premises, particularly if it is a fast food outlet. This could cause more noise and disturbance for local residents. This view was shared by the local Crime Prevention Design Adviser for Sussex Police in the previous application for a take-away. Whilst the Police raise no objection to a restaurant use they remain concerned about the impact on local crime and disorder that any ancillary take-away element could have.

An ancillary take-away element would normally be a small subordinate and incidental part of the principal A3 restaurant use and, as such, outside normal planning control so long as it is associated with and an integral part of the primary restaurant use. The local residents' concerns are understood in this regard. However, it is not possible to withhold permission for an A3 restaurant on this basis or to impose a condition which prohibits any form of take-away service. Nevertheless, it would be clear from the description in the application that only a restaurant use is being sought and any take-away element would be purely ancillary.

Impact on the Listed Building and Conservation Area

This property is centrally positioned within the Conservation Area. It is a Grade II Listed Building. There is local concern that a restaurant would be harmful to the appearance of the Conservation Area and the Listed Building.

Whilst the proposal does not involve any changes to the front elevation of the building there are likely to be changes to the signage on this building if permission is granted but signage is not part of this application and, in any event, would be considered on its merits in due course having proper regard to the constraints of the Listed Building and Conservation Area. Signage applications have been approved over the years and so it is not unreasonable to expect that a suitable form of signage could be granted consent for a restaurant use.

The previous listed building consent application was refused because it was considered that the installation of a metal flue on the rear elevation of the building would be inappropriate and harmful to the Listed Building and Conservation Area as the rear is visible from several neighbouring properties. The applicant has addressed this concern by encasing the flue in a brick chimney proposing proportions, design and materials to match the existing chimneys. This is considered to be an acceptable solution and one which would avoid harm to the Listed Building and Conservation Area.

7. CONCLUSION

It is considered that the two previous reasons for refusal have been addressed in these two revised applications. A restaurant use should not add to the current anti-social behaviour problems of the area and should therefore not detract from the residential amenities of nearby properties. Furthermore, incorporating the metal flue in a traditional brick chimney would not be harmful or damaging to the character and appearance of the Listed Building and the Conservation Area.

8. RECOMMENDATION

WB/09/0843/FULL

Planning permission be granted subject to the following conditions:-

1. C1AREV Revised Standard Full Condition
2. The premises shall not be open for trade or business and the ventilation equipment shall not be used except between the hours of 0700 and 2300 Mondays to Saturdays and 0800 and 2300 on Sundays or on Bank or Public Holidays.
3. The development hereby permitted shall not commence unless and until a schedule and samples of materials and finishes to be used for the external walls of the proposed chimney have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be completed fully in accordance with the agreed materials.
4. Details of how the chimney pot terminates on the proposed chimney shall be submitted in writing to the Local Planning Authority and only such works as approved shall be constructed on site prior to the commencement of any A3 use.
5. C11A Agree/implement sound insulation between the restaurant and flats.

6. Details of anti-vibration fixings for the ventilation equipment shall be submitted in writing to the Local Planning Authority for approval and only those details approved shall be installed prior to first use of the equipment.

WB/09/0844/LBC

Listed Building Consent be granted subject to the following conditions:-

1. C1AREV Revised Standard Full Condition
2. The development hereby permitted shall not commence unless and until a schedule and samples of materials and finishes to be used for the external walls of the proposed chimney have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be completed fully in accordance with the agreed materials.
3. Details of how the chimney pot terminates on the proposed chimney shall be submitted in writing to the Local Planning Authority and only such works as approved shall be constructed on site prior to the commencement of any A3 use.

9. BACKGROUND PAPERS

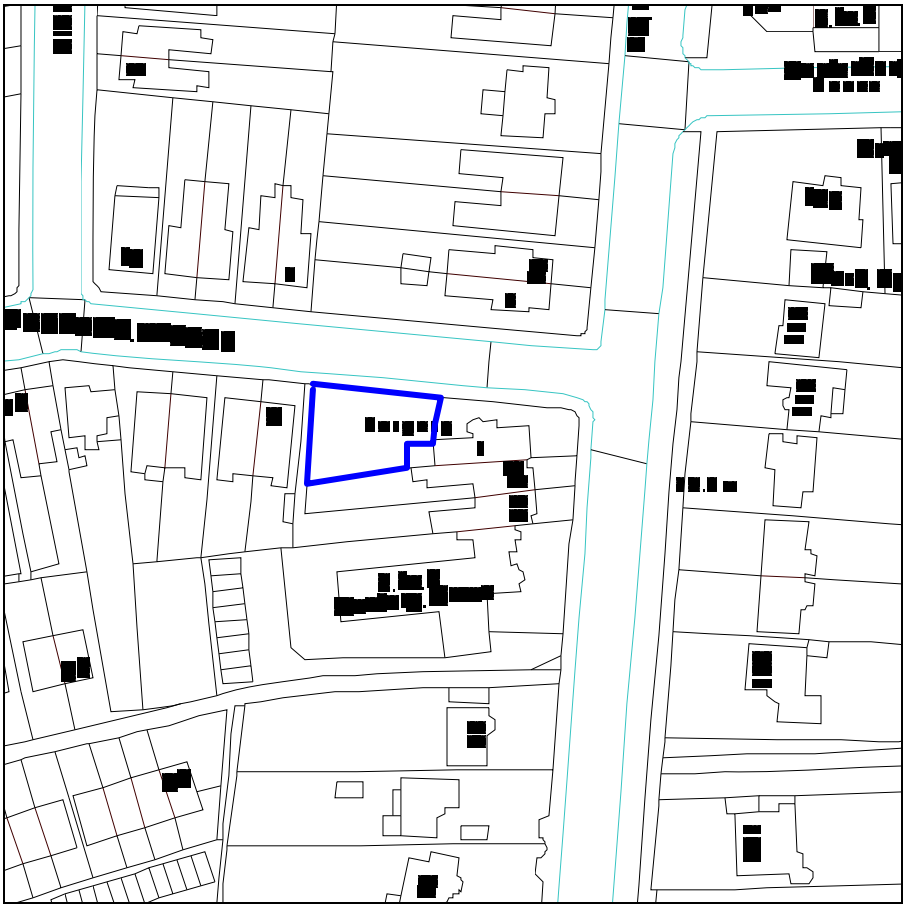
Observations of the Conservation Area Advisory Committee
Observations of the Crime Prevention Design Adviser for Sussex Police
Observations of the Highway Authority
Observations of the Executive Head of Health, Housing and Community Safety
Letters of Representation from Councillors and Members of the Public

Jon Andrews Ltd
Dr Nicholas McCarthy

WB/09/0823/OUT
TAR
JMO

Location : 1 Highdown Avenue

Proposal: Outline application for the erection of a three storey block of six one bedroom flats.



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1. THE PROPOSAL AND THE SITE

The application site measures a maximum 21 metres wide and a maximum 17 metres deep, comprising the wedge-shaped, rear part of No. 1 Highdown Avenue, an end-of-terrace Edwardian house occupying a corner plot on the west side of Rectory Road, south of its junction with Highdown Avenue. The building fronts Rectory Road with a car park in the walled garden at the rear accessed from Highdown Avenue. The ground floor of the property has been in use as a doctor's surgery since 1969, with the additional use of the first-floor as ancillary accommodation in connection with the doctor's surgery permitted in 1987.

