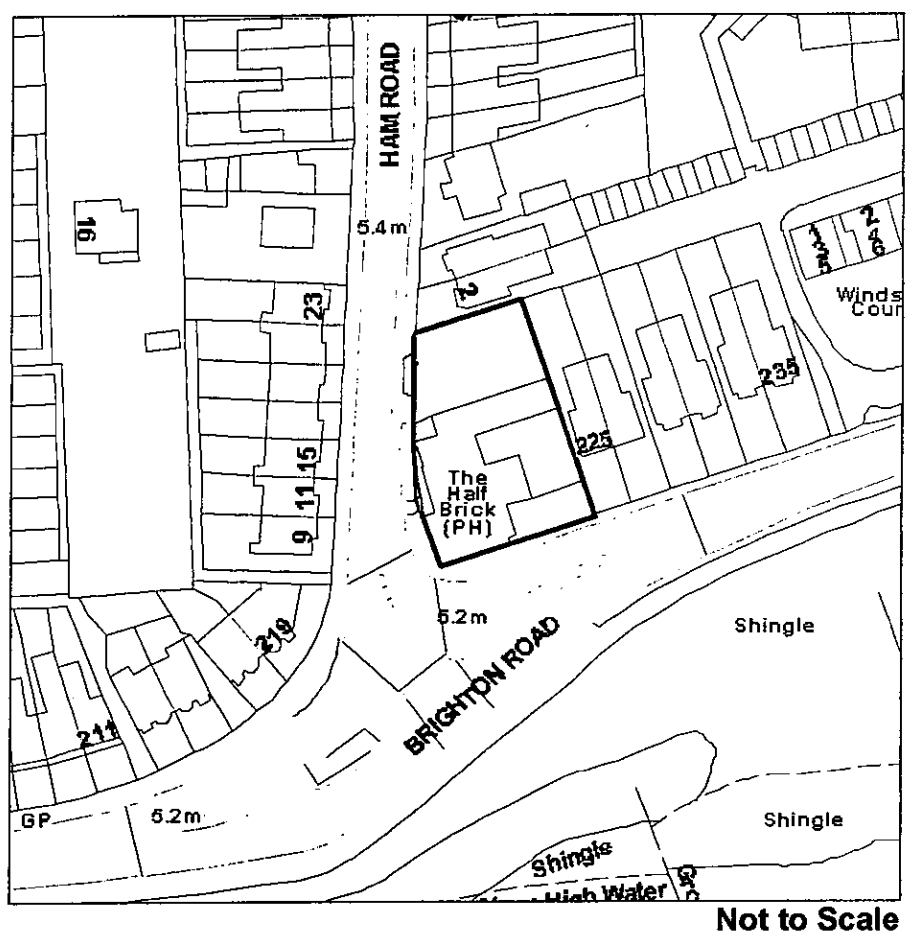
CATEGORY B

Mr R Brown
Avid Development Limited

WB/10/0895/FULL
SEL
MPO

Location : The Half Brick 221 Brighton Road

Proposal: Conversion and partial demolition of Public House and erection of two and half storey extension off north and east of original pub building to provide for 8 no. residential apartments (5 no. 2 bed self contained flats and 3 no. 3 bed self contained flats), together with associated soft/hard landscaping and art piece, 9 car parking spaces and storage for 16 cycles and 1 scooter, alteration of existing access onto Ham Road and stopping up of 2 redundant accesses.



Not to Scale

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1. THE PROPOSAL AND THE SITE

The site is located on the corner of Brighton Road (A259) and Ham Road. It is occupied by a prominent two-storey public house, The Half Brick, which dates from 1874 (its exterior was altered at the turn of the twentieth century and

then later extended). The building and manager's flat is now vacant. The public house ceased trading from April 2009 due to viability problems. A hard surfaced car park covers the northern part of the site served by a vehicular access onto Ham Road.

To the east are two-storey detached inter-war residential properties. To the west are terraces of late Victorian and early Edwardian two-storey buildings, some converted into flats and others into commercial uses such as guesthouses. Ham Road shopping parade lies to the north (Coronation Buildings) with its own well-established public house The Smugglers Return.

The current application seeks permission for redevelopment of the site to provide eight residential apartments in total (5 no. two bedroom and 3 no. three bedroom self contained units). Two of these would be contained in the original public house building and the more recent modern extensions to this building would be demolished. The remaining apartments would be provided in a two-storey extension with penthouse, built in a contemporary style. This conversion would be positioned north of the original public house building, extending it eastwards towards No. 225 Brighton Road.

