CATEGORY A

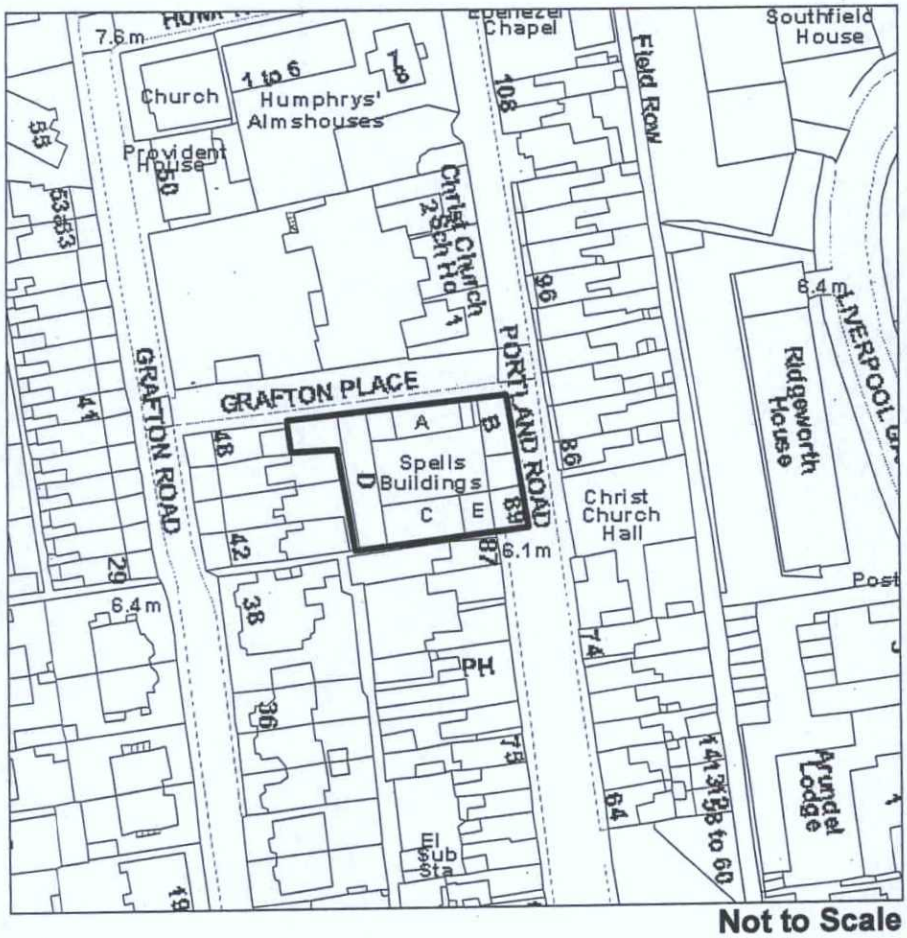
James Breckell Architects

Warwick Lane Developments

WB/08/1014/FULL
WB/08/1015/CAC
WB/08/1016/LBC
CEN
PLP

Location : Spells Buildings Grafton Place

Proposal: Demolition of existing non Listed Buildings on the site and erection of mixed use development comprising at ground floor 288m2 of (class B1) office space, refuse and recycling point, bicycle storage, 9 car parking spaces, new pedestrian twitten and a lift and stair lobby to first floor level, provision of 8 Duplex residential apartments on first and second floors.



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1. THE PROPOSAL AND THE SITE

The application site is situated at the junction of Grafton Place and Portland Road within the Chapel Road Conservation Area. It comprises several business premises in one and two storey buildings set around a central yard

covered by a roof. No. 89 Portland Road on the south east corner is Grade II Listed. It currently comprises a shop on the ground floor and offices above.

The proposal is to retain the Listed Building and clear the remainder of the site for the construction of a two and three storey mixed development comprising 288 square metres of B1 floorspace on the ground floor with two floors of residential above comprising 8 duplex apartments with bedrooms on the top floor above the living rooms and kitchens.

The proposed development is based upon the recreation of an uncovered central courtyard containing 6 parking spaces and access from a centrally positioned entrance into Grafton Place. Three other parking spaces would be provided to the west on the Grafton Place frontage. The arched entrance way would contain bin storage and bicycle storage with residential accommodation above. A stairway and lift would be provided in the south east corner of the courtyard for residents above the ground floor offices. The office accommodation would be largely accessed from within the courtyard although there is one external door in the north-west corner.

