

Planning Appeal

11 Warwick Street, Worthing
25113

Rev	Amendments
-	First Issue

By	Date
JE	20/08/26



Introduction

Planning Application ref AWDM/0223/26; "Change of use of upper floors to provide two residential units (Use Class C3); Shopfront alterations to include separate residential access; replacement of windows with double glazed windows; dormer reconstructed; and rooflights" was registered on 25th February 2026.

The designated planning officer, Ms Rebekah Hincke made a request for an extension of time on 23rd April 2026 until 14th May 2026, which was granted by Alcove Architecture on the same day.

On 7th May 2026, Ms Hincke wrote an email to state:

"Following my previous email, I have now been able to go through the application in more detail and have the following comments and observations.

1. *The proposal would fall below the nationally described space standards, including ceiling heights for the 2 bedroom unit and would not provide an acceptable standard of accommodation on this basis.*
2. *The Council's Heritage Consultant has raised an objection to the application, with concerns raised in relation to the design and detailing for the shopfront proposals, windows, and installation of rooflights. Also there is a lack of justification or explanation for the proposed changes. I have attached the comments for you which provide full details.*
3. *The site is at risk from flooding therefore a flood risk assessment is required*
4. *The Environmental Health Officer has recommended a scheme for protecting occupiers from external noise, and sound insulation to protect the dwellings from noise from the commercial unit. I think given the sensitivities of the site any glazing/ventilation that forms part of the scheme should be considered from the outset in order to address any heritage vs amenity concerns.*

Given the fundamental issues with the proposal in relation to achieving a suitable standard of accommodation, the sensitivities of the site, and issues raised by the heritage consultant, I will be completing my assessment with the view to issuing a refusal which will give full reasons."

Following confirmation from the applicant that the planning officer had not gained access to the property, Mr Evans at Alcove Architecture responded to the email on 11th May 2026 with numerous photographs, commentary and the following:

"Further to your email below we have provided some commentary in red and attach further photographs to assist your understanding of the scheme as we are aware you did not access the building.

There is mention of misunderstanding the need to amend the shopfront to access the upper floor access and for this reason the photographs attached show the current access from Ann Street which is unsuitable. Further photos show the intended uses and issues between floor levels and fenestration

At present, the building is attracting some homelessness issues and therefore we would have hoped for a more positive outcome/review and welcome any further discussion as required."

Mr Hincke replied on 13th May 2026:

"Thank you for your response and photos.

I have given this further consideration and although I can see the benefits of conversion of vacant upper floors to residential in principle here, I think, importantly, achieving a residential use isn't necessarily reliant upon this particular proposal/dwelling mix/number. I wanted to discuss your points with my team leader yesterday for a second opinion, particularly in assessing the standard of accommodation for a conversion scheme like this and she was of the firm view that there isn't justification to allow this standard of living environment below NDSS.

On flood risk, although a sequential test isn't triggered by the circumstances of the site and development type, a site specific flood risk assessment is nevertheless required. This would also consider site specific issues including safe access/egress, flood warnings and evacuation etc.

On the heritage and design issues, where some elements are acceptable in principle I agree that on these there may be some further detail or changes that could deal with the concerns, but where the application isn't otherwise supportable I wouldn't be seeking those at this stage, but this could be included at pre-application stage for a future application. I note the other cases you've pointed towards in relation to sound insulation which raised the issue of noise transfer within the building which is relevant here, but also of relevance is the impact from external noise which, my point was that this should really be considered from the outset for any impact on the windows or ventilation required.

On this basis I will be completing my assessment with the view to issuing the decision tomorrow, unless you would prefer to withdraw the application in which case please can you confirm this ideally today but no later than 9am tomorrow, after which time the decision will be issued."

