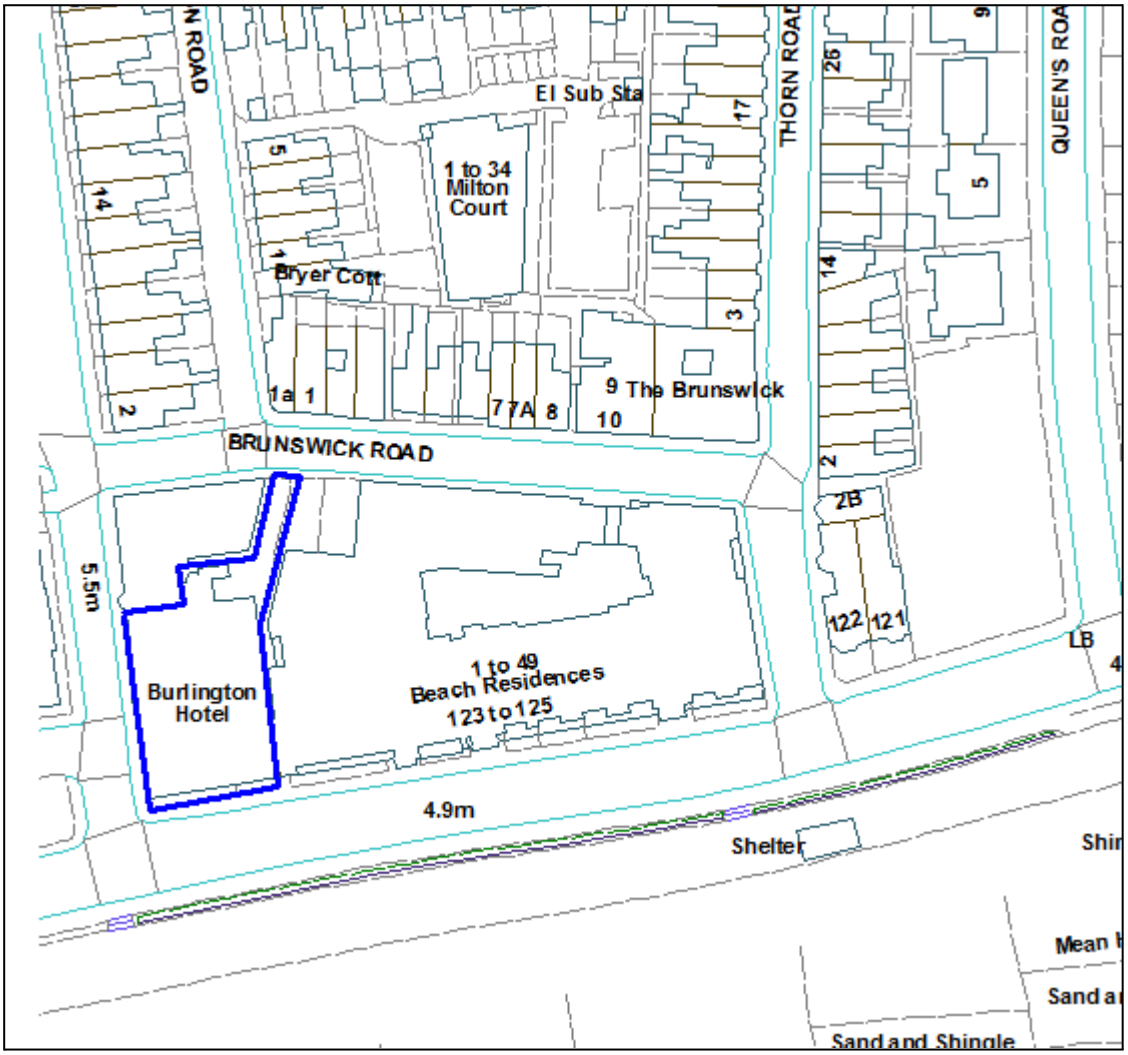
Application Number:	**AWDM/1480/23**	**Recommendation - GRANT CONSENT**
Site:	**The Burlington, Marine Parade, Worthing, BN11 3QL**	
Proposal:	**Listed Building Consent for the demolition of existing single-storey east wing (retaining facade) and extensions and alterations involving erection of 4-storey extension to the east side of the building to provide 18 guest rooms, new restaurant and improved and expanded kitchen facilities (including kitchen extract and flue). Associated internal alterations including replacement staircase to existing attic room (Amended Plans)**	
Applicant:	Mr K Najafi	Ward: Heene
Agent:	MTC Planning and Design Ltd	
Case Officer:	Jo Morin	

Application Number:	**AWDM/1485/23**	**Recommendation - APPROVE**
Site:	**The Burlington, Marine Parade, Worthing, BN11 3QL**	
Proposal:	**Demolition of existing single-storey east wing (retaining facade) and extensions and alterations involving erection of 4-storey extension to the east side of the building to provide 18 guest rooms, new restaurant and improved and expanded kitchen facilities (including kitchen extract and flue). Associated internal alterations including replacement staircase to existing attic room (Amended Plans)**	
Applicant:	Mr K Najafi	Ward: Heene
Agent:	MTC Planning and Design Ltd	
Case Officer:	Jo Morin	



Not to Scale

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Site and Surroundings

The application site comprises The Burlington, a grade II listed hotel building in an Italianate style by G A Dean, dating from 1865 (originally 'The Heene'). The listed building occupies a prominent seafront corner site at the junction of Marine Parade and Wordsworth Road. Together with the adjacent listed Heene Terrace, it forms part of a 'cohesive urban set piece' within the surrounding townscape. The hotel building has its principal elevation facing south onto Marine Parade, but with its main, stepped hotel entrance on west elevation facing Wordsworth Road. Attached to the east side of the main building is a later, single-storey addition, internally linked to the Hotel. Originally a 'tearoom' it was later used as a nightclub, and most recently as a function room.