This new extension would be substantially set back from the Brighton Road frontage with a communal soft and hard landscaped area enclosed by new boundary wall. On the side of the site fronting Ham Road there would be a similar arrangement of planting with a new boundary wall. The elevations of the extension would be cream painted stucco with powder-coated aluminium fenestration and doors, the glazing of which would be seamless (even where passing through floors) and tinted to afford privacy to occupiers. The pub exterior would be treated in matching cream paint with the painted brickwork still expressed.

The building's conversion includes reinstatement of the Edwardian re-modelled southern doorway, former pediment, and the continuation of the upper storey parapet with its prominent cornice moulding. The design of the extension deliberately adopts a different approach. Instead of modelling itself on the old pub building, or other surrounding properties, its contemporary design and style reflect a modern style appropriate to its coastal position and follows the more recent traditions of infill development on the Worthing seafront.

One existing access onto Ham Road would be widened to serve the development whilst the other would be stopped up. Integral and free standing covered cycle stores and a refuse storage area would be provided. The new landscaping and paving has been designed as a Sustainable Urban Drainage System.

2. APPLICANT'S PLANNING AND DESIGN AND ACCESS STATEMENT

The applicant's Planning and Design and Access Statement is summarised as follows:-

"Locality
Typical seaside ribbon development characterised by inner-suburban development. Buildings to east and west are pitched-roofed two-storey. Street punctuated by older and newer purpose-built three-storey buildings, with pitched roofs and newly built three-storey flat-roofed flats. Public House is significant landmark and significant component of Ham Road street scene. Ham Road is more unified place than Brighton Road, east side being Edwardian and west side 1930s.

Site History
Principal elevations face south toward sea but later additions face east toward 225 Brighton Road. Car park is to north end of site with access from Ham Road. Two-storey building at south west corner was built in 1874 to replace an older public house lost to the sea by coastal erosion. Form of replacement building taken from destroyed building. Exterior radically remodelled at some point between 1910 and 1922. Further bar extensions were added to the east of original building to form dining and music performance areas.

Reason for application and loss of community facility
Public House closed for business in mid-April 2009. Punch Taverns were unable to attract any interest so offered business for sale. But no licensed traders stepped forwarded. The premises offered for sale for re-development. Loss is in two ways; a music venue, and secondly, a drinking and dining premises. Last tenant transferred music events to other venue. Poor support from immediate vicinity is reason why pub not viable. Music events never backed up by sufficient daytime and weekday trade. Although on the seafront this is not the pub that would attract passing trade or customers. There is a busy road outside with no attractive outside areas, and very limited on-site car parking. Victim of catastrophic collapse of the licensed trade; Worthing over provided with drinking establishments. Incorporating smaller restaurant or bar in the development was considered but ruled out due to the high failure rate in this market.

Retention of local interest building and satisfactory integration into seafront area
Proposal retains oldest and most important part of existing complex, removes indifferent and positively unsightly additions, and adds new and sympathetic structure set back from principal frontage. Interior of retained building converted into two dwellings giving it sustainable use for future. There is considerable variation in heights, building types and styles, and densities in seafront. Existing buildings and additions do not enhance site. Form and scale of development integrates into street scene to form distinct but harmonious addition to old Half Brick Building. Footprint of proposed development is smaller than existing building, with overall height no greater than height of original pub building. Third-storey penthouse well-hidden by being set back at front, not expressed at east and west, and rear windows concealed.

Housing mix and density, amenity space, landscaping

Large or medium sized two or three bedroom flats. Total of eight dwellings proposed. Rather low compared to target urban densities however optimum for this site. The flats are large by current standards. Provision made for covered, internal, bicycle storage. Accessible gardens provided at front and rear. Larger, more formal, shared amenity space provided at front incorporating fixed seating, paved areas, and raised planters. Rear parking area paved with permeable blocks. Low walls and raised planters provided to preserve privacy and screen car parking.

Neighbouring Properties

Size, shape and placing of new building takes account of position and outlook of windows in adjoining buildings. Rear windows are orientated and shielded so no overlooking of adjoining gardens and private spaces. Roof windows provided in order to reduce over-looking of adjoining properties. No windows overlook rear gardens of any houses either north or east of site. Building is set back and angled so not to intrude into existing sight lines from habitable rooms in front and rear elevations of 225 Brighton Road. Ground floor windows shielded by boundary walls. Former use must have been very intrusive and disturbing to surrounding properties. Music Events will have generated sound volumes audible, probably to nuisance level, considerable vehicle movement, competition for street parking, and audible conversation. Would have been noise associated with smoking area, which is placed within 3 metres of side window of 225 Brighton Road.