The surrounding area is residential in character. Highdown Avenue is predominantly made up of semi-detached, and some detached, Edwardian houses. The immediately adjoining properties fronting Rectory Road are similarly Edwardian in character, although Rectory Road is generally made up of a more diverse range of dwelling types and ages. Thomas A Becket Neighbourhood Shopping Centre lies some 90 metres to the north of the site. The attached property to the south, No. 97 Rectory Road, is a single dwelling house. A narrow twitten adjoins the site to the west, providing pedestrian access to the rear of Nos. 95 and 97 Rectory Road. Beyond this, is the eastern flank of No. 3 Highdown Avenue, sub-divided into 2 self-contained flats.

Outline permission is sought for the erection of a detached, 3-storey block of 6 no. 1-bedroom flats. All matters are reserved for future consideration. However, indicative drawings submitted with the application show a roughly T-shaped building footprint (measuring 14.7 metres wide and a maximum 9 metres deep) sited between the single-storey element to the retained surgery building and the western site boundary, replacing the existing car park. The front of the building would be sited a minimum 3.7 metres from the back edge of the footway onto Highdown Avenue, projecting very marginally forward of the building line between the front of No. 3 Highdown Avenue and the double bay window feature on the north side of No. 1 Highdown Avenue. The building is shown a minimum 1 metre away, and sited at an angle to the rear of the surgery. A small gap of approximately 0.45 metre is shown between the western flank of the building and the site boundary. The rear (south) elevation of the building would be sited a minimum 0.6 metre from the boundary with No. 97 Rectory Road, increasing to 3.7 metres where the rear part of the site widens out.

The indicative layout shows parking for 5 vehicles accessed by a new 12 metre wide dropped kerb off Highdown Avenue. The existing access point would be ‘stopped up’. The drawings show a 3-storey building with front and rear feature gables, and second-floor accommodation in the remainder of the building partially within the roofspace with dormers ‘breaking through’ the eaves. The main outlook to the accommodation would be to the front (north) and rear (south). A hipped and ridged roof is shown to be 10.1 metres high. For illustrative purposes, the materials are shown as brickwork on the ground-floor, with painted render above.

A small area for bins is shown on the site frontage, with a separate cycle store contained within the building.

Annotation on the submitted plans states that proposals to convert the existing doctor’s surgery at No. 1 Highdown Avenue into 2 no. residential maisonettes will be the subject of a future application. The merits of that proposal would need to be considered at that time and should not form part of the current consideration.

2. APPLICANTS DESIGN AND ACCESS STATEMENT

The salient points of the Applicant’s Design and Access Statement are summarised below:-

"Amount
The proposal will provide six flats having each a floor area of 41 square metres, plus the provision of five parking spaces to the front of the property.

Layout
The ground floor layout will provide a secure cycle store and bin stores will be provided externally. All habitable accommodation will have natural light and ventilation, enjoying an open outlook to the front and rear.

Scale
The proposal is of a three-storey building in an area of predominantly 2-storey dwellings. However, the immediately adjacent properties are of a substantial scale with significant storey heights and steeply pitched roofs so the proposal will not appear significantly out of place in the streetscene. The proposal adopt the forward building line established by the properties in Highdown Avenue and the stagger façade ensures alignment with the surgery building. Consequently the scale will not dominate the existing street profile.

Landscaping and Appearance
Although in outline form it is evident that the proposal is capable of being of similar detail and fenestration to the adjacent properties. The use of painted joinery, barge boards, windows will further enhance the traditional appearance of the building and the use of face brickwork beneath a pitched roof will further enhance the overall appearance. The areas surrounding the building will be laid to lawn with shrub borders and block paving used for parking and pathways.

Access
The site is highly sustainable within walking distance of the rail station. Access to the site via public footpaths is good and the site is adjacent to public transport routes in Rectory Road and Littlehampton Road. Shopping facilities are available at local convenience stores. Wheelchair access to the ground-floor units is feasible.

Context
The proposals would serve the first-time buyer market which is under-served in this vicinity."

3. CONSULTATIONS

The **Highway Authority** has raised an objection on highway grounds, commenting as follows:-

"*The proposal is for the erection of 6 no. 1 bedroom flats with access onto Highdown Avenue via a new access point. The most recently available verified accident records reveal there have been no personal injury accidents in the immediate vicinity of the proposed point of access.*

The number of parking spaces proposed is within the WSCC maximum standard. However, the provision of a long dropped crossing for 5 cars will result in the loss of 2-3 on-street car parking spaces and will therefore increase demand for on-street parking. We would wish to retain this on-street parking provision. The existing parking arrangement has the benefit of on-site turning, which enables vehicles to enter and leave the site in a forward gear.

The proposal is to construct the flats on the existing car park of the doctors' surgery. Although it has been stated that the surgery will be subject to a future application for change of use, the permitted use is still relevant to the determination of this application. It would be unacceptable for the surgery to lose its car parking spaces therefore a highway objection is raised. It is recommended that the application is refused on the ground that in the absence of an overall strategy for parking for redevelopment of the site as a whole, the proposal would increase the pressure for on-street parking in the area where it is considered that insufficient space is available for parking on-street.

A TAD contribution of £4,880 is required pursuant to S.106 of the Town and Country Planning Act 1990 to mitigate the impacts of the proposal in terms of demand on Highways and Sustainable Transport that would arise in relation to the proposed development.

Further to the monetary contributions The County Fire Officer advises that the proposed development may need to include the provision of a fire hydrant connected to adequate supplies of water for fire fighting."

The **Strategic Planning and Regeneration Manager** comments that:-

"The primary saved Local Plan policy that could affect this application is H18, since the construction of 6 flats is likely to have an effect on the amenity of the neighbouring properties and this will need to be assessed as part of the outline application.

The impact on the local transport infrastructure of any potential development also needs to be assessed by the Highways group at the County Council.

The recently published Strategic Housing Market Assessment has concluded that flats should not be the principal type of housing stock in the Borough, with a need to build more large family dwellings. This may not be a material consideration in this application but it is a matter that perhaps should be considered. Notwithstanding the above the development would add to the Council's housing stock.

Subject to the assessment of above considerations there are no policy reasons why the development cannot be considered, at least at an outline stage."

The **Executive Head of Health, Housing and Community Safety** raises no objection subject to a pre-cautionary condition requiring investigation of any potential contamination.