Attached to the rear (northern) part of the hotel, fronting Wordsworth Road, is the Imperial China Restaurant. This building originally formed part of the hotel until planning permission was granted for a change of use to a restaurant in 2000. A first-floor extension to the restaurant, fronting Brunswick Road, was added in 2003. This 2-storey 'wing' encloses a small yard with access for means of escape via

external stairs from the upper floor of the restaurant, plus shared rear service area for the hotel with vehicular access from Brunswick Road.

The site lies within the Marine Parade and Hinterland Conservation Area. The site lies outside, but nearby, the secondary shopping area of Worthing town centre to the north and east. The Burlington forms the end of the main Marine Parade seafront which includes a number of hotels and guest houses. It forms a key focal point approaching Worthing town centre from the west. The character and appearance of this part of the Conservation Area is largely derived from the 19th Century form of development in a grand Victorian interpretation of Regency architecture, including balconies, canopies, columnated entrance porticos and stucco decoration.

To the east the site is bounded by The Premier Inn and 'Beach Residences', a contemporary mixed-use development completed in 2015. The larger scale frontage component of this building onto Marine Parade varies in height between 6-7 storeys, with a more domestic scaled element turning the corner onto Thorn Road and wrapping round to front the south side of Brunswick Road at 3-storeys. Underground parking to service the development is accessed from Brunswick Road, adjacent to the shared service access to The Burlington (and Imperial China Restaurant).

Proposals

Planning Permission and Listed Building Consent is sought to replace the existing single-storey element on the east side of The Burlington with an infill extension occupying the gap in the seafront elevation. The extension would consist of a flat-roofed, contemporary-style addition comprising 4 modern storeys to provide 18 new guest rooms, new reception/entrance off Marine Parade and ground-floor restaurant with new kitchen facilities.

The existing decorative façade of the single-storey building would be retained, becoming the main entrance to the hotel and having a level threshold with the adjacent public footway.

The proposed extension would extend 33.8 metres rearward at ground-floor, 'kicking out' on its east side to follow the angled alignment of the site boundary with The Premier Inn. The upper (first, second and third floors) would be set behind the existing ground-floor 'façade', which sits at a slight angle to the main hotel building, by a minimum 2 metres; and would be set-back from the ground-floor rear element by a minimum 1.1 metres. The layout of the upper floors is U-shaped, incorporating an inner landscaped courtyard (or light-well) providing light to inner rooms, with walkways linking the front and rear elements. All the new guest rooms would have lift access provided by a new lift incorporated into the extension.

Following extensive discussions with officers involving the Council's Conservation Architect and Environmental Health Officer (Team Leader), details of a new kitchen extraction system have been provided as an amendment to the current applications. The new extraction system would be located on the north-west corner of the extension at its junction with the original building. A new high-level extract duct is proposed, enclosed by decorative panels perforated in an embellished leaf-shape with an aluminium alloy brushed polished finish.

The proposals also include various external and internal alterations to the listed building including the blocking up and formation of openings in the east side of the building to integrate the proposed extension with the existing hotel, involving the loss of 2no existing guest rooms, plus alterations to the room layouts on the third floor and refurbishment of the existing attic roof accommodation (involving a replacement, re-positioned staircase) to create a guest suite.

As initially submitted, the proposals included the erection of 1.8 metre high black wrought iron metal railings demarcating the rear site boundary with the Imperial China Restaurant (currently unmarked), and a pair of timber gates enclosing the service yard fronting Brunswick Road. The applications have since been amended to omit this element of the proposals.

Similar development schemes involving the demolition of the existing single-storey eastern element (retaining the facade) and erection of a contemporary 4-storey extension to provide improved hotel facilities and additional guest rooms were permitted/granted consent in 2010 and 2020 (see Planning History below). The latter lapsed without implementation in May 2023.

The current applications are accompanied by a Design and Access Statement, a Planning Statement, a Heritage Statement and various technical reports including a Noise Impact Assessment, Ventilation and Extraction Statement and Energy Statement.

This report covers the applications for planning permission AWDM/1485/23 and Listed Building Consent AWDM/1480/23. The applications have been 'called-in' to the Planning Committee for decision by a local councillor.

Relevant Planning History

AWDM/0097/23 Approval of Details Reserved by Condition 3 (internal details) of AWDM/1812/19 Listed Building application. Details approved.

AWDM/2028/22 Approval of Details Reserved by Conditions 3 (external materials), 4 (architectural details), 7 (drainage), 8 (CMP) and 12 (excavation method statement) of Application AWDM/1811/19. Details Approved.