Vehicular access and car parking

1 car space per dwelling discussed with County. Marketing targeted toward retired and older middle-aged people rather than young families. On road parking is available. Far enough from town centre and large employers not to suffer from saturation parking, and parking competition in evenings eased as pub closed. Would result in fewer vehicle movements than generated by public house; access is similar but improved safety distances and pedestrian visibility by re-aligning the boundaries and moving away from road junction. Pedestrian entrance doors serve dwellings. Bicycle stores provided. Refuse and recycling containers are within 8 metes of carriageway. Access by emergency service vehicles is excellent. Walking and use of public transport or taxi a reasonable proposition. Site located on main bus route with frequent service to town centre and neighbouring towns. Bus stops conveniently close. East Worthing main line railway station is approx 1.1 kilometres to north. Typography is generally level and suited to bike use.

Energy efficiency and contamination

With the exception of converted pub, should achieve Level 3 of Code for Sustainable Homes. Land at north used as garage by mid 20th century. Most likely contaminate is mineral oil. Proper investigation will be carried out in event of development being approved."

3. CONSULTATIONS

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

"*Contamination*

i) A satisfactory Desk Top study has not been submitted. Only brief description of the former land use has been given. This is insufficient and does not provide necessary depth of information one would expect to see for a phase one investigation/desktop study.

ii) Recommend imposition of conditions for full investigation and a precautionary condition.

iii) It is noted that the site is situated on a principle aquifer and all reports should be sent to the Environment Agency for comment.

Noise and air quality

i) As the development is at the junction on the busy A259 there is potential for traffic noise to affect the amenity of occupiers unless proper mitigation measures are implemented. These may take form of ensuring glazing provides sufficient acoustic insulation to provide good internal levels of noise. Mechanical ventilation may also be required to achieve these levels.

ii) Looking at the potential for air pollution (both NO2 and PM10), the site is exposed (meaning pollutants will be dispersed) and traffic at this point is relatively free flowing, so it is not believed that an air quality impact assessment is necessary."

West Sussex County Council comments as follows:-

"*Archaeology*

Within the application area there may be buried archaeological remains, associated with known nearby Roman site. No objection, subject to suitable archaeological safeguards imposed by a planning condition.

Transportation

No objection. Not clear cars will be able to manoeuvre within parking area so they enter and leave site in forward gear, neither does disabled parking space provide room for wheelchair manoeuvring. Condition recommended to ensure parking area laid out to enable these activities to take place. Calming hump at entrance probably unnecessary given low speeds of vehicles entering and leaving site. Condition recommended governing final design and construction of entrance. Assumed refuse bins collected at kerbside on Ham Road.

Following conditions to be imposed: modified access; restriction on location of access drainage; parking and turning; construction management plan.

Provision of service infrastructure related to development.

Total TAD contribution: £4,455."

The **Council's Tourism Officer** suggests that the only possible commercial uses for the site could be a restaurant or bed and breakfast but in the current economic climate, neither are financially viable and it would be better to see the site, which is an eyesore to the town, being developed.

The **Economic Development Officer** considers that the property is located too far from the town centre to make it viable for bed and breakfast or a restaurant and it would be difficult to attract an alternative employment at the present time.

The **Crime Prevention Design Adviser for Sussex Police** comments as follows:-

"There are average levels of crime at this location when compared to the rest of Sussex and I do not have any major concerns with the proposal.

The corner plot where the development is situated offers good all round observation and clear fields of vision. The entranceway is flanked with illuminated piers which indicate a very definitive line between private and public space. Additionally, the low wall that arcs around the front of the development also creates a demarcation line and provides private space. The existing rear walls provide a good defensive boundary to the rear of the development.

The parking area is open with clear unopposed views and should be well illuminated to deter offenders and provide a safe place to park and gain access to the development. The illumination of this area should be an very important consideration as the overlooking rooms from the development to the parking area are bedrooms. These do not fall into the active category, i.e. rooms which provide direct and regular visual connection between the street and parking court, so it is essential that the vulnerable parking area is open and well lit.

Lighting in and around the apartment entrances, communal areas and paths should all be illuminated, conforming to BS 5489-1:2003.

The gate that serves the rear patio should be of palisade design providing observation from either direction and capable of being locked.

There are two entrances to the flats each serving 4 apartments. These will need to have an access control system, with an electronic lock release and entry phone linked to the flats. To restrict unnecessary entry to the apartments I suggest that through the wall, external or lobby situated secure post boxes are fitted.

There is a lift serving the southern apartments. Due to the fact that this lift opens into the interior of the penthouses it will need to be security protected to negate any direct and unauthorised entry into the penthouse suite."

The **Environment Agency** comment as follows:-

"No objection in principle to the proposal but wish the following to be taken into consideration:-

Flood Risk
We advise that floor levels should be set at 300ml above the existing. Your Local Planning Authority's own Technical Services should be satisfied with the proposed method of surface water disposal.