4. REPRESENTATIONS

Letters of objection have been received from Nos. 2, 4, 6, (Top flat) 17, 29 Highdown Avenue, Nos. 5, 9, 13 Highfield Road; No. 18 Northfield Road; Nos. 95, 104, 114 Rectory Road; Becket Residents' Association (on behalf of and including separate representations from Nos. 7, 15 Chantry Road; Nos. 2, 4, 6, 7, 9, 10, 11, 20, 22, 25, 29, 33, 35, 39 Highdown Avenue; Nos. 9, 10, 13 Highfield Road; Nos. 1, 2, 4, 13, 16, 18 Northfield Road and No. 109 Rectory Road) raising the following concerns:-

i) Increased traffic is a danger as Highdown Avenue is a busy 'cut through' to avoid the Thomas A Becket traffic lights; danger to pedestrians; junction with Rectory Road is dangerous, reduced visibility will increase the risk of accidents; the introduction of a 20 mph area with road layout modifications may help; congestion and manoeuvring vehicles near to Tesco Express and Thomas A Becket Middle School add to dangers of speeding traffic along Rectory Road;
ii) Insufficient parking on-site will lead to increased parking congestion on-street where problems already exist; there will be no parking for surgery staff and patients;
iii) Concerned about increased traffic and disruption during construction;
iv) Three-storey building incongruous, too dominant and imposing;
v) Poor environment for future occupiers, with tiny recreation/drying space.
vi) Object to loss of green space/garden, destruction of trees;
vii) Object to loss of historic flint wall;
viii) Un-neighbourly impact on Nos. 97 and 99 Rectory Road, resulting in loss of privacy; overbearing and intrusive effect;
ix) No shortage of 1-bedroom accommodation locally;
x) Poor design, unsympathetic to Edwardian character of the area;
xi) Size of building too large, overdeveloped in relation to site boundaries;
xii) Conversion of existing building into flats will lead to additional impacts, object to loss of community facility.
xiii) Value of property will be affected.
xiv) Flats are out of keeping in this area of family houses.
xv) Density of development excessive;
xvi) Believe trees to have a preservation order on them;
xvii) Overshadowing and overlooking of No. 2 Highdown Avenue.

5. PLANNING ASSESSMENT

The main considerations are the principle of development for flats, impacts on residential and visual amenity, access and parking. As such, the application should therefore be considered in relation to South East Plan Policies SP3, CC1, CC2, CC4, CC6, H1, H2, H4, H5, T2, T4, NRM5, NRM11, BE1 and BE2, and saved Local Plan Policies RES12, RES7, BE1, H18 and TR9. National Government Policy in the form of the relevant Planning Policy

Statements and Guidance constitute a material consideration in the determination of the proposed development (in particular PPS1, PPS3 and PPG13).

The principle of development

As a brownfield site there is no objection in principle to a more intensive form of residential development in this suburban location. However, in terms of character there are few purpose-built flats in the immediate vicinity and none in Highdown Avenue except those at the far western end of the road, dating from the mid-1960s (Nos. 43 and 45 Highdown Avenue). The resulting density is 220 dwellings per hectare, considerably in excess of the nationally indicative minimum density of 30 dwellings per hectare set out in PPS3 and the overall regional target of 40 dwellings per hectare stipulated in South East Plan Policy H5. While density itself is not a reason for refusal, it is often indicative of an overdevelopment of a site, taken together with site coverage, scale, height and massing (considered below).

The Strategic Housing Market Assessment (SHMA) referred to by the Strategic Planning and Regeneration Manager and commissioned in connection with the preparation of the forthcoming Local Development Framework, has provided an insight into understanding the sub regional housing market and forecasting the levels and mix of future housing provision. The SHMA identifies that in Worthing the housing offer is currently focused towards smaller properties, typically 1-2 bedrooms (40%) and recommends that future housing in Worthing should include a mix of types and sizes to cater for family as well as older and younger people. Whilst having little (or no) formal status in the determination of planning applications, it suggests that new developments should be designed to bring forward a range of housing types, to include aspirational, larger family homes to help diversify the housing offer and contribute to the sustainability of the Borough.

Character and the effect on the visual amenity of the locality

Highdown Avenue is characterised by Edwardian period dwellings with characteristic projecting feature gables and decorative part-timbering. An attractive flint and brick dressed boundary wall encloses the front and side of No. 1 Highdown Avenue and is a distinctive and unifying feature that contributes to the character of the wider area and the surrounding streetscene.

The proposed flat building shown on the illustrative plan would cover sixty-eight percent of the overall site area, together with the surfaced parking spaces and pathways, leaving very little external space available for landscaping or use as amenity space for future occupiers. The existing medium-sized mature trees around the edge of the parking area are shown as being removed with the shrub planting along the existing borders.

The height of the proposed building is shown as being no taller than the ridge of No. 3 Highdown Road. However, notwithstanding its modern floor-to-ceiling heights, the scale and massing of the proposed 3-storey flat building would appear excessive in relation to the neighbouring buildings, its jarring visual

relationship emphasised by a taller eaves height and further compounded by its cramped siting in relation to the site boundaries.

Although the suggested materials comprise brickwork and painted render, the overall composition of the illustrative design pays little regard to the form or Edwardian detailing of surrounding development. The minimal articulation of the front elevation and unimaginative detailing and fenestration emphasise the inappropriate scale and mass of the building, as well resulting in a bland appearance, lacking any clear identity. Thus the indicative design quality is unacceptably poor, exacerbated by the poor layout of the frontage parking area and footways, necessitating the removal of a 14.5 metre section of the existing flint wall, and with the cramped siting of the building providing minimal opportunities for soft landscaping.

Although the floor plans show dual aspect flat units, with reasonably-sized habitable rooms, the cramped and awkwardly-shaped external areas provide little scope for meaningful amenity areas, other than one of the ground-floor flats shown as having its own small garden. The frontage parking bays are sited less than 1 metre from the front elevation of the building, including the living room and kitchen windows of one of the ground floor flats. Activity and movement of vehicles and glare from headlights would be likely to impact unacceptably on the residential environment of this ground-floor unit. A communal bin store is shown on the western side of the site frontage, only 1 metre from the bedroom window of the other ground-floor flat unit. Activity associated with its use would likely be disturbing as well as denying privacy for the occupiers of this unit. These deficiencies are further indicative of the cramped layout shown on the illustrative plan.

Impact on the living conditions of neighbouring occupiers

The indicative drawings show, at its closest, the proposed building sited a minimum distance of 1 metre from the rear of the existing surgery building and less than 1 metre from the common boundary with No. 97 Rectory Road to the south. The height and mass of a 3-storey building in such close proximity to the rear of No. 97 Rectory Road would have a severely enclosing and overbearing impact on the residential amenities of that property, and to a lesser extent the dwelling beyond at 95. The indicative drawings show south-facing windows serving bedrooms and living rooms on 3 floors of the flat building within 3 metres of the rear site boundary, directly overlooking the gardens of Nos. 95 and 97 and angled views into the rear of these properties, resulting in an unacceptable loss of privacy for occupiers.

The building is shown approximately 3.3 metres distant from the eastern flank wall of No. 3 Highdown Avenue, separated by the walled private footpath in-between. There are numerous windows in this elevation at ground and first-floor, including a small window lighting the second-floor part-gable. Daylight to, and outlook from, the ground-floor windows in the side of No. 3 is slightly curtailed by the existing tall brick wall demarking the site boundary and the canopy of the bay tree growing within the site close-by. However, the height and bulk of the three-storey flat building shown having an eaves height of 7 metres, in view of the limited separation distance between the respective buildings, would have a severely enclosing effect and would be unacceptably

overbearing in relation to No. 3.