AWDM/1811/19 Demolition of existing single-storey east wing (retaining facade) and extensions and alterations involving erection of 4-storey extension plus lower ground level to east side to provide 18 guest rooms, restaurant, gym/spa and reception/entrance off Marine Parade. Approved. Lapsed without implementation.

AWDM/1812/19 Listed Building Consent for the demolition of existing single-storey east wing (retaining facade) and extensions and alterations involving erection of 4-storey extension plus lower ground level to east side to provide 18 guest rooms, restaurant, gym/spa and reception/entrance off Marine Parade. Granted Consent. Lapsed without implementation.

WB/10/0182/FULL and WB/10/0183/LBC: Planning permission and Listed Building Consent granted for the demolition of the existing single-storey nightclub and

erection of a 4-storey extension and alterations to the Burlington Hotel to facilitate improved access, additional accommodation and hotel facilities. Both permissions lapsed without implementation.

Consultations

West Sussex County Council: The Local Highway Authority (LHA) has raised no objection, commenting:

"*The LHA have been consulted on the above application with regards to any highway safety or capacity matters.*

The planning documents indicate that there will be no changes to access from the highway, and the rear access from Brunswick Road will remain in situ for servicing of the site and refuse collection/deliveries.

No parking is proposed, the planning documents state that the hotel provides parking permits for guests along Marine Drive presently if required. Parking locally is controlled and junctions are protected by enforceable measures. The LHA would raise no concerns to parking matters in line with highway safety; however the LPA may wish to consider parking on the local area from an amenity perspective

The LHA notes that a Traffic Management plan and Construction Management Plan have been provided for the construction phase. The green areas on the highway will require the relevant parking suspension permits and loading/unloading permits from the WSCC Area Highway office before the road/pavement can be used for this purpose. The applicant should discuss this early on with the TRO team as it may require a temporary TRO or change to an existing TRO."

Southern Water:

A plan of the sewer records has been provided showing the approximate position of a public foul sewers within the development.

The gravity sewer requires clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.

No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.

All existing infrastructure should be protected during the course of construction works.

There is a private foul sewer within the development site.

It is possible that a sewer now deemed to be public could be crossing the development site and should any sewer be found during construction works, an

investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the Applicant/Developer.

WSP: The Council's Drainage Consultant initially recommended a pre commencement condition requiring a detailed surface water drainage scheme to be submitted and agreed.

This was challenged by the Applicant's Agent in light of the details previously approved under AWDM/2028/22 for a similar development scheme consented under AWDM/1811/19 and AWSDM/1812/19. Following the submission of revised surface water drainage calculations, WSP has confirmed no objection subject to a condition to secure implementation in accordance with the revised details.

The Worthing Society

This proposal is similar in its extra appearance to the previous scheme and our previous comments remain relevant. We have no objection to the omission of the basement. We would, however, like to see more vertical emphasis in the proposed glazed area on the south elevation fronting Marine Parade which could easily be achieved with the introduction of some vertical glazing bars. This would be more in keeping with the ground-floor elevation and the main building. Whilst there is not a large area of proposed brickwork we query the use of greysand/cement bricks and suggest the bricks used should match the existing building as closely as possible. We are content to leave other matters to the discretion of the Council's Conservation Architect.

Historic England: No comment. We suggest you seek the views of your specialist conservation and archaeological advisors.

Adur & Worthing Councils:

Conservation & Design Architect:

"*This is a much more logical position for the flue and as such seems to minimise the extent of horizontal ductwork prior to the vertical section. Although the drawings overly highlight the filigree screening of the proposed flue, its position is quite contained within the site and the surrounding buildings. In my opinion the impact of the contemporary approved extension on the listed building will be relatively little changed by the addition of this flue feature, and it is therefore acceptable*."

The **Environmental Health Officer** initially commented:

The roof plant has the potential to affect nearby residential amenity unless appropriately acoustically treated. Whilst a brochure on louvres is included with the application, an acoustic assessment of the plant is not included. Similarly there is no information on how kitchen odours will be adequately treated.

Whilst having no objections to the application, I recommend the following be attached as conditions to any permission granted in order to protect nearby residential amenity.

1. The use hereby permitted shall not be carried on unless and until details of a suitable system for the extraction and disposal of cooking odours (including details of the extract fans, filters, fan units and ducting together with method of noise abatement, as well as details of grease traps and extraction hoods) has been submitted to and approved in writing by the Local Planning Authority. The equipment approved under this condition shall be installed before the use hereby permitted commences and thereafter shall be maintained in accordance with the manufacturer's instructions.

2. Construction work shall not commence unless and until an impact assessment of the noise from the external fixed plant has been submitted to and approved by the local planning authority. The assessment shall have regard to the principles of BS 4142:2014+A1:2019 and ensure there is no detrimental impact to nearby residential dwellings. A subsequent test to demonstrate compliance with the assessment shall be completed within one month of the external plant being commissioned.

Following the submission of amended plans for the proposed external kitchen extraction system supported by the Noise Impact Assessment NIA No:010704-2 Revision 02 (dated 06.08.2024) and Extraction and Ventilation Statement (Rev B) the EHO has further commented:-

"I am happy with adding UV as it provides a level of odour control other than just relying on dispersion. Additionally if a maintenance schedule preoccupation condition could be added that would satisfy any maintenance concerns." [**Planning officer adds**: A maintenance condition has been added to the list at the end of this report]

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

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

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

   Reason: To safeguard the residential amenity of the area.