Protection of Groundwater
Refer applicant to our groundwater policies in our updated Groundwater Protection: Policy & Practice (GP3) document.

The **Environment Agency** further comments that:-

"With reference to the new finished floor level be set 300mm above existing we would confirm that this was advisory only and given on the basis that there could be wave overtopping of the sea defences in this locality which will increase with climate change.

In this instance if it resulted in the need to raise the ridge height of the extension and conflict with existing ridge height we would be willing for this to be lower than the 300mm requested. We would however, ask that the new finished floor level was set as high as possible and certainly no lower than the existing to offer some protection against any tidal water penetration. We would also recommend that the building incorporated flood resistance measures if possible."

The **Partnership Support Officer's** comments from the **Council's Safer Communities Team** are that the area has enough developed properties or converted flats as it is. She questions whether these properties are to be offered to housing associations or private sales and states that the concern would be the use of this property in such a small area.

4. REPRESENTATIONS

Nine letters of objection have been received from occupiers of Nos. 2, 4, 16, 22, 23, 35 Ham Road, No. 20 Ham Way, No. 227 Brighton Road and No. 8 Hazeldene Meads in Brighton, the content of which is summarised below:-

i) No objection to flats at all. Support the redevelopment. Will enhance the area. Half Brick is becoming an eyesore.
ii) Not in keeping with plans for seafront. Addition of third storey and extension to east with 3-storey will have a negative impact on the street scene.

iii) The Half Brick has been a public house since 1835 and part of the town's heritage. People want to go out to eat, drink, and enjoy live music. There are no other public places along the seafront between Splash Point and Brooklands. If developed as a cafe/bar/restaurant, visitors and residents could be enticed to walk east.

iv) It is a false or misleading statement to suggest that there has been a single incidence of trouble or undesirable behaviour. The Half Brick is not intrusive and does not cause disturbance. The premise for redevelopment is false. One would query comments on breweries and rates. There is an increase in alcohol consumption in this country. It was said that the property was not available to view and the price was not indicated when originally put on sale.

v) The rear first floor windows would directly face the neighbour.

vi) The additional height will block the sea view. It will be visually intrusive and the increase in overall size may reduce the light received in the neighbour's ground floor south facing rooms.

vii) It will be overbearing for properties to the east, including No. 227 Brighton Road. Extending the current roof line to accommodate a penthouse suite would create an imposing overbearing structure.

viii) There is a strong objection to the lack of parking spaces for residents. 8 parking spaces is completely inadequate. Ham Road residents find it difficult to park and already suffer from people parking their cars and going off to work or walking into town or at night from local residents in the seafront flats who do not have their own parking. The pub's car park was used by local residents as informal parking.

ix) The petrol tanks associated with the garage at the rear of the public house were never removed and could result in contamination.

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

"The Worthing Society is pleased that the essential core of this historic public house will be retained and renovated in the current planning application. Its importance as a historic feature in the East Worthing landscape is acknowledged by its inclusion in the Local Interest List. We would, however, like to make some (hopefully positive) observations about the proposed design.

Overall, we like the concept of the new building and it does improve the Ham Road aspect. The fenestration of the new wings, however, does not seem to complement the windows in the core of the old building and we also feel that the new wings are lacking in character. Perhaps it could be improved by the addition of more features to mirror the character of the original building or by the addition of landscaping?

We also feel that the roof height of the new building is too high and tends to overshadow the Half Brick, rather than enhance it, particularly on the southern elevation. In essence, the new build creates too much 'mass'. If the roof height could be dropped slightly the original Half Brick would stand out more clearly."

5. RELEVANT PLANNING HISTORY

None of relevance to this proposal. Previous applications have related to extensions, alterations and signage.

6. PLANNING ASSESSMENT

Introduction

The principle issues raised by this application are:

i) the loss of a community facility, the principle of residential development, its density mix,
ii) the quality of residential accommodation and the impact on living conditions of neighbouring occupiers,
iii) the partial demolition of the existing building, the design and layout of the scheme and the impact on the architectural and historic interest of the locally listed building,
iv) parking and access,
v) the adequacy of development contributions towards improvements to local facilities and infrastructure, and
vi) flood risk.

As such the proposal should be mainly considered against saved Local Plan Policies CT3, RES7, RES9, RES12, H13, H16, H18, BE1, and TR9, and, the now reinstated South East Plan (following the quashing in November of the Secretary of State's recent decision to abolish the Regional Spatial Strategies) Policies SP3, CC1, CC2, CC4, CC6, CC7, H4, H5, T4, NRM 4, NRM10, NRM11, W2, BE1, BE6, BE2 and BE3. However, the Secretary of State has commented that his intention to abolish the Regional Spatial Strategies in the forthcoming Localism Bill is, nonetheless, a material consideration and should be given due weight accordingly.