The height, bulk and close proximity of the building shown on the illustrative plans would have a severely oppressive impact on the outlook from windows in the rear elevation of No. 1 Highdown Avenue, and would overshadow them in the later afternoon (although the single-storey element is also served by a window in the north elevation). However, as these rooms currently serve administrative accommodation in connection with the doctor's surgery, no loss of residential amenity would arise.

Access and parking

There are currently six parking spaces available within the car park serving the existing doctor's surgery, accessed via a 3 metre wide access point from Highdown Avenue. As a result of the proposal to sub-divide the site, there would be no on-site parking provision available to serve the surgery. Notwithstanding the annotation shown on the submitted plan indicating a future application for a change of use of the existing building at No. 1 Highdown Avenue, the proposal must be considered in relation to the existing surgery use. The maximum adopted Parking Standard for doctor's surgeries is 1 space per practitioner and 4 spaces per consulting room. No details of the existing surgery have been provided as part of this application, although records show 2 doctor's consulting rooms on the ground-floor.

A number of residents have raised highway safety concerns about increased traffic and additional demand for on-street parking arising from this proposal, particularly in connection with the safety of the nearby junction of Highdown Avenue and Rectory Road, used as a local 'cut through' to avoid the Thomas A Becket traffic lights. In the absence of any parking strategy, the Highway Authority has raised an objection to the lack of parking provision to serve the remaining surgery use, on grounds of increased pressure for on-street parking The indicative plan shows the existing access to the car park as being 'stopped up' and a new 12 metre wide dropped kerb created to provide direct access from Highdown Avenue to 5 parking spaces serving the proposed flats. The indicated level of 5 parking spaces to serve 6 1-bedroom flats is considered acceptable in this sustainable location, which is accessible to the nearby shops and facilities of Thomas A Becket Neighbourhood parade, and bus routes along Rectory Road. However, the width of the access to the parking spaces would result in the loss of 2-3 on-street parking spaces, exacerbating impacts on-street provision.

Whilst acknowledging that the layout of the parking area serving the flats is inferior in highway safety terms to the existing situation which allows for vehicles to turn on-site, no objection to this arrangement has been raised by the Highway Authority on highway safety grounds. The WSCC highways officer specifically comments that access arrangements resulting in reversing onto the highway have been accepted in other instances, and traffic speeds are generally lower in proximity to junctions.

A transport contribution of £4,880 is required in order to mitigate the impacts of the proposal in terms of demand on highways and sustainable transport infrastructure. The Committee will be updated on this matter at the meeting.

6. CONCLUSION

The proposed sub-division of this plot to erect a three-storey block of six 1-bedroom flats represents an unacceptable overdevelopment of this site as evidenced by the resulting excessive density, in addition to the loss of on-site parking to serve the existing surgery, the consequence of which would likely result in increased pressure for on-street parking in this area where little spare capacity exists. Furthermore, the submitted illustrative drawings indicate a plot coverage, layout, siting, scale, massing, design and appearance of proposed development that would be intrusive and out of keeping with the quality and character of existing development and would detrimental to the visual amenity of this area as well as impacting unacceptably on the amenities of neighbouring residential occupiers.

7. RECOMMENDATION

Refuse on the grounds that:-

1. Having regard to the submitted indicative plans and drawings, the proposed three-storey block of 6 x 1-bedroom flats represents a cramped overdevelopment of this sub-divided site which:- i) having regard to its excessive density and likely plot coverage, size, scale, massing, siting, layout, appearance and relationship to adjacent buildings would be visually intrusive and detrimental to the character and amenities of the area, ii) would have an overbearing impact and an adverse effect on the residential amenities and privacy of neighbouring dwellings, and iii) in the in the absence of an overall strategy for parking for the sub-divided site as a whole, would unacceptably increase the pressure for on-street parking in this area where it is considered that insufficient space is available for parking on-street. The proposal is therefore contrary to saved Policies BE1, TR9 and H18 of the Worthing Local Plan, and SP3, CC6, H5, T4 and BE1 of the South East Plan 2009.

8. BACKGROUND PAPERS

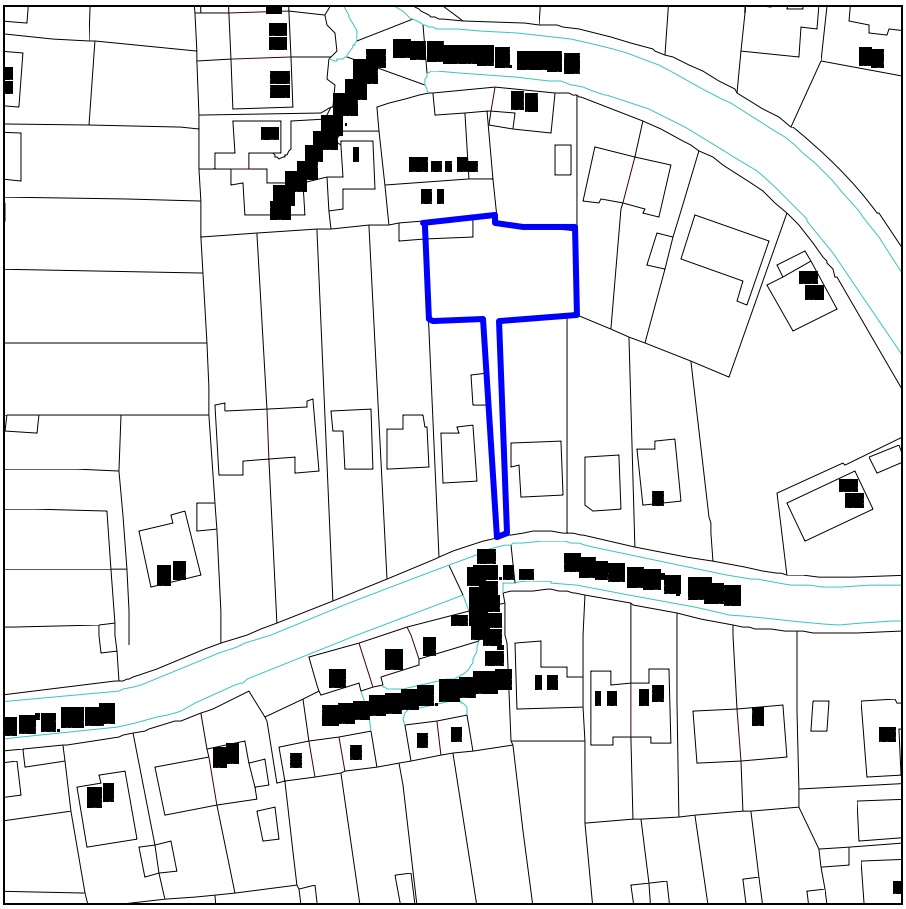
Representations received from Members of the Public
Observations of the Highway Authority
Observations of the Strategic Planning and Regeneration Manager
Observations of the Executive Head of Health, Housing and Community Safety

Mr R Brown
Messrs J Lewis & M Eichenhofer

WB/09/0762/ARM
SAL
JMO

Location : Land north of 14 Seldens Way

Proposal: Approval of Reserved Matters pursuant to Planning Permission WB/08/0325/OUT dated 10th June 2008 for a new bungalow to the rear of 14 Seldens Way.