Representations

An objection has been received from the owner of the Imperial China Restaurant, raising concerns, which have been summarised as follows:-

- For point of clarification, the owner of the Imperial China Restaurant has full legal right of access over the shared service area. Unrestricted access is crucial to the continuing success of the business.

- Although WSCC has raised no parking concern it has invited the LPA to consider the impact of parking on the amenity of the local area. The local car parking standards require at least one additional space to be provided per bedroom and as a minimum and therefore it can reasonably be concluded that a net increase of 17 additional parking spaces is required to serve the development. No parking is provided and this significant shortfall will have a considerable impact on the amenities of the area. An assessment of parking should be provided and consideration given to the mixed character of the area with shops, restaurants and other businesses as well as residential. Demand for parking in the local area has increased both daytime and nighttime in recent years. The scheme would have a detrimental effect on the amenities of local businesses and residents, contrary to established policy, and should not be supported.

- Accuracy of the ownership certificates on the submitted planning application forms is questioned.

A further representation has since been received commenting that the omission of the gates and fencing from the applications is a move in the right direction.

However, concern remains about the submitted Construction Management Plan (CMP), and the erection of temporary 'Heras' fencing during construction, with proposed dedicated delivery, collection and vehicle parking. It is pointed out that any restriction during the construction phase or after, will be in breach of the legal right of access the Imperial China Restaurant enjoys over the joint service area. It has been requested that the CMP is amended, or a planning condition imposed to address the matter.

Neighbours have been notified of the amendment to the applications to include the installation of a new kitchen extraction system and Committee Members will be updated at the meeting of any additional representations received.

Relevant Planning Policies and Guidance

National Planning Policy Framework 2023 ('NPPF')

Worthing Local Plan 2020-2036 (adopted 2023):
SP1 Presumption in Favour of Sustainable Development
SP2 Climate Change
DM5 Quality of the Built Environment

DM12 The Visitor Economy
DM15 Sustainable Transport & Active Travel
DM16 Sustainable Design
DM18 Biodiversity
DM20 Flood Risk and Sustainable Drainage
DM21 Sustainable Water Use & Quality: DM22 Pollution
DM23 Strategic Approach To The Historic Environment
DM24 The Historic Environment

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations

Section 73A and also Section 72 Planning (Listed Building & Conservation Areas) Act 1990 which require the Local Planning Authority (LPA) to pay special attention to the desirability of preserving or enhancing the appearance of the Conservation Area.

Planning Assessment

Principle

Paragraph 85 of the NPPF places considerable weight on the need to support economic growth, taking into account local business needs and wider opportunities for development, recognising the locational requirements of different sectors.

Local Plan policy DM12 supports the provision of tourism facilities, in particular, those that would extend the tourist season; improve the quality of the visitor economy; meet the needs of visitors; and are acceptable in environment and amenity terms. The aim is to build on the town's strengths to develop and enhance existing and new visitor attractions and visitor accommodation to meet current and future needs by encouraging and supporting the provision of new visitor infrastructure particularly in the town centre and seafront.

The proposal to provide additional guest bedrooms, a new fully accessible entrance and expanded restaurant facilities, will improve the offer of The Burlington, and can be supported in principle in line with Local Plan policy. However, the acceptability of any specific scheme depends on its circumstances, in this case taking into consideration the impact on the historic environment and visual amenity, the effects

on the amenity of neighbouring occupiers, highway safety considerations and sustainability matters.

The grant of planning permission/listed building consent in 2020 for a similar development scheme, albeit now lapsed, is a material consideration of *some* weight. The most significant differences between the current proposals and the previously approved scheme relate to the omission of proposed spa/gym/health-suite facilities within a new basement (no longer proposed), and the development of proposals as part of the current scheme for the ventilation and extraction of cooking odours involving a new kitchen extraction system and flue.

Visual amenity and the Historic Environment

In considering the impact of the proposals on the historic environment special regard should be given to the desirability of preserving the listed building, its setting or any features of special architectural or historic interest which it possesses, and to enhancing or preserving the character or appearance of the Conservation Area.



Paragraph 196 of the NPPF states that in determining planning applications local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
b) the wider, social, Cultural, economic and environmental benefits that conservation of the historic environment can bring;
c) the desirability of new development making a positive contribution to local character and distinctiveness; and

d) opportunities to draw on the contribution made by the historic environment to the character of a place. .

Paragraphs 205-206 state that:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Any harm to, or loss of the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification."

Policy DM5 requires all new development to (amongst other things) enhance the local environment by way of its appearance and character; make a positive contribution to sense of place, local character and distinctiveness; and respect, preserve and where appropriate enhance heritage assets and settings.

Policies DM23 and DM24 seek to conserve and enhance the historic environment and character of Worthing, including historic buildings and their settings. Development affecting any designated or undesignated asset must be of high quality, respecting its context and demonstrating a strong sense of place.

In consideration of the proposals, the eastern single-storey component of the existing building to be demolished has a simple pitched-roof form and has little architectural interest other than its decorated façade which is to be retained.