The Core Strategy has now assumed material weight following the public examination and Policies 7, 8, 11, 12, 15, 16, 17, 18 and 19 are relevant. Finally, Government guidance should be considered in the form of Planning Policy Statement 1: Delivering Sustainable Development and Climate Change Supplement; Planning Policy Statement 3: Housing; PPG13: Transport; PPS5: Protecting the Historical Environment; and By Design and Better Homes by Design and PPS25 and PPS23.

Loss of community facility

Emerging Core Strategy Policy 11 seeks the protection and enhancement of recreation and community uses and a public house can be considered to be an important community facility, notwithstanding that it is also a commercial enterprise.

However, times and circumstances do change and some pubs are struggling to survive. The Half Brick is one of a number in the town that have closed in

recent years, reflecting the economic climate. The building has been vacant for some 22 months, the business having ceased trading in mid-April 2009. The applicant has cited a lack of custom from local residents as the principal reason for the lack of trade. The landlord, Punch Bowl Taverns Group, has marketed the premises for new tenants but attracted no interest. The business was then offered for sale, but no licensed traders came forward. The premises was then sold for re-development.

The applicant has completed and submitted, as evidence, The Campaign For Real Ale Public House Viability Test to demonstrate that the public house is commercially unviable. Planners and Government Inspectors hold this as an authoritative test. It explores ways in which the maximum trade potential can be extracted for the premises but the response from the tenant concludes that the pub is not in the best strategic location and cannot compete with bigger, more attractive and more successful drinking establishments nearby. This can be understood given its location and history particularly having regard to modern demands and expectations within pubs and bars.

In these circumstances, it would be difficult to resist the loss of the public house. It is interesting to note that there has been a very limited protest from local residents. Furthermore, there are likely to be benefits to the area from providing a mix of housing and from improving the present building which does not currently make efficient use of the site and is deteriorating. The applicant had considered a mixed-use development such as a restaurant or café as well as residential, but such a scheme was judged unviable.

The site falls outside of the coverage of both the Worthing Seafront Strategy and the Eastern Gateway designation as set out in Worthing Town Centre and Seafront Masterplan. Therefore, the loss of public house use to residential would not be influenced by the aims and objectives of these policies.

Principle of residential development and proposed density and mix

The principal of residential development is acceptable in this residential area, which enjoys a reasonably sustainable location. The proposed dwelling mix incorporates family accommodation in the form of two and three bedroom apartments and the density would make efficient use of the site in line with the South East Plan and is appropriate for this location. This development would contribute towards the housing targets and requirements of the Core Strategy Policies 7 and 8 and The South East Plan.

Impact on living conditions of future and neighbouring occupiers

Future occupiers

The apartments would be of an adequate size and layout with each enjoying satisfactory levels of amenity space. The apartments range from two to three rooms, with some at ground floor level and the upper penthouse benefiting from small intimate semi-private outdoor spaces and roof terraces. The depth of the site allows for good daylighting to bedrooms and living spaces. The

beach is also easily accessible. Refuse and cycle storage is integrated into the development.

The first floor east facing bathroom window could result in loss of privacy for the adjoining flat and therefore should be made obscure glazed and top hung by condition.

Due to the proximity of the heavily trafficked Brighton Road, the Council's Environmental Health Officer recommends that appropriate acoustic glazing is incorporated into the design assisted by mechanical ventilation systems to reduce the need to open windows, particularly at night.

Neighbours

There is a small net reduction in the site coverage of buildings due to the loss of the garages. Most of the new build would be on the footprints of existing buildings.

The neighbouring properties most affected by the proposed development are those immediately to the north (No. 2 Ham Road) and the east (No. 225 Brighton Road).

No. 225 Brighton Road has an L-shaped footprint. There is a ground floor bathroom window in the western flank nearest to the boundary with the application site. A ground floor kitchen and first floor bedroom and bathroom windows also exist in this flank wall, but are set back and positioned further away from the boundary. Ground and first floor bedroom windows face northwards in the rear elevation, close to the boundary. Finally, at the front there is a living room bay window which faces south.

There would be some impact on these windows due to the positions and relationship of the existing and proposed buildings, but because of the blank eastern flank of the new building and the angled direction of the upper floor windows to the north west away from the immediate neighbours, it is considered that no loss of amenity would occur. It is not considered that the new building would be overbearing or result in the loss of more sunlight than the existing situation.