The scheme would incorporate a variety of architectural styles. The building in the north east corner would be washed flint under a slate roof with reconstituted stone copings, cills, label moulds and quoins. There would be metal windows within a timber frame and galvanised metal rainwater goods. There would be large brick chimney on the roof. The building would have three floors with the roof space served by a gable end window and conservation style rooflights.

The remainder of the north elevation would comprise a central bricked element comprising a broad ground floor entrance arch with projecting bays above capped by a Dutch gable. On either side of the entrance there would be the flint ground floor offices with two floors of rendered residential accommodation above incorporating large first floor projecting bays.

The north-west corner would be treated differently with a wholly rendered façade incorporating a curved corner piece above a rusticated ground floor. The north elevation would incorporate a pair of connecting bays above an entrance door.

The western elevation of this corner block would continue the ground floor rustication with a lead canopied balcony on the first floor above to cover three pairs of French doors. This long western elevation would be broken with a recess central element before the southern half of this elevation is finished with matching doors and windows to its northern counterpart but incorporating Juliet balconies rather than a formal leaded canopy and balcony.

The application is accompanied by a Design and Statement, a structural condition report and a contaminated land risk assessment.

2. APPLICANT'S DESIGN AND ACCESS STATEMENT

The applicant has submitted a Design and Access Statement which describes the existing buildings and the proposal. The statement also provides an economic statement, explains the layout and scale, landscaping and appearance, materials and use, access and sustainability. It also includes a Heritage Statement about the development of the site and the area from 1875 and discusses the history of the Listed Building. It also appraises the context of the site. Other references are made to the lack of biodiversity or flood risk on the site.

3. STRUCTURAL CONDITION REPORT

The applicant has submitted a report prepared by a civil and structural engineer who has carried out a preliminary visual inspection of the site to identify significant structural defects and comment on the viability of remedial repairs. He concludes that all of the buildings appear to have significant structural defects, particularly to the roofs which would all need replacing as part of any strengthening and remedial works. External walls to all of the main buildings, with the exception of the cottage, have suffered from outwards rotation, probably due to general lack of restraint and exacerbated by roof spread. Two of the buildings, C (south side) and D (south-west corner) are in particularly poor condition and the west wall of building C and south west corner of building D are considered to be dangerous.

The upper floors of all the buildings appear to have deflected significantly and will require strengthening including significant replacement of timbers affected by rot, decay and insect damage. The steel frame of the roof structure over the courtyard would require almost complete replacement. The engineer suggests that it is unlikely that the existing buildings can be retained and repaired economically. He considers that it may be possible to retain parts of the south, west and east flint/random rubble masonry walls to the perimeter below first floor level but believes that the significant remedial repairs and part demolition will render the walls too unstable to retain.

In his opinion, it should be possible to strengthen and carry out necessary remedial repairs to the cottage forming No. 89 Portland Road with some degree of economy without requiring significant demolition. Much of the roof structure may require replacement and this will be made clear after investigation. He considers the west gable wall of building C, first floor level up to eaves, and the south west corner of building D to be in a dangerous condition and may collapse if subject to high winds. He strongly recommends a scheme of emergency temporary propping be installed to these areas without delay.

4. CONTAMINATION LAND RISK ASSESSMENT

The report concludes that the site history suggests that there is no significant risk to human health due to contamination from previous site use. This is

concluded mainly on the basis that the buildings on the site all have solid concrete or sealed brick floors and the uses are a greengrocers, a furniture shop, a jewellery shop, a florists and a previous brake servicing shop and so no significant contamination is likely to have occurred.

Given the proposed use of offices on the ground floor with residential property above, there is considered to be no significant risk to human health from the redevelopment provided that site workers wear appropriate PPE clothing and that the concrete floor from he brake servicing shop and the asbestos roof panels are disposed of appropriately.

No risk to controlled waters or ecology is likely to exist.

5. CONSULTATIONS

The **Strategic Planning and Regeneration Manager** makes the following comments:-

"i) The proposal is in a Conservation Area and attention must be given to the effect on the surrounding built environment.

ii) The scale and massing do not appear to be excessive in relation to the existing buildings.

iii) The north elevation does not appear to exhibit any design continuity.

iv) The maximum parking standard for the residential accommodation is 12 spaces but only 9 are provided and this includes parking for the offices. Therefore a transport contribution should be sought to improve local transport infrastructure. There is limited car parking in the area which could be a material consideration given the size of the proposed office accommodation and the number of employees as well as the number of customers and visitors.

v) There is a loss of employment which should be compensated for by the new office units as more modern and marketable accommodation.

vi) The development would improve the housing stock and good quality office accommodation."