Existing Building

The submitted Heritage Report in its Appendix 1 sets out a written and photographic record of the interior of this part of the building in order to ascertain its historic significance. Map analysis dates it as early 20th Century (sometime between 1899 and 1912), and used as a tearoom until 1950, with stairs linking it to the ground floor of the hotel, and space at its northern end used as a ballroom and a billiard room. The latter was removed between 1912 and 1932. Historic photographs show the interior as having a lightweight glazed ceiling suspended above decorative arched girders supported by 'Classical' columns giving the effect of a conservatory.

Previous inspection confirmed an altered ceiling with the girders and glass roof no longer in existence and the walls and column panelled over with a solid roof now in place. The report identifies the main existing feature of any remaining interest as being the original double door opening and wooden architrave between the former main tearoom and the front lobby. It concludes that the building has minimal remaining historic significance owing to the substantial internal changes and remodelling carried out in the 1950s to form the nightclub. Its main historic interest relates to its functional relationship to the hotel and internal linkages to it. This would be retained as part of the current proposals, with the ground-floor of the proposed

extension providing a level threshold and becoming the main entrance to the enlarged hotel and associated expanded restaurant facilities.

Proposed Building

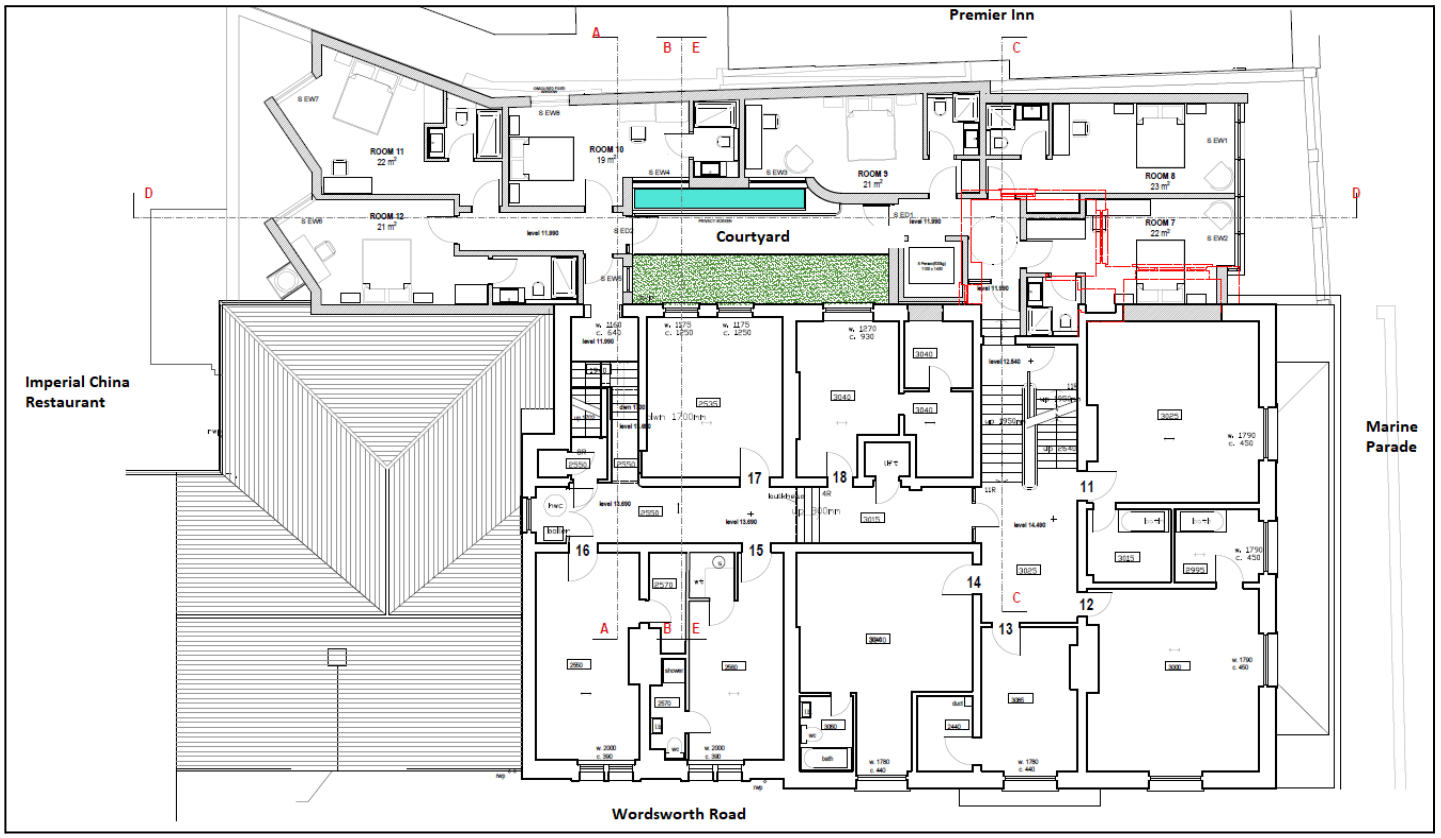
The composition of the proposed 4-storey infill extension behind the retained facade is virtually identical to the now lapsed scheme approved in 2020 (AWDM/1811/19 and AWDM/1812/19 refer). It is explicitly contemporary in its architectural approach comprising a ‘shadow building’ deliberately designed as a contrast to allow, in urban design terms, the historic form of the listed building to be easily ‘read’ and remain the main visual focus.