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1. THE PROPOSAL AND THE SITE

Outline planning permission was granted in June 2008 for the erection of a detached, 2-bedroom bungalow on this rectangular-shaped plot of land, comprising the rearmost part of the garden to No. 14 Seldens Way (WB/08/0325/OUT refers). The site measures 25 metres wide and 19 metres deep on the west side, narrowing to approximately 16 metres on the east side extending behind the rear garden of No. 12 Seldens Way. To the north of the application site is 'The Old Cottage', No. 87 Ashacre Lane, a Grade II Listed timber-framed dwelling dating from the 17th Century (possibly earlier). To the east of the site is the rear garden of 'North View', No. 85 Ashacre Lane, a semi-detached 2-storey house. To the west is a piece of open land used for

storage in connection with the commercial/workshop use of No. 91 Ashacre Lane, a flint-built building which adjoins the west half of the northern site boundary. To the south are the rear gardens of No. 12 Seldens Way and the remaining rear garden of the No. 14.

In granting outline permission, all details (access, appearance, landscaping, layout and scale) were reserved for future consideration. However, indicative drawings approved as part of that application showed a roughly rectangular-shaped hipped-roof bungalow (measuring 11.9 metres wide and 7.75 metres deep) sited to the centre and east of the site and parallel to the northern and southern site boundaries with parking and vehicular access via a new drive, 3 metres wide and 38 metres long, running alongside the eastern side boundary of No. 14 Seldens Way. The drive utilises the existing vehicle access from Seldens Way, shared with the existing frontage house.

This current application seeks approval of the reserved matters listed above. The proposed bungalow would have a maximum width of 16.5 metres and maximum depth of 8.8 metres, including an attached sun-room on the east side and a large projecting gable feature comprising a bay window and canopy porch on the south side. The submitted drawings show a gable-ended, pitched roof design with an east-west ridge having a maximum height of 5.4 metres. The gabled roof over the sun-room element would have a lower ridge, some 4.3 metres high. The gabled roof over the bay window/porch feature would have a north-south ridge 4.5 metres high.

The accommodation would consist of a sitting room, sun-room, kitchen, 2 bedrooms (both with en-suite facilities), separate WC and hall.

A detached garage is shown in the south-west corner of the plot, adjoining the rear garden of No. 14. It would be 5.9 metres deep and 2.7 metres wide with a ridged roof 3.4 metres high. A separate parking space is shown in the space to the east between the front of the bungalow and the rear boundary of No. 12 Seldens Way.

Since the earlier decision two parking spaces have been provided within the front garden of No. 14 to serve the existing dwelling.

2. APPLICANT'S DESIGN AND ACCESS STATEMENT

The application is accompanied by a brief Design and Access Statement identifying the noteworthy changes to the approved outline application including an increase in the building length east to west, the enlargement of the living room glazed bay to form a small sun-room, and the provision of a single garage. The changes to the building length are largely accounted for by larger room sizes rather than additional rooms.

3. CONSULTATIONS

The **Highway Authority** comments as follows:-

"West Sussex County Council was consulted previously on highway matters for this location under planning application no. WB/08/0325/OUT to which no objections were raised. These comments follow those issued by the Highway Authority on the 17th April 2008. This latest application proposes the approval of reserved matters which includes the increase of the building length east to west, enlargement of the living room and the provision of a garage.

It would be beneficial for details of the car parking to be provided to demonstrate that satisfactory car parking arrangements can be provided. On the basis that two spaces (including the garage space) are proposed, the parking provision is within the WSCC Parking Standards, and no highway safety concerns would arise through this provision. The Planning Authority may wish to consider the implications of this proposal upon on-street car parking.

In terms of vehicular movements, the amendments [compared to the outline scheme] *are unlikely to result in any material increase or any detrimental impact. Providing the proposed car parking does not exceed the WSCC Maximum Standards, no highway concerns would be raised."*

The **Executive Head of Health, Housing and Community Safety** recommends a pre-cautionary condition requiring a site investigation for contamination to be carried out if, during development, any visible contamination or odorous material is found to be present at the site.

4. REPRESENTATIONS

Representations have been received from No. 83 Ashacre Lane, 'The Old Cottage' Ashacre Lane and No. 16 Seldens Way raising the following concerns:-

i) Concern that the proposed dwelling extends further westwards compared to the earlier outline scheme.
ii) Object to the sun-room due to overlooking from south facing doors resulting in loss of privacy for No.16.
iii) Object if garage were to be used as a workshop/toolshop.
iv) Current plans now show a completely different design of bungalow; it should be considered as a new, not an amended application; enlargements in bungalow length and sun-room are significant changes as gross floor area has increased by 63 percent.
v) The east elevation has a large addition to the roof which contradicts the removal of 'permitted development' entitlements for windows or other openings in the roof slopes as a condition of the outline scheme and will shield sunlight to 83 and 85 Ashacre Lane.
vi) Increased length of building will increase reduction in sunlight, and additional doors and windows in the north side will increase loss of privacy affecting the amenities of 'The Old Cottage'.
vii) The siting of the bungalow in relation to boundaries has changed with less space.
viii) Drawings clearly show the option for a dormer to be added at a later date.

ix) Concerned about removal of vegetation growing along the flint boundary wall (rear boundary to 'The old Cottage'). If this is removed there will be no effective security as the wall is only 1 metre high from north side. A suitable fence, sympathetic to the listed character of the building should be a requirement.

5. PLANNING ASSESSMENT

Bearing in mind that the principle of a single-storey bungalow on this 'backland' site, with parking and access from Seldens Way has already been agreed with the outline permission, the decision on this reserved matters application relates to the details of access, layout, scale, appearance and landscaping, taking into account the impacts of the proposed development on the residential amenities of neighbouring properties, its effect on the visual amenity of the locality, including on the setting of 'The Old Cottage', a grade II listed building adjoining the site to the north, and the Salvington Conservation Area, and access and parking considerations. The application should therefore be considered in relation to the saved Local Plan Policies BE1, H18 and TR9, and South East Plan Policies SP3, CC1, CC2, CC4, CC6, H1, H2, H4, H5, T2, T4, NRM5, NRM11, BE1 and BE2. National Government Policy in the form of the relevant Planning Policy Statements and Guidance constitute a material consideration in the determination of the proposed development (in particular PPS1, PPS3 and PPG13).

Effects on the visual amenity of the locality and the setting of the Conservation Area/Listed Building

A condition of the outline permission requires details of the layout, scale, appearance, access arrangements and landscaping of the development to be agreed, with these 'reserved matters' being subject to full consideration. As set out in the applicant's design and access statement, the main changes to the previous illustrative scheme are an increase in the building length by 4.6 metres including the enlargement of the living room bay window feature on the west side to provide a sun-room and the provision of a detached garage (instead of an open parking bay). In addition, the drawings show a gabled roof form compared to the hipped roof that was approved as part of the outline scheme.