Refusal of Planning Permission was received, dated 14th May 2026 stating the following three reasons:

1. The proposed development would not provide an adequate standard of living accommodation for future occupiers. As such the proposed development would be contrary to policy DM2 of the Worthing Local Plan and the relevant paragraphs of the National Planning Policy Framework.
2. On the basis of the limited information available, the Local Planning Authority is not satisfied that the proposed development would not detract from the historical and architectural integrity of the local interest building or that the proposed development would preserve or enhance the character and appearance of the South Street Conservation Area. As such the proposal is considered contrary to policies DM5 and DM24 of the Worthing Local Plan and the relevant paragraphs of the National Planning Policy Framework.
3. In the absence of an adequate site-specific flood risk assessment to demonstrate that the proposals would ensure that occupiers and users would remain safe from current and future flood risk for the lifetime of the development without increasing flood risk elsewhere, it is not considered to adequately address issues related to flooding and is therefore contrary to policy DM20 of the Worthing Local Plan and the relevant paragraphs of the National Planning Policy Framework.

This document has been prepared to support the Planning Appeal and will respond to the above Reasons individually, although common themes run through all.

/ Refusal reason no. 1

Worthing Local Plan policy DM2 states the following:

Density

- a) *Development proposals must make the most efficient use of land, which will usually mean developing at densities above those of the surrounding area.*
 - i) *residential development of family housing should achieve a net density of a minimum of 35 dwellings per hectare;*
 - ii) *higher densities, in excess of 100 dwellings per hectare should be achieved in most mixed use developments, flatted developments and developments located in the town centre and in areas close to public transport interchanges and services.*
- b) *In exceptional cases, lower densities to those set out above may be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs*
- c) *The optimum density of a development should result from a design led-approach to determine the capacity of the site. Particular consideration must be given to:*
 - i) *the site context and character of the surrounding area in which it is located, and including consideration of any nearby heritage assets or important landscapes;*
 - ii) *its current and future level of accessibility by walking, cycling and public transport;*
 - iii) *the need to achieve high quality design;*
 - iv) *the need to minimise environmental impacts, including detrimental impacts on the amenities of adjoining occupiers;*
 - v) *the capacity of surrounding infrastructure.*

Space Standards

- d) *New dwellings across all tenures will be expected to meet as a minimum, the nationally described space standards (or any subsequent Government update) for internal floor areas and storage space. These standards will apply to all open market dwellings and affordable housing, including those created through subdivision and conversion. Applicants will be expected to have regard to the Council's local guidance for external space.*
- e) *The Council will only consider any variation to the requirements set out above in exceptional circumstances.*

The site is an existing 4 storey terraced building consisting of a commercial unit at ground floor and unknown uses at the upper levels which are currently all vacant. It is in a state of disrepair and needs to be refurbished to ensure such a prominent building within the popular Warwick Street is not a blight on the overall Conservation Area.

With an overall site area circa 136m² in the urban environment the creation of two dwellings is clearly achieving the required density, therefore compliant with items a) and b).

Warwick Street is a pedestrianised street consisting of various commercial uses at ground floor level and above these there are residential units with direct access from the street, along with some office uses. Therefore, the proposal is also compliant with item c) insofar it mimics neighbouring use. It is also placed in a favourable location for walking, cycling and public transport being in the town centre.

Two dwellings are proposed, taking into account the existing parameters set by the existing building fabric that cannot be changed, namely floor and ceiling levels.

At first floor a 50m² one bedroom flat is proposed where the majority ceiling height of 2.7m is generous; dictated by the height of the existing window openings that face north and south as can be seen below.



Fenestration heights to proposed Living (left) and Bedroom (right) at the first floor level dwelling

The minimum area for a dwelling of this nature, a One Bedroom – Two Person single storey dwelling is 50m² as identified by the 'Technical Housing Standards – Nationally Described Space Standard dated March 2015' and therefore compliant. Furthermore, the layout ensured the living area faced the noisier southern façade.

At second floor, the ceiling height is 2.15m and at third floor (within the roof space) the ceiling height is close to 2m. Both levels are not ideal and not as per the prescribed minimum of "ceiling height is 2.3m for at least 75% of the Gross Internal Area". However, again this is dictated by existing factors such as fenestration locations and the roof as an extension of the neighbouring property.

Therefore to address this and create a unique, design led dwelling, the proposed second dwelling would occupy both levels with a double height space over the Living area connecting the levels and thus reducing the perceived impact of the lower headroom.