The **Highway Authority** has no significant concerns and makes the following comments:-

"The site is situated within Worthing Town Centre, and has an existing vehicular access from Grafton Place. Vehicular access to the site itself is restricted by the one way system in operation along Grafton Road and Portland Road. The site has a number of permitted uses, including B1 offices (251sqm), A1 retail (30sqm), and B8 warehousing (247sqm), although it is evident that the site has limited usage at present. In terms of vehicular movements, the proposed B1 offices are in effect replacing those already permitted on the site with a net gain of 37sqm. In light of the existing site accommodating A1 and B8 uses, the proposed residential use would not result in any significant intensification of the site. The loss of the B8 element would also be beneficial as this use class has the potential to attract large

vehicles, which given the narrow roads to the site and the residential nature would be relatively inappropriate.

A new vehicular access is proposed to the site, which will serve 6 car parking spaces. An existing vehicular access serving three car parking spaces is to be retained to the immediate west of the site access. Visibility from both the existing and proposed accesses is restricted due to the building frontages immediately abutting the back edge of the footway. Visibility is evidently restricted for the existing site uses and no issues would appear to have resulted from the operation of the access with these uses. Given also the low traffic speeds and traffic flows witnessed along Grafton Place, there would be no concerns through the formation and use of this new access.

The new access should be constructed in crossover construction. The existing access should be closed and reinstated to footway. All works within the public highway should be agreed with the WSCC Area Engineer based at Clapham Common and undertaken under license.

A total of nine car parking spaces are proposed for use by the residential element. A nil car parking provision is proposed for the offices. The proposed parking provision is within the WSCC Parking Standards and no highway safety concerns would arise through the proposed parking provision. On-street car parking within the immediate vicinity is limited as the site is situated within the Worthing Controlled Parking Zone and the Planning Authority may wish to consider the impact of this proposal upon on-street car parking. The cycle parking facility is somewhat limited and has restricted access.

The site is situated within Worthing Town Centre, with a wide range of facilities and passenger transport within close walking distance. The location of the site therefore accords with policy DEV4 of the WSCC Structure Plan, and the location of the site would encourage potential occupiers of the apartments and business units to travel by a range of transport."

West Sussex County Council also comments on the history and design of the proposal as follows:-

"The application site is in the Chapel Road Conservation Area close to the historic core of Worthing where Roman settlement evidence has been found in the past (but not in the immediate vicinity of the application site itself). The existing structures on site are a mixture of flint cobble and brick and are clearly not of a single construction phase because the photos provided in the applicant's Design and Access Statement show that the flint walls have been heightened (probably in the later nineteenth century) with the additions carried out in brick. This is evident in the photos shown on pages 2, 3 and 5 of the Design and Access Statement where buildings A, D and B are shown to be constructed of brick from the first floor level upwards. In particular, the photo of building D, page 3, shows the line of the gable of a former single storey building built of coursed flint cobbles with brick quoins. It is likely that this first phase of the building dates from the first half of the nineteenth century. At this time the site would have been on the very edge of the built up area of Worthing with open fields to the north. It is possible that they functioned

originally as agricultural sheds, small barns or stables arranged around a courtyard. The first and second edition 25 inch maps of the 1870s and late 1890s show that there was no building standing on the north side of this courtyard but there may have been a flint wall which was subsequently incorporated in the brick building added to the north side by the First World War. It should be possible to identify the use of these buildings more precisely from documents available in the West Sussex Record Office such as Census Returns, Directories and Rate Books. The buildings themselves have no great architectural or historic merit but nonetheless should be recorded before demolition and destruction as they reflect the history of Worthing as a developing resort and the changing nature of the town as sites formerly on the edge of the countryside in the early 19th century became absorbed within the suburbs.

In terms of the design and layout of the proposed development, it appears that the mass and height of the proposed development does not reflect the historic origins of the buildings and the fact that there was no building on the north elevation until the early twentieth century and that until then the site would have been a relatively open courtyard with single storey flint structures. The proposed three storeys on all sides with jettied first floor gallery/walkway will create a rather gloomy and cramped inner courtyard. The design of the scheme might benefit from independent comment from the Kent Architecture Centre.