With regard to the property to the north, it is close to the northern boundary of the site. This property has a series of windows in its flank facing the application site, including one at first floor level. Nonetheless, it is considered the proposed development would not be harmful to the residential amenities of this property due to the distance between its flank and the new building which would be over 18 metres, and the angled fenestration in the rear elevation.

The proposed car park would be close to the northern boundary and there may be some noise and disturbance as a result. However, the impact would be acceptable having regard to the existing use of this area as a car park for the public house and the substantial landscaped amenity area shown next to No. 2 Ham Road which would lessen the visual impact, improve the outlook

for this neighbour and encourage occupiers of the development to stay away from this boundary.

Acceptability of partial demolition, design quality, and impact upon local list building

The original pub building is a local landmark with a prominent presence in the street. It is identified as a building of local interest. The existing modern utilitarian extensions currently detract from the historic and architectural interest of this building. Their demolition would be beneficial. The internal changes would be acceptable as the original internal features have largely been lost. This would enhance its historic and architectural interest. Redevelopment of this site would secure the building's future after a period of uncertainty, vacancy, and physical deterioration.

The proposal also provides an opportunity to produce a contemporary landmark building, updating and enhancing the character and appearance of the locality whilst making maximum use of an existing under-developed site. The new extension's mass, height and scale relate sympathetically to the older building whilst taking account of the scale of other properties in the street. It is subordinate in terms of its overall size and siting and positively addresses both the Brighton Road and Ham Road street frontages. Landscaped areas and integrated boundary walls would soften the street frontages whilst creating defensible space. Therefore, it is considered that the proposed extension (which is no higher than the original pub building) would integrate well into the street scene, whilst respecting and relating well to its neighbours in terms of the building line, height and scale.

Despite breaking with tradition, the new block is sympathetic to the period architecture of the old pub. There is visual continuity in the fenestration pattern and rhythm, with both cornice and parapet carried through and expressed in the new style. Much of its appeal derives from its simple design compared to the ornate detail of the pub. For instance, the panelled glazing to the prime elevations of the new block would be seamless, openable only for maintenance purposes, and tinted to avoid inside activities being visible to the street. Moreover, the colours and finishes of the extension would be identical to the pub to unify the facades and bring the old and new together. Sensitive architectural detailing is critical and need to be the subject of suitable conditions.

Parking and Access

Local residents have raised concern over increased demand from residents of the new development and their visitors for on-street parking space.

Currently, there is space for nine vehicles on site. The proposal would retain these but in a more accessible and safer manner. The ground floor three bedroom apartment unit would be allocated two spaces, with the remaining units each served by a single space. A communal space for a single scooter/motorcycle is also available, plus covered and secure storage for 16 cycles.

The Highway Authority has questioned whether cars can enter and exit the site in forward gear. The final layout of the car parking court needs to be secured by condition in order to achieve a turning area for cars and appropriate access to the disabled space.

The level of parking provision falls short of the Highway Authority's new parking standards, which take account of known ownership levels in the locality and the size and type of dwellings. However, this shortfall is 3.18 spaces (1.58 for residents and 1.60 for visitors).

However, the site is reasonably well served by public transport. Frequently serviced bus stops are nearby opposite the site along Brighton Road. A designated cycle route into the town centre and neighbouring towns runs along the promenade. East Worthing main line railway station is within easy walking and cycling distance, therefore providing an alternative to the private car. Local amenities are close by in Ham Road. Pedestrian and cycle access to the site is convenient and safe. Finally, stopping up existing access points in Ham Road may offer additional on-street parking to help ease the parking congestion during peak times and address some of the local concerns of residents.

Moreover, recognition should be given to the previous public house usage of the site, which could be reactivated as the lawful use with significant traffic movements in excess of the current proposal.

Given these circumstances, it is considered the surrounding streets can accommodate any additional on-street parking demand generated by the development without harm. Indeed, in locations such as this, Government advice is that developers should not be required to provide more parking than they consider necessary unless there are exceptional and over-riding highway safety issues.

Refuse stores are sensibly positioned close to the flats, with no on-site turning required as collections would take place from the roadside. Moreover, the applicant has indicated a willingness to supply the requested unilateral undertaking to secure the necessary development contributions to mitigate the impact of the additional pressure placed by the development on local highways infrastructure.

In terms of highway safety, vehicular and pedestrian visibility would be improved at the point of access because the new access is designed to a higher standard with better visibility splays. The final design of this can be secured by condition. It is also positioned further away from the road junction with Brighton Road, so entering and exiting the site would be made safer. Finally, pedestrians and vehicles can enter the site from separate entrances reducing conflict between highway users.

Flood Risk

The site does not fall within Flood Risk Zone 2 or 3. However, given its exposed location along the seafront, it is very likely that it would be vulnerable to tidal over-topping from climate change.