In terms of siting, the proposed bungalow would be no closer to the northern and eastern site boundaries than as previously shown. However, the side of the sun-room is now only 3.5 metres from the western site boundary, necessitating the removal of the silver birch trees adjacent to this boundary, previously shown as being retained. The proposed larger footprint represents a less satisfactory spacing on the site compared to the earlier illustrative plans. However, the bungalow would be provided with a garden wrapping all around it, providing in excess of 175 square metres of amenity space. The loss of the silver birch trees is extremely disappointing and it has been suggested to the applicant's agent that removing the sun-room would enable these trees to be retained as well as providing a more pleasing and spacious outlook from the living room onto the western garden area. The trees can be glimpsed in views along the drive from Seldens Way and, whilst not prominent

specimens in themselves, contribute to the generally leafy character of this suburban residential area.

Despite its increased length, the siting of the bungalow would have little or no impact on the character or appearance of the adjoining Conservation Area. The flint workshop buildings at No. 91 face onto an inner courtyard accessed off Ashacre Lane, with only brick ventilation openings in the rear wall. There is currently a corrugated lean-to garden building attached to the rear wall of this building, which would be removed.

In terms of the setting of the listed 'Old Cottage' at No. 87, it is considered the relationship of the proposed bungalow to the rear garden and south-facing outlook from this historic cottage would be improved by reducing the 'bulk' of the proposed gabled roof, in order to minimise its scale and visual prominence. An amendment to replace the gable ends with hips has been discussed with the applicant's agent and revised drawings are awaited. (A similar revision was sought and made in respect of the previous outline scheme.) Notwithstanding the amendment sought to the roof design, the increased length of the bungalow will result in a longer roof ridge than before, but having regard to its modest height (very marginally lower than previously approved) the Council's Conservation and Design Architect is satisfied that it would not impact on the setting of 'The Old Cottage' to the north. The Conservation Area Advisory Committee has not been consulted on this reserved matters application but previously raised no objections.

The detailed design of the proposed bungalow results in an essentially suburban, domestic appearance with no distinctive character but it would not be out of keeping in the context of surrounding 20th Century development that makes up Seldens Way. The proposal would have very little impact in streetscene terms owing to its 'backland' position, although the projecting front gable feature would provide an element of visual interest visible along the driveway. No details of materials or external finishes have been provided, although the drawings suggest face brickwork with rendered bay and gable feature, under a tiled roof. These could be dealt with under a condition imposed on the outline planning permission.

Effects on the residential amenities of neighbouring properties

In terms of the effects on residential amenity, the submitted plans show that whilst there would be a minimum distance of only 5 metres to the northern site boundary, there would be a distance of approximately 19 metres between the main south-facing outlook from 'The Old Cottage' and the north-facing elevation of the proposed bungalow. Notwithstanding the additional windows and kitchen door shown in the rear elevation compared to the outline scheme, this distance is considered adequate to safeguard the occupiers of 'The Old Cottage' from unacceptable loss of privacy through overlooking. However, there would be merit in requiring improved boundary treatment along this boundary. The existing flint wall is approximately 1.5 metres high (from the site) but is currently overgrown with ivy which provides a taller, albeit somewhat scrappy, screen. It is likely a future occupier would want to tidy up and remove some of this vegetation, leaving the rear garden of 'The Old Cottage' more exposed to views. The solution could be to add a good quality

close-boarded fence to the top of the existing wall, or set it just inside it (within the site), which could be dealt with by a condition relating to the submission of details of boundary treatment imposed on the outline permission.

The proposal does not include any first-floor roof accommodation or rooflights. A condition of the outline permission removes future 'permitted development' entitlements for all extensions and alterations, including roof extensions, and would continue to apply in the event that this scheme is approved.

In granting outline permission it was accepted that the 'bulk' of the proposed roof shown on the illustrative plan would have some impact on the outlook from both 'The Old Cottage, and more particularly No. 85 Ashacre Lane, which is set-back further south into its plot. However, this would be improved by the amendments sought to the roof design, referred to above. A less 'bulky' roof form would also lessen the afternoon shadow that would be cast by the proposed bungalow. The tall conifer trees growing along the eastern site boundary have been cut back since the earlier decision to create a lower hedge, but nevertheless still have some overshadowing effect on the rear garden of Nos. 85 Ashacre Lane. It is not clear what the third party is referring to with regard to 'the large addition to the roof', other than the projecting gable feature on the south side. The 4.5 metre high ridge of this feature is some 14 metres distant from the eastern site boundary and would have very little, if any, additional overshadowing impact on the rear gardens of the neighbouring dwellings.

The windows in the west side of the sun-room face onto the piece of fenced-off land to the rear of No. 16 Seldens Way, and would not directly overlook the rear of No. 16 (although there would be a benefit in removing this element of the proposal as stated above). The French doors in the south side of the sun-room would be some 20 metres distant from the main rear elevation of No. 16. In any event the siting of the proposed single garage in-between would provide a screen to direct views from the French doors. The garage building itself is relatively modest in scale and would not have any overbearing impact on the amenities of Nos. 14 or 16. The applicant has stated that it his intention to use the garage for parking, but permission would not be required to subsequently use it for domestic storage or for a hobby workshop, providing such use is incidental to the enjoyment of the dwelling house. It would be unreasonable to seek to prohibit such incidental usage without justifiable grounds.

Access and Parking

The proposed access arrangement is unchanged from the approved outline scheme, comprising a 3 metre wide access drive positioned directly adjacent to the eastern site boundary shared with No. 12 Seldens Way.

The submitted plan shows the proposed 2-bedroom bungalow would be served by a garage with an open parking bay between the front elevation and the boundary with the rear of No. 12. The Highway Authority has not raised any objection to this level of provision or the proposed access or parking arrangement. As before, it is considered open parking bays would be preferable to a garage, to ensure availability for parking vehicles. The

applicant has stated his intention to use the garage only for parking, although subsequent future occupiers may choose not to do so. However, in the context of this modest 2-bedroom bungalow the Highway Authority has not raised any objection to the level or type of parking provision. However, it has commented that it would be beneficial to seek clarification regarding turning arrangements on site, since the positioning of the garage and open parking bay is very tight with limited space for manoeuvring.

Other issues

The site is close to the historic core of Salvington where pre-historic flint implements and Iron Age settlement evidence have been found. A condition was imposed on the outline permission to allow access to archaeology staff to inspect the ground works for foundations and serves, and this would continue to apply in the event of approval.

6. CONCLUSION

In conclusion, in your Officer's opinion, the proposed enlarged bungalow represents a less satisfactory development compared to the previous illustrative outline scheme, both in terms of its increased length resulting in the loss of existing trees on the site, and its diluted, rather nondescript design. Although it has been suggested that the sun-room is removed in order to improve the spaciousness of the layout, it would be difficult to justify refusal based on demonstrable harm if the applicant is unwilling to do so, since the affected silver birch trees are not sufficiently prominent or important within the streetscene to warrant preservation, nor is the impact of bringing the building closer to the western boundary so severe as to warrant refusal on amenity grounds. On balance, subject to the receipt of revised drawings amending the roof design to show a hipped roof in order to reduce its 'bulk', and clarification of parking and turning arrangements within the site, it is considered there would be insufficient grounds to warrant refusal of the proposed 2-bedroom bungalow on this 'backland' plot.