It is recommended that a condition be attached to the planning permission to make provision for recording and analysis of the existing structures on site before demolition and destruction. In addition it is recommended that a planning condition should be attached to make provision for a watching brief on ground works for drainage and foundations. A Grampian style condition in both instances following PPG16 par 30 or Circular 11/95 Appendix A, Condition 55 would be appropriate. WSCC would be happy to advise Worthing Borough on the specification for building recording and for the archaeological watching brief.

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."

The **Environment Agency** raises no objection but draws attention to the potential contamination within the site and points out that the site is within a sensitive groundwater area where precautions should be taken to avoid discharges and spills during and after construction.

The **Executive Head of Health, Housing and Community Safety** are as follows:-

"This report identifies a potentially contaminative historic use of a brake servicing/repair shop situated within Building C. However, the historic land uses of the other buildings on the site have not been mentioned, please

specify the historic uses of the other buildings and the dates of operation for the brake servicing/repair shop.

Although the report has identified this potentially contaminative use, it concludes that there is no risk to human health or groundwater from contamination as the buildings have solid concrete floors which are likely to have prevented any contamination reaching the soil and entering the groundwater.

Solid concrete floors will reduce the risk of contamination reaching the soil and groundwater. However, the integrity of the concrete floor within the brake servicing/repair shop or the other shops and courtyard area has not been discussed. It is possible that oils, fuels or lubricants were used and stored at the site, is there any evidence of leakage or spillage? Are there any interceptors or drains present on site? In addition, this concrete floor may not have always been present throughout the site and other historic uses of the site, which have not been mentioned, may have had potential to cause contamination.

I do not consider that this desk top study and site walk over demonstrates that there is no significant risk to human health or groundwater. Please demonstrate that there is no significant risk to human health or groundwater by undertaking a site investigation to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

I recommend the addition of condition C13K onto this planning application and the following precautionary condition:-

If during development, any visible contaminated or odorous material, (for example asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement, detailing how the unsuspected contamination shall be dealt with, must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented."

6. REPRESENTATIONS

Eight letters have been received from residents of Portland Road referring to:-

i) Loss of privacy.
ii) Overlooking.
iii) Loss of natural light.
iv) Increased road traffic in a very narrow part of Portland Road.
v) Increased parking.
vi) Impact on amenities of residential properties in Portland Road.

vii) The development will be higher than the present buildings and adjacent buildings.
viii) The architecture is reasonably sympathetic to the Conservation Area.
ix) It would be visually intrusive.
x) It would be claustrophobic.
xi) There will be overlooking.
xii) It would be over-development.
xiii) Recent developments have increased the number of residents and the volume of traffic.
xiv) Visibility is poor.
xv) There are no traffic calming measures in Portland Road or Grafton Road.
xvi) Reps Health Studios generates traffic seven days a week.
xvii) 9 new vehicles requiring regular access, plus servicing vehicles for the whole complex will raise safety issues for pedestrians and other road users.
xviii) The quaintness of the corner will be lost in this Conservation Area.
xix) Portland Road should not be closed for construction traffic.
xx) The existing roof is asbestos and should be removed with care.
xxi) The existing buildings are beyond economic repair.
xxii) The scheme is not deliverable and may be reduced in quality in the future when sold on.
xxiii) It will set a precedent.
xxiv) Some flats have spiral staircases and are not DDA compliant.
xxv) The disabled spaces should not also be available to other residents.
xxvi) The residents are likely to be transitional because the accommodation is not suited to the elderly or families.
xxvii) A fully residential scheme would be more appropriate.
xxviii) The openness of the Conservation Area will be lost.

A letter has also been received from the Worthing Spiritualist Church in Grafton Road which does not object but suggests that parking, during development and after completion, will be more difficult for elderly and frail members.

The Conservation Area Advisory Committee comments:-

"The Committee regards this proposal as a major development in the town and has given careful consideration to the impact on the Conservation Area. There is no objection to the demolition of the existing non Listed Buildings or the concept of developing the site as an area for business and residential use. The appearance of the proposed buildings was regarded as of a good standard and would enhance the Conservation Area. The main subject of concern was centred on the north elevation. Insertion of the red brick façade was considered a distracting feature and the general consensus was that this should be compatible with the rest of the frontages, that is, in rendered finish with a conventional gable end. The majority view was that the Dutch style was too fussy within the simpler style of the rest of the building."