The comments of the Environment Agency are advisory and there is no objection in principle to the scheme, even if floor levels are not set 300mm above the existing floor levels. It recommends that floor levels are set as high as possible within the height constraints of the buildings.

The agent has agreed to incorporate various flood resilient construction methods into the scheme such a flood resistant gate within the barrier of the front boundary wall. This can be secured by condition.

Other Environmental Matters

The residential units in the new flat block would be built to Level 3 of The Code for Sustainable Homes. The conversion of the pub building would include various low energy consumption and low embodied energy measures to meet current Building Regulations standards. Sedum roof terraces are also proposed.

A Sustainable Drainage System would also be incorporated into the development which would include rainwater harvesting and new permeable hard standings for the parking court. This would minimise flood risk and conserve water resources. A piece of art is proposed in the landscaped area along Brighton Road and details can be agreed by condition.

7. CONCLUSION

This proposal is the result of lengthy negotiations which have been necessary in order to achieve an acceptable high quality scheme appropriate to the current status and setting of the local interest building and this prominent site.

The loss of the public house has been justified. The principle of residential conversion and development is supported in this reasonably sustainable location and will meet a recognised housing demand. Returning the redundant public house to positive use is welcomed. The proposed conversion and extension are sympathetic and respect the setting and character of the existing locally listed building and the townscape of surrounding streets, whilst positively contributing to a sense of place.

The proposal is sensitive to the amenities of neighbours as well as providing a good quality environment for future occupiers. It would incorporate suitable sustainable design features. Despite a recognised parking shortfall, the access and on-site parking provision are satisfactory given the alternative transport options available to future occupiers in this reasonably sustainable location.

Therefore, subject to appropriate conditions and the receipt of a suitable unilateral undertaking to secure the required transport contribution, the proposal is supported.

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 WITH A VIEW TO PLANNING PERMISSION BEING GRANTED SUBJECT TO NO NEW COMPELLING MATERIAL OBJECTIONS ARISING DURING THE REMAINING RECONSULTATION PERIOD AND SUBJECT TO THE IMPOSITION OF THE FOLLOWING CONDITIONS:-

1. Standard time limit.
2. Approved plans.
3. Materials and finishes to be agreed.
4. Architectural details to be agreed.
5. Residential units within extension to be built out to Level 3 of the Code for Sustainable Homes.
6. Noise mitigation design for fenestration to be agreed.
7. Restrict construction working hours.
8. Approve dust suppression scheme.
9. Temporary provision for contractor's vehicles.
10. Temporary provision for contractor's materials.
11. Various walls/gates/boundary treatments to be approved.
12. Provision of secure covered cycle, provided and retained.
13. Provision of secure covered household waste, provided and retained.
14. Parking spaces to be provided, constructed and retained according to details to be submitted and agreed.
15. Existing Ham Road accesses stopped up prior to occupation of flats.
16. Pavement crossing details to be approved and retained.
17. Visibility splays for access to be approved and retained.
18. Hard and soft landscaping, including art piece, approved and implemented.
19. Surface water drainage details to be agreed and implemented.
20. Sedum 'green roof' details to be submitted.
21. Communal aerial/cable facilities agreed.
22. External lighting details to be agreed.
23. First floor bathroom window in east elevation bottom to be fixed and obscure glazed.
24. Contamination condition.
25. Precautionary contamination.
26. Details of flood resilient measures to be submitted.
27. Archaeological watching brief.
28. Construction Management Plan.

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.

9. BACKGROUND PAPERS

Observations of the Executive Head of Health, Housing and Community Safety
Observations of the West Sussex County Council
Observations of the Council's Tourism Manager
Observations of the Economic Development Officer
Observations of the Crime Prevention Design Adviser for Sussex Police
Observations of the Environment Agency
Observations of the Council's Safer Communities Team
Observations of the Worthing Society
Letters of Representation from Members of the Public