The floor to be removed from the Sleeping deck to proposed Living (left) and third Bedroom (right) of the duplex dwelling

This Two Bedroom – Three Person duplex maisonette has a floor area of 66 m² to min 1.5m height, with a slanted mezzanine running above the living space to create a pleasant double height space.

The 'Technical Housing Standards – Nationally Described Space Standard dated March 2015' does not cater for this style of residential unit but does identify a Two Bedroom – Three Person single storey dwelling to be min 61m² and a Two Bedroom – Three Person two storey dwelling to be min 70m². At the mid way point between these two figures one could consider the duplex to be compliant.

It is clear the headroom cannot and will never be compliant with the 2.3m technical requirement (10i) set by the 'Technical Housing Standards – Nationally Described Space Standard dated March 2015'.

It is our understanding that the Space Standards are applicable only to new dwellings, and not necessarily applicable to refurbishment projects as it states, *"The requirements of this standard for bedrooms, storage and internal areas are relevant only in determining compliance with this standard in new dwellings and have no other statutory meaning or use"*

However, the local authority have identified it as being applicable to refurbishment projects as well as new dwellings. Therefore it is our strong belief that this then falls into item e) *"The Council will only consider any variation to the requirements set out above in exceptional circumstances."*

The existing building fabric prevents any possible adjustment to the dimensional parameters and demolition and reconstruction is not an option due to the terraced nature of no. 11 with no. 9 as can be seen in the photographs below.



Nos 9, 11 and 13 Warwick Street. Although unseen the roof between nos 9 and 11 is shared

Therefore, this is an exceptional circumstance and should be considered as such.

Furthermore, in the correspondence dated 13th May, the designated planning officer had consulted with their team leader and confirmed, *"I can see the benefits of conversion of vacant upper floors to residential in principle"*

/ Refusal reason no. 2

Worthing Local Plan policy DM5 states the following:

Quality of the Built Environment

a) All new development (including extensions, residential annexes, alterations, ancillary development, change of use and intensification) should:

i) be of a high architectural and design quality and respect and enhance the character of the site and the prevailing character of the area. This will include consideration of proportion, form, design, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping;

ii) enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping, tree canopy, impact on street scene and layout of the development;

iii) make a positive contribution to the sense of place, local character and distinctiveness of an area;

iv) respect, preserve and where appropriate enhance, heritage assets and settings;

v) be well built, accessible, fit for purpose, and adaptable to changing lifestyle, demography and climate;

vi) include a layout and design which: take account of potential users of the site; create safe conditions for access, egress and active travel (walking and cycling) between all locations; provide good links to integrated public transport; and have acceptable parking arrangements (in terms of amount and layout);

vii) make a positive contribution to creating a safe and secure environment by integrating measures for security and designing out opportunities for crime;

viii) not have an unacceptable impact on the occupiers of adjacent properties, particularly of residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook, an unacceptable increase in noise giving rise in significant adverse impacts, or vehicular movements resulting in severe cumulative impacts on the road network, or loss of important open space of public value (unless it satisfies any of the exceptions set out under Policy DM7 – Open Space, Recreation and Leisure);

ix) respect the existing natural features of the site, including landform, trees and biodiversity and contribute positively to biodiversity net gain. Where appropriate, this will include the protection and integration of existing trees and green infrastructure into new developments;

x) ensure that lighting incorporated into developments provides the minimum for public safety, is energy efficient and avoids light pollution.

Taking each item in order:

- i. The fenestration arrangement at the upper floors remain in situ albeit with replacement windows that are more thermally and acoustically effective and therefore respect the character of the area. At ground level the shopfront is redesigned to allow access to the upper floors and a commercial unit at ground floor. This then mimics the established arrangement at other locations along Warwick Street, with those at no. 7 and no. 15 being immediately apparent
- ii. As identified above, there is no change to the street scene although the access to upper areas will further enhance the lively street life
- iii. Again, access to the upper levels from Warwick Street make a positive contribution to the sense of place, local character and distinctiveness of an area
- iv. This is a Conservation Area and the replacement windows and shopfront will be detailed and fabricated in quality hardwood that has been used in other Conservation Areas within Worthing, notably under application ref AWDM/1215/20 for a replacement shopfront at The Broadway, which continues and leads from Warwick Street to the east
- v. At present the building is falling into dilapidation and needs to be rejuvenated. The proposal will add thermal and acoustic insulation to the residential dwellings in accordance with Building Regulations ensuring they are fit for purpose. Given the location we anticipate they would be occupied but couples, with the third bedroom of the Duplex being used as a guest room or home office to compliment the lifestyle since COVID
- vi. The site is within 100m of the main bus stop for Worthing town centre, with the promenade and coastal cycle route to the south. This enforces the concept of creating homes for couples. West Sussex County Council Highways had no objection to the proposal on the basis it was so well connected to public transport options
- vii. The proposed relocation of the access to the upper floors from the current rear passageway off Ann Street (mainly used for deliveries) is a significant improvement on security for those within the building
- viii. The site reuses existing building stock so there is no impact upon neighbours. Opposite the site to the south is a popular local public house and to north the rear of the site is linked to an existing row of buildings along Ann Street, approximately 13m from the residential dwellings so no impact upon privacy.

- ix. There is no soft landscape related to this plot within the urban environment and therefore there is no impact
- x. The two ground floor entrances are both recessed therefore preventing light pollution but importantly also providing a space to adequately and safely provide security and amenity lighting to the building.

As can be deduced from the summary points above, the proposed scheme responds positively to all aspects of part a of the Worthing Local Plan policy DM5.

There are also parts b (Residential Annexes) and c (Ensuring Approved Plans are Delivered) which both have no impact on the proposal.

However, part d (Ensuring Good Design) states:

"Development must reflect government guidance on design and take into account any local design guidance and supplementary planning documents such as design guides and codes. Weight will be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally, so long as they fit in with the overall form and layout of their surroundings"

A key phrase to be taken from the above statement suggests weight will be given to "innovative designs", "so long as they fit in with the overall form and layout of their surroundings". It is our belief that the duplex dwellings addresses the headroom issue in an innovative way without jeopardising any of the existing building and local character.

The reason also states the scheme is contrary to Worthing Local Plan DM24 which states:

The Historic Environment

- a) *Where development affecting any designated or undesignated heritage asset is permitted, it must be of a high quality, respecting its context and demonstrating a strong sense of place.*
- b) *Proposed development should take account of the information and guidance in Worthing's Conservation and Heritage Guide (which will be updated and periodically reviewed)*

Designated Heritage Assets

- c) *Development should not adversely affect heritage assets or its setting (including important views that contribute to its setting). Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, the Council will refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Where proposals may result in harm to a designated asset a*

Heritage Impact Assessment (HIA) must be submitted describing the significance of any heritage assets affected, including any contribution made by their setting.

- d) Planning permission and/or Listed Building consent will only be granted provided that the appearance, significance, or historic character of the Listed Building is not adversely affected. The reinstatement or replication of original features such as windows or doors will be supported. Materials used must be consistent with those originally used or typical of the locality. Change of use may be supported where this secures the retention of a building of historic architectural interest where it could otherwise be lost.
- e) Development in Conservation Areas will be required to be of a high standard of design and materials so as to respect, preserve and enhance the character and appearance of that area, and preserve important features. Conservation Area Character Appraisals will be used to assess applications within designated Conservation Areas and opportunities will be taken to preserve and enhance these areas, and to implement the recommendations of Conservation Area Management Plans. The importance to the local area of Buildings of Local Interest within Conservation Areas will be a material consideration in assessing an application for their demolition or development. Where, in compelling circumstances, the Council is minded to grant permission for demolition of a building in a Conservation Area, this shall not be granted until detailed plans for redevelopment have been approved.
- f) Planning permission to replace shopfronts of inappropriate design or materials, or in poor condition, in Conservation Areas will be granted providing the replacement is of appropriate design and materials, respecting the character of both the building and the Conservation Area. Advertisements in Conservation Areas should respect the character, proportions and design of the building on which it is displayed, and use traditional materials where necessary. Internally illuminated signs will generally not be permitted

Undesignated Heritage Assets

- g) The following locally listed heritage assets will be a material consideration when determining planning applications:
 - i) Buildings of Local Interest;
 - ii) Environmental Areas of Special Character;
 - iii) Parks and Gardens of Local Interest.