The style and lines of the proposed extension are deliberately ‘crisp, modern and clean’ so that there is a clear distinction between it and the original building. Notwithstanding the comments of the Worthing Society, the proportions of the large glazed front windows of the extension are considered to achieve the desired verticality, whilst also acting as a deliberate contrast to the more regimented rhythm and decorative detail on the historic components of the building. The proposed external materials and colours are as previously approved under AWDM/2028/22 (proposed bricks matched on-site with the Council’s Conservation Architect).

Despite being 4-storey in height, its modern scale and proportions will remain subordinate to the grander, more elaborate scale and design of the main hotel building. The built mass of the extension will largely infill the existing gap (above ground-floor) between The Burlington and the considerably larger building mass of the Premier Inn and Beachside Residences. At a maximum 12.36 metres tall, the flat roof of the extension will be 5.6 metres lower than the ridge height of the main roof of The Burlington, and 6.72 metres lower than the maximum height of the adjacent Premier Inn building. At the front, a modest gap (0.75 metres wide) between the upper floors of the respective buildings will help maintain some sense of visual separation.

The courtyard design of the upper floors (see image below) is a thoughtful response to the narrow shape of the site, allowing daylight to penetrate to the inner rooms within the deep floor plan of the extension, and also minimising the extent to which the new building attaches to the eastern elevation of the listed building, keeping to a minimum the need to alter existing window openings and reconfigure the layout of existing rooms.

The angled windows in the rear (North elevation) of the extension are an architectural response to the relative close proximity of the infill extension to the Imperial China Restaurant building to the north, directing views away from the nearest South elevation of the latter, but also adding visual interest to the rear of the building viewed from Brunswick Road. This rear component of the extension will be sited right up to the eastern site boundary, but the inclusion of obscure-glazed floor-to-ceiling windows will also introduce some visual interest to the angled eastern flank wall visible across the rear servicing area of The Premier Inn and entrance to its underground car park.



Second Floor Layout as Proposed, including courtyard

The Council's Conservation Architect has been involved in discussions both in connection with the former (now lapsed) development schemes for extending the hotel and also this latest scheme; in particular, requiring a holistic approach to be taken to the proposed expanded restaurant and new kitchen facilities through the development of a bespoke contemporary design solution for screening the new high-level extraction flue. The latter will replace an existing utilitarian flue at lower level.

Mindful of sustainability and energy policies, the solar panels to be situated on the flat roof of the proposed extension will provide renewable energy. These will not project above the parapet edge of the roof and will not detract from the sleek lines of the extension.

It is considered the contemporary design of the proposed extension will sit relatively 'politely' in context with the listed building without visually overwhelming or detracting from the more elaborate and decorative architectural language of the latter. It is considered the concept of the proposed extension as a 'shadow' building combined with its subsidiary scale, the set-back of the upper floors, and simple articulation of the glazed areas, represents an appropriate solution to enlarging the existing building resulting in less than significant harm to the listed building and its setting. It is noted that externally at least the existing building is beginning to appear somewhat 'tired' in appearance, in need of a 'refresh'.

As such, consideration and weight is given to the public benefit that will result from the provision of additional guest rooms and improved facilities that will help secure

the long-term future of the hotel business and make an important contribution to supporting and promoting the tourism sector in the town.

Neighbour amenity

Adjoining the site to the east is the six-storey element of the Premier Inn building fronting Marine Parade. Above ground-floor there are 3no narrow 'slot' windows in the west side elevation located toward the front of the building and clearly secondary in nature. The proposed extension will be sited adjacent to these windows in close proximity and will limit the amount of light they receive. However, the hotel guest rooms in question receive the majority of light, and have their primary outlook toward the south, facing the seafront. As a consequence, it is considered the impact would not be unacceptable.

Further north, this part of Premier Inn building is set in from the common boundary with an area for bins and a loading and servicing area onto Brunswick Road. Beyond the entrance to the underground car park to the east there are no window openings facing the application site in the west side of the 3-storey building element fronting Brunswick Road. Consequently the angled view from the bay windows in the rear elevation of the proposed extension would have no adverse overlooking impacts for the Premier Inn buildings.

The nearest residential dwellings are the traditional terraced houses fronting the north side of Brunswick Road opposite the service yard entrance. However, the property most affected by the proposals is the Imperial China Restaurant, adjoining to the north of the application site. Planning records indicate this comprises a restaurant on the ground and first floor having its main entrance off Wordsworth Road to the west. The main building was originally part of the Burlington Hotel (until 2000) and it is included in the listing. The building was extended in 2003 to provide a first-floor extension above an existing single-storey element fronting Brunswick Road. The first-floor accommodation is understood to consist of additional restaurant space plus ancillary facilities including a small kitchen/store area, toilets and an office.

The existing rear service yard accessed from Brunswick Road is shared with the Imperial China Restaurant. A current planning application made by the Imperial China Restaurant for the erection of a wall and railings demarcating the (currently unmarked) site boundary is pending decision (AWDM/0321/23 refers). The rear ground-floor element of the proposed extension, comprising the cold store (3.7 metres high) would be sited within 1 metre of the site boundary, which is not not dissimilar to the existing arrangement.