7. PLANNING ASSESSMENT

The proposal is submitted in three parts as three applications. The first application, WB/08/1014, seeks full permission for the development. WB/08/1015/CAC seeks Conservation Area consent for the demolition of the buildings within the Chapel Road Conservation Area. Finally, WB/08/1016/LBC, seeks Listed Building consent for those works that affect the Listed Building.

The main issues for consideration are the demolition of the existing buildings, the principle of office and residential re-development, the design, scale and form of the scheme, the impact upon the Listed Building and Conservation Area, the impact upon the residential amenities of the area, access and parking. As such, the proposal should be considered against Policies BE1, RES7, RES9, RES12, TR9 and H18 of the Worthing Local Plan.

Demolition of existing buildings

On the basis of the civil and structural engineer's report alone, it is recommended that the buildings be demolished in accordance with the proposal.

It is important that the Listed Building is safeguarded and renovated as required. The site is not specifically referred to in the Chapel Road Conservation Area Appraisal but the building on the north east corner of the site is shown to be a positive contributor. There is no obvious reason and no written explanation as to why this particular building has been identified as a positive contributor. It is similar to other buildings within the group which have been constructed on and above an existing flint boundary wall. Apart from any unknown historic reference, there is no obvious architectural reason why the building on this north east corner should be retained. In any event, the proposed replacement flint building would represent a significant improvement in terms of its articulation and detailing and this corner would benefit from the removal of a number of unsightly commercial signs.

The existing building to the west has also been altered with the incorporation of two dormer windows and the proposed scheme is considered to be a considerable improvement such that Conservation Area consent should be granted for the demolition of the buildings with the retention of No. 89 Portland Road, the Listed Building. A condition should be imposed to prevent the demolition of the buildings until a contract for the re-development has been agreed to avoid the creation of a vacant and hoarded building site in the centre of the Conservation Area for an indefinite period of time.

Principal of offices and residential re-development

Having considered the removal of the existing buildings from the site, the most appropriate replacement buildings would be residential and Class B1 offices as suitable uses to closely relate to and be in harmony and sympathy with the residential terraces to the south, north and east in Portland Road and to the west in Grafton Road.

The existing offices total 251 square metres and would be replaced by 288 square metres of modern office floor space. This would represent an important economic benefit for the town centre. However, there would be a loss of 247 square metres of B8 storage but this particular use is recognised as being a problem in this town centre location with narrow streets and a difficult access for larger vehicles when more accessible B8 storage sites are available outside of the town centre on industrial estates. There is therefore no objection to the loss of the storage uses and replacement with residential accommodation. Two bedroom duplex apartments would provide small good quality homes in a central accessible and sustainable location.

Design, scale and form of the building

In terms of the design, the applicant has carefully considered the scale and character of the surrounding area and entered lengthy pre-application negotiations with Officers. Portland Road and Grafton Road, with the linking streets of Grosvenor Road, Humphrys Road and Grafton Place, form an interesting and diverse area of architectural forms within this relatively confined and tightly knit space. The area is epitomised by individual buildings in the form of churches, chapels, halls and schools as well as the residential terraces. The proposal respects the scale of its surroundings by breaking down the long elevations into smaller elements which have variety but which display an acceptable and cohesive inter-relationship in terms of their architectural styles.

The flint corner building would be an important corner piece in recognition of the significance and importance of flint buildings within the immediate vicinity. Reps Health Studios is a flint and stone Listed Building and a number of similar flint buildings are found in the area. It is considered that this would be a fitting corner piece for the development.

Alongside would be the strong rendered centrepiece with projecting bays. The Conservation Area Advisory Committee questions whether the central archway element should be in brick or render and this is under discussion with the applicants. Members will be advised of any changes at the meeting. The brick element includes a Dutch gable, examples of which can be found on the south side of Montague Street, and is not out of place in the area. This change to material helps to break up the lengthy elevation and satisfactorily joins the two rendered elements together. The final piece of the north elevation is the curved, rendered and rusticated western corner element. It faces the rear of tall terraced residential properties in Grafton Road and takes its design and architectural references from those buildings in terms of its rendered form. It further draws reference from the lead canopied balconies from some of the seafront properties to give a pleasing and articulated north-west corner in harmony with Grafton Road. Further to the south, in the western elevation, the southern part is less emphasised than the northern part with simple Juliet balconies in a plainer form recognising its more subservient and set back position.