They have been identified for their contribution to the character of the area in which they are located as set out in Worthing's Conservation and Heritage Guide. Their importance to the local area and community will be considered, and account will be taken of the desirability to sustain and enhance their significance. Development proposals should respect, support, and where possible, positively contribute to the essential character of these heritage assets. Other buildings and features of design and architectural interest not included above may also be considered undesignated heritage assets and therefore will also be subject to these requirements. Where a development would result in harm to an undesignated asset, a balanced judgement will be made, having regard to the scale of any harm or loss and the significance of the asset. A HIA will be necessary to inform the decision.

- h) The Council will preserve archaeological features against damaging or discordant development. Such features should only be removed or altered in compelling circumstances

where there is no practical alternative and where provision can be made for recording. Where a site includes, or potentially includes, heritage assets of archaeological interest, an appropriate desk-based assessment will be required and a field evaluation where necessary.

Although not a Listed Building, the site is within the South Street Conservation Area which covers a large area, including the pier and lido:



The site is identified by the red circle, with the pedestrianised Warwick Street

Within the Local Authority Conservation Area Appraisal dated 2009 there is a specific section to analyse Warwick Street. The merits of the pedestrianised street are made clear where "The built

environment combines with the predominantly retail use to produce a street of distinct character. Free of traffic, the highway provides a secure place in which people can window shop, linger or sit and enjoy the environment and views. The cafes and public houses provide chairs and tables in the street are a popular and interesting feature in the street scene"

It goes on to specifically describe "Shopfronts in themselves are important elements in the street scene and some are of special interest, particularly on the north side where there are a variety of designs and unusual recessed lobbies"

The redesigned shopfront encompasses all that is referred in this document with two recessed lobbies to the residential access and the commercial unit. Both providing shelter from the elements when accessing the building as would be required by any new building as part of Building Regulations.

This arrangement is seen at no 7, leading to offices above and at no 15, leading to residential dwellings above. The recessed lobbies to each side creates a 'bay window' effect to the shopfront that compliments the projecting bays at higher level and could be used as a display for a shop or a prime spot within a restaurant.



Nos 7 to 15 Warwick Street. The proposed replacement timber shopfront would be a complementary addition

At present the wide, slanted, recessed doorway of the aluminium screen attracts homelessness, which is causing a direct harm to the character of the area.

The Conservation Area Appraisal identifies architectural historic and townscape elements which should be preserved and within this list it includes:

- *Mansard or pitched roofs in slate.* The existing slate roof is retained as part of the shared ownership with no 9
- *Timber sliding sash windows which provide a vertical emphasis to the street scene.* The large windows will be replaced with double glazed timber sashed windows and the 'bay window' to the ground floor further enhances the verticality

- *Traditional shopfronts and signs which respect the overall design, style and period of the individual property they attach to and which contribute to the character and appearance of the street scene. It is our belief that the shopfront and pedestrian lobbies identify separate uses whilst enriching the street scene*

Attached to Ms Hincke email dated 7th May was a report by the local authorities Heritage Consultant where the first comment states, *"The proposal in heritage terms, in principle may be supportable, but the details of the proposed raise some concerns"*.

The Heritage Consultant report states 'Objection – Less than substantial harm' but also suggested 1:5 details had not been provided which was incorrect.

The 1:5 details for the shopfront were based upon a previously approved shopfront at The Broadway, Worthing (AWDM/1215/20) within a continuation of Warwick Street and mimic those styles present along the northern street elevation with moulding to the raised plinth and proportions suitable to intended use, placing larger glazed areas to the commercial unit.

The replacement windows are based upon 'Mumford and Wood Conservation Range' which have previously obtained approval at a Listed Building in Belgravia (for our practice) so the comments are at conflict with previous projects both locally and nationally.