The siting of the proposed extension would be compatible with the alignment of the proposed boundary wall/railings the subject of AWDM/0321/24 (pending consideration). The current applications have been amended to omit the initially proposed railings and gates that would have enclosed the service yard.

Whilst the construction management plan can assist in matters such as construction deliveries, and noise, the other concerns raised by the neighbour over the operation

and maintenance of rights of access by the respective parties over the shared yard is a private matter to be resolved between the respective parties.

The angled bay windows of the proposed upper floors will be set back into the site a further 3.5 metres with a minimum separation distance of 5.5 metres to the nearest south-facing elevation of the Imperial China Restaurant The latter includes several windows at ground and first-floor, and an external fire escape with steps leading from a door in the first-floor east elevation down into the service yard area. The angled configuration of the proposed bay windows will avoid a direct overlooking relationship.

However, the physical presence of the proposed extension in terms of its scale and proximity to this part of the Imperial China Restaurant building will have a notable enclosing effect and diminish the amount of daylight and sunlight received by the nearest windows. The amenity of the nearest (south-facing) first-floor component of the Imperial China Restaurant will undoubtedly be affected by the proposals, but bearing in mind the affected accommodation does not consist of 'habitable' rooms, and thus the same standards of amenity as for residential accommodation cannot reasonably be expected, officers consider the overall impacts would not be so severe as to warrant refusal on this ground.

Extraction System

Careful consideration has been given to the proposed new ventilation and extraction system serving the proposed expanded kitchen facilities, supported by a Noise Impact Assessment and a Ventilation and Extraction Statement. Initially it was hoped the extract flue would be contained internally within the proposed extension, discharging at high level from the rooftop. Unfortunately, this scenario was found not only to severely impact the internal floor layout of the guest rooms, but was considered less than ideal for the purposes of accessing the equipment for maintenance and servicing.

A new extraction system is therefore proposed, designed by a specialist commercial kitchen designer and based on a full Odour Risk Assessment. The new system requires the installation of external plant and ductwork proposed within a recess in the north-west corner of the extension (not dissimilar to the position of the existing metal flue). The duct would discharge at high-level, projecting 1m above the flat roof of the proposed extension, but no taller than the roof plant housing.

Subject to the recommendations of the Noise Impact Assessment set out as an 'Action Plan', including the specification for a silencer in order to achieve the required level of attenuation; with the various system components (i.e. fans, extraction ductwork terminus and supply ductwork terminus) to be sited not less than the minimum recommended distances from the nearest South elevation of the Imperial China Restaurant, the Council's Environmental Health Officer is satisfied that the proposed new extraction system will satisfactorily deal with cooking odours associated with the expanded kitchen facilities (and increased number of covers) without adverse impacts for the amenities of neighbouring properties.

Accessibility and parking

There is currently no on-site parking provision and none is proposed. The rear service yard (shared with the Imperial China Restaurant) is available only for service/goods deliveries and collections.

The application (which is not a 'major' application) is not required to be supported by a Transport Statement. The site is sustainably located on the edge of the town centre and is accessible in relation to a number bus routes (including the Brighton-Littlehampton Coastliner Route 700) along Marine Parade and within reasonable walking distance (20 minutes) of Worthing rail station to the north.

Irrespective of this, the proposed additional guest rooms and expanded restaurant facilities will likely generate additional parking demand. The West Sussex County Council Guidance on Parking at New Developments (2020) advises the provision of 1 parking space per bedroom, but these standards are set as maximum (not minimum) requirements.

The site is located within the Controlled Parking Zone subject to pay and display parking on Marine Parade and surrounding residential roads between 8.00 and 18.00 Monday to Saturday. The Design and Access Statement highlights that the hotel offers guest parking permits to use in these spaces. Notwithstanding the concerns raised on behalf of the Imperial China Restaurant, the Local Highway Authority is satisfied that sufficient parking opportunities exist in the locality to accommodate the demand generated by the additional guestrooms and expanded restaurant facilities, and has not raised any objection on highway safety grounds.

It is acknowledged that there is high demand for on-street parking close to the seafront especially during the peak Summer season and busy times of the day/week, with competition from neighbouring residents and customers of other businesses for limited on-street spaces. Undoubtedly additional demand for on-street parking will result in some inconvenience and resulting loss of amenity, particularly for local residents, but is not a highway safety concern. The absence of on-site parking in this sustainable seafront location would not warrant refusal of the application.

Sustainability

The proposed development will adopt a 'fabric first' approach to achieve the 27% reduction in CO2 emissions necessary to meet the 2021 Part L Building Regulations required by policy DM16, comprising:-

- Enhanced U-values to be achieved by increasing the size of the cavity walls and increasing the insulation thickness to the walls and roof;
- Enhanced U-values to be achieved through installation of high-performance insulated ground floors.
- Advanced building techniques to reduce the effects heat loss from air leakage through building joints (thermal bridging);
- Improved air-tightness through installation of high performance doors and windows;
- Ventilation installed inline with Building Regulations;

- Limiting solar gain.