7. RECOMMENDATION

THAT THE RESERVED MATTERS APPLICATION BE GRANTED SUBJECT TO THE RECEIPT OF SATISFACTORY AMENDED PLANS SHOWING PARKING AND TURNING WITHIN THE SITE AND AN AMENDED ROOF DESIGN TO SHOW A HIPPED ROOF, AND SUBJECT TO THE FOLLOWING CONDITION:-

1. All of the conditions of the outline permission WB/08/0325/OUT shall continue to apply.

8. BACKGROUND PAPERS

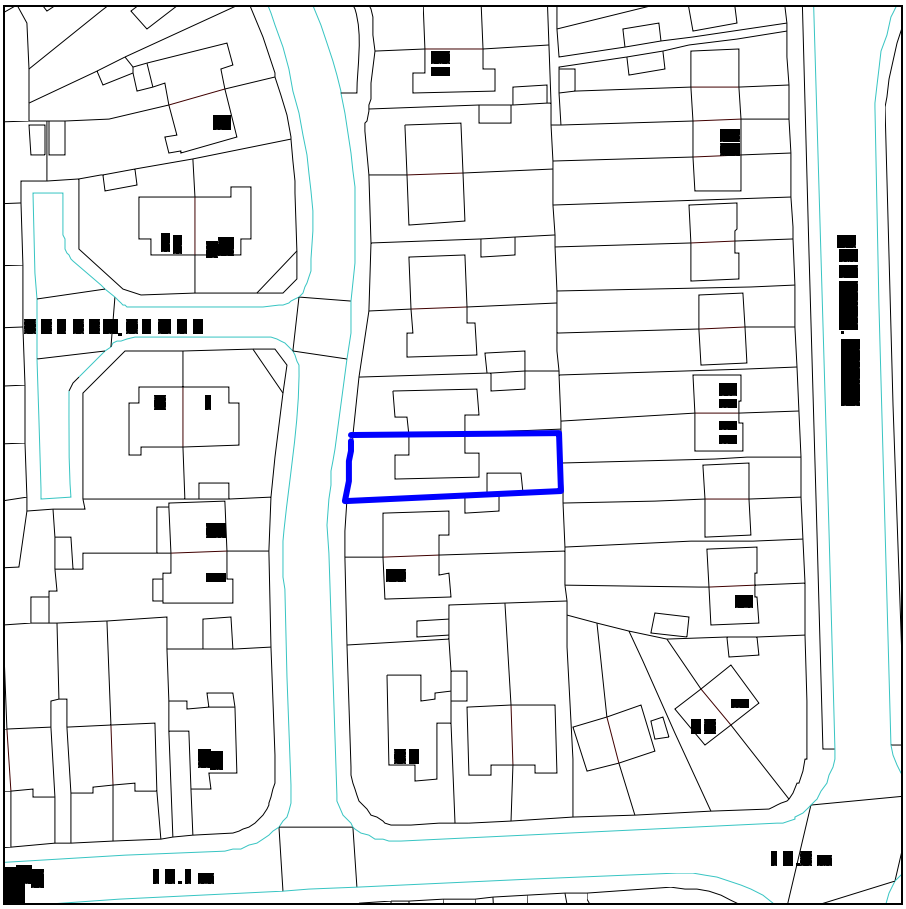
Observations of the Highways Authority
Observations of the Executive Head of Health, Housing and Community Safety
Letters of Representation from Members of the Public

WB/09/0745/FULL
TAR
RJS

Mrs L Montgomery

Location : 6 Rusper Road South

Proposal: Retrospective application for a change of use of existing domestic garage into a nail studio.



Not to Scale

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5. THE PROPOSAL AND THE SITE

The site relates to No. 6 Rusper Road South which comprises a semi detached bungalow. There is a side driveway and garage structure which has been converted with the provision of double doors and a window to its front elevation. The applicant (who is the occupier of No. 6) currently runs a nail studio from the converted garage structure at the side of the bungalow and seeks retrospective permission to continue the use. The use commenced in July this year.

The building has a footprint of approximately 15m^2 set back from the neighbouring garage and towards the rear of the bungalow. The accommodation comprises 2 nail workstations, a small waiting area with 2 seats, toilet and refreshment facilities.

The nail studio operates Monday to Friday between 10am and 6.30pm with the exception of Wednesdays when it operates between 10am and 2pm, Saturdays 10 am to 2pm and no opening on Sundays or Bank Holidays. In addition to the applicant, there is one other employee with each of them working on their own on a part time basis apart from Wednesdays and Thursdays when they will both be working together. The business operates on an appointment only basis with 6 clients per day averaging 36 per week.

Parking is available within the side and front driveways where there are 4 spaces. The submitted plan shows two staff spaces in front of the bungalow and two tandem spaces for clients in the drive.

The character of the area is predominantly residential consisting mainly of similar semi-detached bungalows.

4. APPLICANT'S DESIGN AND ACCESS STATEMENT

The applicant's Design and Access Statement is summarised below:-

"The reason behind having my garage converted is the landlord is going to double the rent of the shop I lease from him (107 South Farm Road). Therefore it was decided it would not be viable to continue working at the shop in this economic climate.

I have a good relationship with neighbours both sides at No. 4 and No. 8 and they have been kept aware of developments. They have not expressed any concern.

There is only 1 person working Monday, Tuesday, Friday and Saturday. There are 2 people working Wednesday (half day) and Thursdays but not every hour as sometimes home visits are necessary.

Road Traffic is kept to a minimum as we have car parking spaces on the property and a number of clients walk or are given transportation to and from us.

Product deliveries are once a month and refreshment deliveries are bi-monthly both are delivered by courier van.

Client volume is an average of 6 people per day totalling approximately 36 clients a week. Sometimes may be less, very rarely more. The 36 clients are split between me and the other lady. To control the amount of work we take we do not accept walk-in clients. This means appointments only so the number of people we see is controlled. We do not do late night appointments, the latest being 5.30 with closing by 6.30pm. Our clients are aware that no children under 7 are allowed as there is insufficient space and they have to be

mindful of the neighbours so there is no playing in the driveway. There are 2 chairs in the waiting area in case of a partner waiting for the client, however, these chairs are largely unused.

Fumes are taken very seriously, and I do not use any acrylic or products that produce high fumes. I have fitted a filter to the ceiling, and there are filters on the desks to also help reduce the amount of dust and smell.

I do not wish to expand my business and I aim to reduce my working hours eventually. I will not be actively seeking new clients and will only have a small presence in Yellow Pages when the present advert comes to an end."

5. CONSULTATIONS

Comments from the **Executive Head of Health, Housing and Community Safety** are awaited.

The **Highway Authority** comments are summarised as follows:-

"I refer to your consultation in respect of the above planning application and would provide the following comments.