Double glazing is queried as unjustified but to enable residential use it is essential for compliance with Building Regulations (both acoustic and thermal), which shows a lack of understanding of current standards and /or willingness to see the building rejuvenated.

With regard to the southern rooflight, the report states *"to introduce a rooflight to the front roof slope would be an incongruous addition that complicates the consistent roof finishes and form seen in the area"*. As can be seen from previous photographs we question if the rooflight would have this impact given the limited visual awareness.

As identified by Ms Hincke in her email dated 13th May, *"On the heritage and design issues, where some elements are acceptable in principle I agree that on these there may be some further detail or changes that could deal with the concerns"*.

Therefore, to include this reason for refusal is unjustified and could be dealt with under a Planning Condition if necessary.

/ Refusal reason no. 3

Worthing Local Plan policy DM20 states the following:

Flood Risk and Sustainable Drainage

- a) *The Council will work with relevant bodies to ensure that flood risk in Worthing is managed and reduced. Development should be directed away from areas of highest risk of flooding from any source and opportunities should be taken to reduce flooding through sustainable drainage systems and natural flood management to deliver multi-functional benefits for people and wildlife.*

Flood Risk Assessment

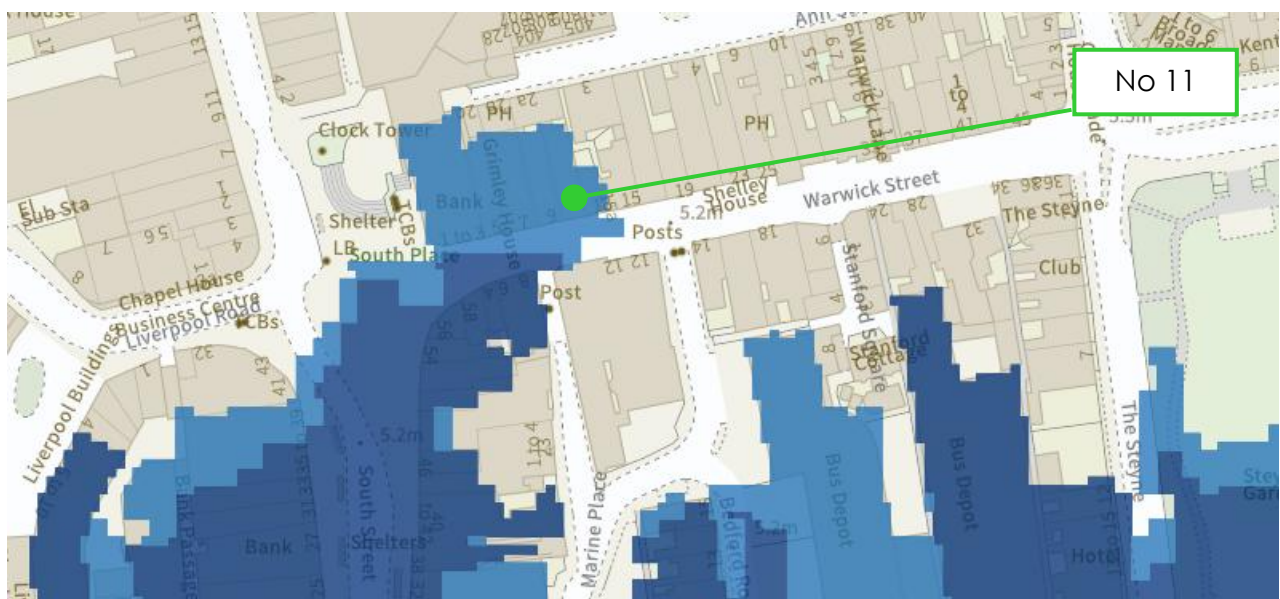
- b) *A site specific Flood Risk Assessment must be submitted with planning applications for:*
 - i) *sites of 1 hectare or greater in Flood Zone 1;*
 - ii) *all new development (including minor development and change of use) in Flood Zones 2 and 3;*
 - iii) *development that would introduce a more vulnerable class on land at increased flood risk in future or subject to other sources of flooding identified by the Strategic Flood Risk Assessment.*
- c) *The Flood Risk Assessment should be proportionate to the degree of flood risk and appropriate to the scale, nature and location of development. It will need to demonstrate that:*
 - i) *the site has passed the sequential test (this has already been undertaken for all sites allocated in the Local Plan) and within the site the most vulnerable development is located in areas at lowest flood risk from any source unless there are overriding reasons for not doing so;*
 - ii) *Where required by national policy, demonstrate both parts of the exception test have been passed:*
 - *the development would provide wider sustainability benefits to the community that outweigh the flood risk; and*
 - *the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.*
 - iii) *current and future flooding from all sources including in-combination and cumulative effects, and any residual risk can be safely managed;*
 - iv) *ensure safe access and egress to and from the development, where necessary as part of an agreed flood warning and evacuation plan;*
 - v) *development will not increase flood risk elsewhere, and where possible will reduce the overall level of flood risk; and*
 - vi) *development should be appropriately flood resistant and resilient so in the event of a flood it can be quickly brought back into use without significant refurbishment.*