The Planning Statement explains that follow-on design work has highlighted that a combination of 'fabric first' techniques and renewable energy technologies will be required to meet the required CO2 emission targets. To this end an array of solar panels is proposed on the flat roof of the extension. Agreement to a final stage Energy Statement to demonstrate compliance with the reduction in carbon emissions required by policy DM16 can be secured as a condition of planning permission. [For the avoidance of doubt, policy DM17 does not apply to this non-major application for non-residential development.]

Biodiversity Net Gain (BNG)

The current planning application was submitted prior to the implementation of mandatory BNG (in April 2024 for 'non-major' developments), but as the proposals involve the development of sealed/built ground, with no loss/removal of any existing vegetation, it would meet the criteria of 'de minimis' exemption under BNG rules in any event.

The modest area of new soft planting within the internal courtyard (10sqm) would largely be decorative (to provide an attractive outlook from the inward-facing guest rooms) and would not meet the criteria of meaningful biodiversity net gain. Notwithstanding the requirements of policy DM19, Government guidance within the NPPG (Paragraph: 020 Reference ID:74-020-20240214) advises that decision makers should not give weight to local plan policy requirements which require biodiversity gains for types of development which would be exempt under the statutory framework.

Conclusion

The principle of additional visitor accommodation and enhanced restaurant facilities which improve the existing hotel offer are welcomed and support the objectives of the Local Plan to develop the town's tourism economy and seafront. The proposed contemporary-designed extension to this Listed Building would result in 'less than significant harm' to a designated heritage asset and can be supported having regard to the public benefit that would result from securing the long-term future of the hotel, without adversely impacting on the character or appearance of the Marine Parade and Hinterland Conservation Area, the amenities of neighbouring occupiers or highway safety.

Recommendation

Subject to consideration of any additional representation received following notification of the amended plans, to delegate authority to the Head of Planning to:-

AWDM/1480/23 GRANT CONSENT, Subject to conditions:

1. Approved Plans

2. Standard time limit

3. Implement in accordance with external materials and finishes submitted with application unless otherwise agreed.

4. Implement in accordance with submitted details of the following architectural elements unless otherwise agreed:-

   (i) Main entrance(s), external doors and windows (including to courtyard)
   (ii) New first-floor window (main building);
   (iii) Courtyard rooflight;
   (iv) All roof coverings, parapets, capping and trims;
   (v) Construction detail of junction with the listed building;
   (vi) Courtyard bridges/walkways and privacy screen;
   (vii) External rainwater goods, expansion joints, external vents, flues/fittings
   (viii) Enclosure for roof plant and lift over-run;
   (ix) All external lighting
   (x) Decorative screen to kitchen extraction flue

5. Use of the kitchen hereby permitted shall not commence unless and until the system for the extraction and disposal of cooking odours (including extract fans, filters, fan units and ducting) as detailed in the agreed Ventilation and Extraction Statement (Rev B), together with methods of noise abatement detailed in the NIA No:010704-2 Revision 02 (dated 06.08.2024), has been installed.

6. Construction work shall not commence unless and until an impact assessment of the noise from the external fixed plant has been submitted to and approved by the local planning authority. The assessment shall have regard to the principles of BS 4142:2014+A1:2019 and ensure there is no detrimental impact to nearby residential dwellings. A subsequent test to demonstrate compliance with the assessment shall be completed within one month of the external plant being commissioned. Unless otherwise agreed in writing no additional external fixed plant (including roof plant) other than as detailed in the NIA No:010704-2 Revision 02 (dated 06.08.2024).

7. Agree a maintenance schedule for kitchen ventilation and extraction system prior to first occupation and implement and maintain thereafter, as agreed.

8. Implement development implemented in accordance with submitted drainage details (unless otherwise agreed in writing).

9. Development to be implemented in accordance with submitted Construction Management Plan (unless otherwise agreed in writing).

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

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

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

11. No external lighting or floodlighting other than agreed by Condition 4 of this permission.

12. Development not to progress beyond slab detail unless a final stage plan to demonstrate compliance with policy on the required CO2 emission reductions has been submitted to the Local Planning Authority and approved by them in writing. Thereafter development to be implemented in accordance with the agreed plan.

AWDM/1485/23 APPROVE, Subject to conditions:

1. Standard listed building time limit.

2. Approved plans.

3. Protect Listed building during construction and make good damage.

4. Unless otherwise agreed in writing, implement in accordance with the following details submitted with the application:

   (i) construction details and finishes of existing windows shown on the approved plans to be blocked-up;
   (ii) details of lintels at all 'breakthrough' points from the proposed building to the existing building;
   (iii) details of the curved wall/feature outside the lift on the proposed ground floor as indicated on Drg: 22/12557/139 Rev A;
   (iv) construction details of the widened stairs between the proposed ground floor and the existing restaurant as indicated on Drg: 22/12557/140 Rev A;
   (v) structural details of the support where the existing corner of the building is shown to be removed to form the southernmost corridor link as indicated on Drg: 1852-F-216 Rev D;
   (vi) details of skirtings and architraves to the altered Room 18 (of the existing building) as indicated on Drg: 22/12557/142 Rev A;
   (vii) the new staircase and balustrades from the third floor to the proposed attic suite of the existing building (including the 'boxed' stair area, associated doors, architraves and skirtings) and removal of the existing staircase;
   (viii) all works within the attic to create the proposed attic suite (including new stud walls and any changes to the existing skeilings).