5th January 2011

ADDENDUM TO PLANNING COMMITTEE AGENDA

MEETING DATE - 5TH JANUARY 2011

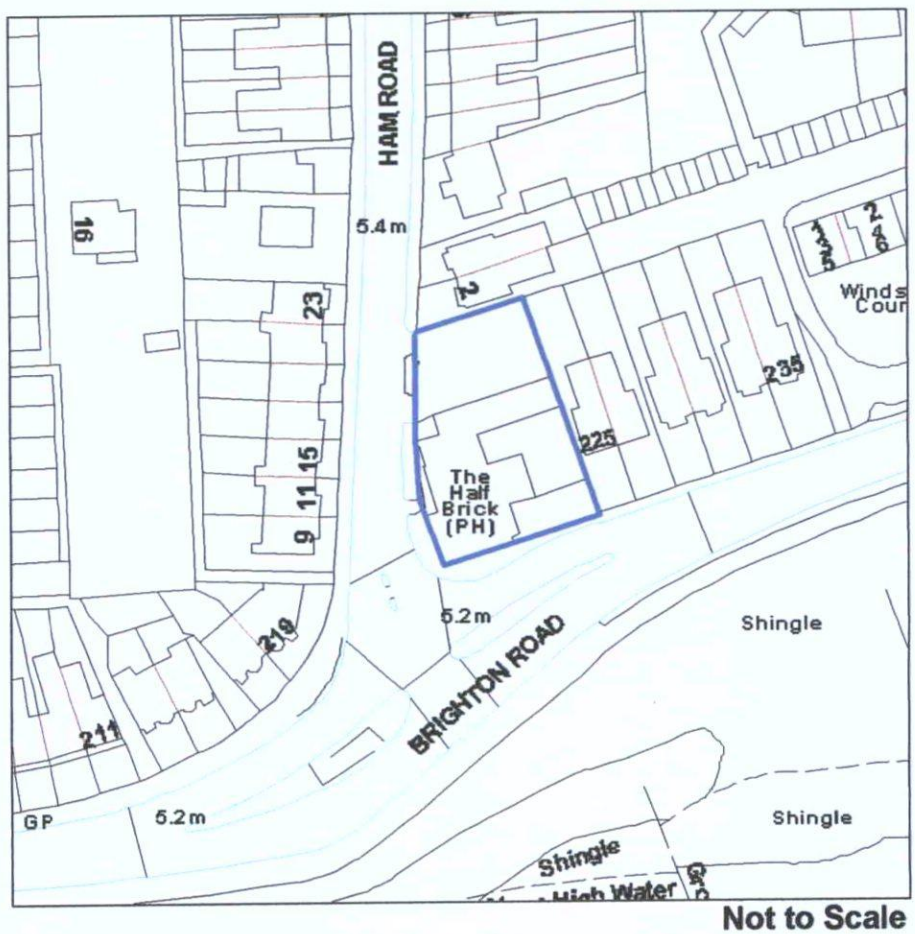
The following agenda items have updates to the original Committee report.

Mr R Brown
Avid Development Limited

WB/10/0895/FULL
SEL
MPO

Location : The Half Brick 221 Brighton Road

Proposal: Conversion and partial demolition of Public House and erection of two and half storey extension off north and east of original pub building to provide for 8 no. residential apartments (5 no. 2 bed self contained flats and 3 no. 3 bed self contained flats), together with associated soft/hard landscaping and art piece, 9 car parking spaces and storage for 16 cycles and 1 scooter, alteration of existing access onto Ham Road and stopping up of 2 redundant accesses.



Not to Scale

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The above map has been re-produced for clarification due to a printing error on the Agenda.

WB/10/0895/FULL **The Half Brick 221 Brighton Road**

UPDATES

Additional plan received showing turning circle on site for vehicles to enter and exit in forward gear.

Additional comments have been received from the occupier of No. 16 Ham Road in response to the amended plans as follows:-

i) The proposal is still unrealistic.
ii) Flats will generate up to 30 cars and there are only 9 parking spaces. At least 20 spaces will be needed.

Principal Borough Engineer comments as follows:-

"*No details of surface water or sewerage drainage. With this property only 40m from the defences if they were to fail under estimated erosion rates the property would begin to be eroded within approximately 16 years. Request a contribution toward planned improvements and maintenance in the area to secure this site from erosion risk. Money would be spent on works we deem necessary within a 100m radius of the SW corner of the building so we ensure that is where it is spent. The flood prevention measures they will install themselves will ensure they are covered from any wave overtopping so all in all we could then say that property had contributed to its own flood measures and we had protected it against erosion for say a 50 year life.*"

Additional comments have been received from the **Executive Head of Health, Housing and Community Safety,** responding to the technical content of Contamination Desktop Study and Walkover Survey, comments that the protocol must be clarified, references to sampling should be made and the inclusion or exclusion of soft landscaped areas should be confirmed.

OFFICER COMMENTS

For the reasons set out in the committee report, the provision of parking on site is considered acceptable. The final layout of the car parking forecourt will be secured by planning condition.

Details of the Contamination Desktop Study can be dealt with under the contamination condition. Details of surface water and foul drainage can be secured by planning condition.

The agent has agreed in principle to committing a sum of money towards planned flood defence improvements and maintenance in the area. The final figure will be subject to negotiation, and Members will be updated at the meeting.

CHANGES TO RECOMMENDATION

An additional condition is imposed requiring details of foul water drainage to be submitted to and agreed with Local Planning Authority.