Surface Water Drainage

- d) *The surface water drainage scheme should use Sustainable Drainage Systems, unless there is clear evidence that this would be inappropriate, and be designed to:*

- i) limit runoff to greenfield 1 year rates for events up to and including the 100 year plus climate change event where possible, and always ensure no increase in flows as a result of development;
- ii) follow natural drainage flow paths and work with existing site topography;
- iii) provide adequate capacity for the 30 year plus climate change event to be contained within the drainage system, and demonstrate that the development is safe for the 100 year plus climate change event scenario and does not increase in flood risk off site;
- iv) incorporate green infrastructure and maximise multi-functional benefits ensuring adequate treatment of surface water prior to discharge to ensure that the quality of local water is not adversely affected;
- v) be sensitively located and designed to promote an enhanced landscape/townscape and good quality spaces that improve public amenity;
- vi) discharge run-off according to the following hierarchy: (1) into the ground (infiltration), (2) to a surface water body, (3) to a surface water sewer, (4) to a combined sewer. Surface water connections to the public sewerage network should only be made with prior agreement of the relevant sewerage undertaker and where it can be demonstrated that there are no feasible alternatives (this applies to new developments and redevelopments) and where there is no detriment to existing users.
- e) Clear management arrangements and funding for their ongoing maintenance over the lifetime of the development should be proposed. Planning conditions or obligations will be used to secure these arrangements.

A site specific flood risk assessment was included within the application that we believed was *proportionate* to the degree of flood risk and *appropriate* to the scale, nature and location of development based upon the flood map below where the site is within Flood Zone 2.



Extract from Government 'Flood Map for Planning'

The commercial unit at ground floor is an existing vacant unit and therefore there is no threat to life as all other ground floor uses within the area

Located over 3m above the ground floor level the residential units have no direct threat to life and with large windows to the south; that can be used for emergency egress, we believe suitable evacuation and emergency plans could be dealt with by any planning condition.

To the rear of the property (not subject to flood risk) the windows were replaced with side hung casement that enabled emergency egress from the flat roof area over the rear of the commercial unit, that has access from Ann Street.

There is no change to existing hard standing, roof configuration or roof area so no increase to surface water drainage.

At no point in the planning process was the inadequacy of the Flood Risk Assessment made apparent as a reason for refusal.

Furthermore, WSP (Drainage Consultant for the Local Authority) commented that “we would recommend the approval of the application with the following informative attached: Informative 1: We have identified the site is adjacent to a flood risk, therefore the applicant should consider creating a Flood Risk Emergency Plan in case of the event of a flood. The Flood Risk Emergency Plan should be created in line with ‘Flood risk emergency plans for new development’ as produced by ADEPT and EA and demonstrate safe access and egress in accordance with NPPF” therefore there is no merit in this reason for refusal.

Concluding Statement

No. 11 is in a poor state and has worsened over time now attracting homelessness use of the shopfront doorway which is suitably sized for sleeping.

The application seeks to rejuvenate the tired building in a way that provides contemporary living in an architectural style that compliments the Conservation Area; to invigorate life on the successful pedestrian street and therefore we believe it should be approved.