This proposal will lead to a small intensification in use, nevertheless it is unlikely that this proposal would result in any significant increase in vehicular movements or have an impact upon highway safety. There are two parking spaces proposed for staff and two for customers. This allocation seems acceptable. Given the properties sustainable location I would recommend that cycle parking in line with the West Sussex County Council Minimum Standards is available to customers and staff.

This application appears to have no notable highway implications. Consequently, no significant concerns would be raised.

If the Local Planning Authority are minded to approve this application, a condition securing cycle parking (secure and covered) should be included.

The **Strategic Planning and Regeneration Manager** has commented as follows:-

"The following policy requirements are relevant for this application:-

BE1: Building design
H16: Ancillary development
H18: Amenity

Policy H18 is the primary policy implication for this development. This policy states that development will not be permitted if it results in an unacceptable reduction in amenity for local residents. This will include noise and vehicular movements.

Policy H16 is also a saved policy but it primarily relates to extensions and alterations to the existing residential use. It would appear that the garage

would be retained but developed as a nail studio with toilets etc. in other words it appears to be almost a stand alone business. A decision is needed therefore if this proposal has an adverse effect on the character and street scene of the area.

The use of the garage as a nail studio is likely to increase vehicular movements within the area. It is also a change of use from residential to business use and it is questionable if such a change of use fits in well with the surrounding residential character of the area."

6. REPRESENTATIONS

One letter of representation has been received commenting as follows:-

i) To object would seem to indicate that I would not encourage the establishment of 'cottage industries' or have creative ideas in a period of recession.
ii) However, I did not like the advertising board placed outside No. 6 blocking the pavement. This is expected practice of a commercial premises and there are many available premises in the nearby Tarring village itself.
iii) If the Nail studio stays, there should be no advertising.
iv) This is a residential area with no street boards and will hopefully remain so.

5. PLANNING ASSESSMENT

The main issues raised by this proposal are the principle of business use in a residential area, the impact on the amenity of neighbours, the impact on the character of the surrounding area, parking and access. As such the application should be principally considered against Saved Local Plan policies BE1, TR9, and H18 South East Plan policies CC6, BE1 and T4. Government policy in PPS1: Delivering Sustainable Development, and PPG13: Transport is also particularly relevant.

Although home working might generally be supported in principle in terms of sustainability and in assisting small start-up businesses, this is subject to careful consideration of the impact on neighbouring occupiers, the character of the area and parking and access issues.

In terms of parking and access, two parking spaces are proposed within the site for use by customers as part of the development. Having regard to the hours of operation proposed, it is unlikely that any significant additional demand for on street parking as a result of the business use would conflict with demand from residents within the street. The Highway Authority has raised no objection. However, the existing parking arrangement and pedestrian access to the premises involves the use of the side driveway immediately adjacent to the boundary with No. 4 to the south which causes concern in terms of the impact on amenity. Furthermore, the provision of tandem client parking would result in the inconvenience of cars being blocked

in by others. It would also create difficulties for clients trying to squeeze past parked vehicles to gain access to the premises.

The layout of the bungalow and the position of the business premises is such that the greatest impact would be on the occupiers of No. 4 to the south whose kitchen, bedroom and bathroom windows face towards the side driveway and sole access to the business. The positioning of the business premises at the rear of the bungalow means that any clients visiting the premises would need to pass these neighbouring windows in order to access the nail studio resulting in significantly more pedestrian movements than would be expected to a normal residential bungalow. The use of this access for the business use is therefore considered harmful with the potential to have a significant impact on the occupiers of the neighbouring bungalow from activity, noise and disturbance added to concerns over security and privacy.

However, regard must be paid to the decision in relation to a similar application at Flat 2, 38 Cissbury Road where the Development Control Committee granted temporary planning permission retrospectively for a beauty therapy business in a detached building to the rear of the property (WB/09/0309/FULL refers). In making its decision, the Committee gave consideration to the fact that this business had been in operation for 18 months without apparent problems. Temporary permission was consequently granted for one year to allow the use to be monitored and to give the applicant the opportunity to relocate to a more suitable business premises. This is in contrast to the current application where the business has moved from commercial premises in South Farm Road and has been in operation for approximately 3 months at the current address.

There are also differences in the scale and nature of the two businesses. Two people are employed at Rusper Road South with 6 clients visiting per day on average. The nature of a nail studio business also means that one client could be treated whilst another could be drying and so more than one client could be seen at a time by each employee. Consequently, the level of activity associated with this business use could be significant, if it is successful. It may be difficult to condition, monitor and enforce a limit on the number of clients.

Although the applicant has stated that the business is run on an appointment only basis, the objector has complained about a freestanding advertising board placed outside. In any event, even with appointments only, there will be occasions where appointments overrun, or clients are late or early. A waiting area is provided for this eventuality which would allow for more than one client to be present at any one time.

In terms of other amenity issues, such as odours and fumes, comments are awaited from Environmental Health.

With the provision of toilet and refreshment facilities, this business is self contained and effectively operated entirely independently of the residential use enabling a more intensive use to occur without inconvenience to the occupiers. The potential level of activity associated with this business is

considered inappropriate in this location and likely to cause disturbance to nearby residents.

The use needs to be considered in terms of its context as a quiet suburban location. The impact of any business use that attracts visiting members of the public and delivery vehicles in such a residential environment would be much greater than in a busier or more densely populated residential road or in the town centre where much higher levels of noise and activity can be expected. It is considered that the use of the premises as a nail studio independent of the bungalow is wholly inappropriate and, having regard to the close relationship with No. 4 and the general character of the area, would pose a significant threat to the current residential amenity enjoyed by that property.

At the current time there is a range of suitable commercial accommodation available on the market and there is insufficient justification for such a business to operate in a quiet suburban road.

6. RECOMMENDATION

Refuse on the grounds that:-

1. Having regard to the character of the area and the close relationship with neighbouring residential properties, the use of the garage as an independent nail studio business would, by reason of the nature and intensity of the use, result in a level of noise, activity and movements from clients in close proximity to neighbouring occupiers which would have an un-neighbourly impact, detrimental to the residential amenities of the area. As such the proposal is contrary to Saved Policy H18 of the Worthing Local Plan 2003 and policies CC6 and BE1 of The South East Plan 2009.

AND THAT THE EXECUTIVE HEAD OF LEGAL AND DEMOCRATIC SERVICES BE AUTHORISED TO ISSUE A PLANNING ENFORCEMENT NOTICE REQUIRING:-

i) The use of the domestic garage as a nail studio to cease.

7. COMMENTS OF THE EXECUTIVE HEAD OF LEGAL AND DEMOCRATIC SERVICES

Awaited

8. OTHER IMPLICATIONS

There are no significant direct race relations, equal opportunity, environmental or community safety implications arising in this report.

Steps to comply

To cease the use of the domestic garage as a nail studio including the removal of associated business fittings, equipment and furniture.

Time for compliance

Three calendar months.

9. BACKGROUND PAPERS

Observations of the Highway Authority
Observations of the Strategic Policy and Regeneration Manager
Observations of the Executive Head of Health, Housing and Community Safety
Letter of Representation by a Member of the Public