Bearing in mind the origins of the existing buildings, it seems appropriate that the scheme is based on the business courtyard theme which would be

designed with an industrial flavour in terms of its inner fenestration and balconies. This will reinforce its historic and industrial references within a modern development built on traditional lines. The scale of the buildings at two and a half storeys is also in keeping with its neighbours and does not represent an unacceptable increase in terms of the overall height of the area.

Impact on Listed Building and Conservation Area

The Listed Building would be protected and enhanced and necessary works to restore any structural defects would be carried out strictly in accordance with planning conditions to ensure that the building is fully restored to its historic and architectural character and suffers no harm. The site is currently run down and unattractive with uses which are not in sympathy with the character and charm of the Conservation Area and the re-development would improve the general amenities of the surrounding area and enhance the historic character and appearance of the Chapel Road Conservation Area.

Impact upon residential amenities of the area

As already stated, the increase in height of the buildings is not so significant that any harm would be caused to neighbouring residential properties. Those most affected would be the terraced houses in Portland Road to the east and the development would cause no greater harm or loss of amenity than the massing and positioning of the existing buildings do and there would be benefits from removing some of the B8 non conforming storage uses with the difficult access and inconvenience that they caused to local residents. It is proposed that opening hours of the office accommodation is restricted from 8 a.m. to 8 p.m. Mondays to Saturdays to protect the residential amenities of the new duplex apartments and the existing residential properties nearby.

Access and parking

The proposed access is in a similar position to the existing access but with improvements. The Highway Authority raises no objection and recognises that, in some respects, the proposal represents a de-intensification of usage. It recommends that a transport contribution of £4,560 be paid. Access by larger vehicles would be avoided and the proposed on-site parking would be solely for the use of residents which will remove commercial activity, reduce the number of vehicular movements and represent less of a hazard than a large number of business movements throughout the day.

In addition, the proposal incorporates cycle parking within the archway of the shared pedestrian and vehicular access which will reduce vehicular demands and movements. It is a town centre location, well served by all services and public transport where visitors would have less reason to use a private motor vehicle.

8. CONCLUSION

The proposal represents a substantial improvement to the existing site in terms of the design, the reduction in commercial vehicular movements whilst providing good quality modern office accommodation and valuable small residential apartments within a highly sustainable location. The existing Listed Building would be protected and restored and the existing buildings, which are in danger of collapse, would be safely removed and replaced with a more sustainable form of development. The applications are accordingly recommended for approval and consent.

9. RECOMMENDATION

WB/08/1014/FULL

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 WITH A VIEW TO PLANNING PERMISSION BEING GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. C1AREV Revised Standard Full Condition.
2. C5C Provide parking before occupation.
3. C5F Car park surface details to be agreed.
4. C6F Measures for surface water discharge.
5. C6K Park/unloading area during construction.
6. C6L Materials/plant area during construction.
7. C7E Provide scheme for dust suppression.
8. C7G Limitation on hours of construction.
9. C7I Restriction on external lighting.
10. C7J Limitation on trading hours.
11. C9A Agree materials before construction.
12. C9C Agree/implement colour of painting.
13. C12F Provide combined aerial facilities.
14. C13D Archaeological evaluation required.
15. Cycle Provision.
16. Bin storage.
17. C13K Investigation of potential contamination.
18. C13LRV Sustainable development.

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.

WB/08/1015/CAC

Grant Conservation Area consent subject to the following conditions:-

1. C3B Standard time limit for CAC.
2. C3C No demolition before contract.
3. C3D Protect building during construction.
4. C3E Protect specified features on building.

WB/08/1016/LBC

Grant Listed Building consent subject to the following conditions:-

1. C3A Standard time limit for LBC.
2. C3D Protect building during construction.
3. C3E Protect specified features on building.
4. Precise details of works to be agreed.

10. BACKGROUND PAPERS

Observations of the Strategic Planning and Regeneration Manager
Observations of the Highway Authority
Observations of the County Council
Observations of the Conservation Area Advisory Committee
Observations of the Environment Agency
Observations of the Executive Head of Health, Housing and Community Safety

2nd December 2008