Expiry Date - 25/08/2023

Development Control – Delegated Officer Report

Application Number: AWDM/0790/23 Recommendation – APPROVE

Site: The Mill Building 35 Chatsworth Road Worthing West Sussex

Proposal: Construction of 2-storey roof extension to provide offices.

Date of site visit: 23.08.2023 (most recent)

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The property comprises the larger western component of a 4-storey mixed-use building located on the north side of Chatsworth Road within the Town Centre. The building has a part flat, part pitched-roof with a combination of brick-faced and rendered elevations. The ground-floor premises include a restaurant and bar, with nightclub and 'laser zone' on the first-floor, with offices on the upper 2 floors.

To the north the site adjoins an unused, cleared piece of land identified as a development site (A13 – Union Place) within the adopted Local Plan. The land is the subject of an outline planning application AWDM/0461/20 made by Worthing Borough Council (and development partner LCR) for a mixed use development comprising residential development, commercial floor space, hotel, cinema and associated parking, public realm and landscaping works. The Planning Committee has resolved to grant planning permission subject to the prior completion of a legal agreement. A decision has yet to be issued.

To the west the site adjoins Cannon House, an office building over 4 floors (3-storey plus roof accommodation). A car park on the east side of the building has gated access to the unused land in Union Place and it is included within the site area of the above-mentioned site allocation and outline application.

Directly opposite the site is the High Street multi-storey car park. To the south and west is the Guildbourne Centre including the 7-storey Guildbourne House.

The site is located within a designated 'key office location' within the adopted Worthing Local Plan. The Steyne Gardens Conservation Area lies to the south and east of the site, on the east side of High Street.

Proposal

Permission is sought for the addition of 2-storeys comprising 918 (Total GIA) of office floor space (Class E(g)(i)).

The design of the proposed fourth floor seeks to replicate the external appearance of the existing building with the proposed fifth floor comprising a metal-clad vertical-walled component set in from the outer walls of the building with an over-sailing eaves design. The proposed additional office floor space would be accessed from the existing office entrance in the centre of the building fronting Chatsworth Road. There is no existing or proposed on-site parking provision.

Relevant Planning History:

AWDM/0693/20 Construction of 2-storey roof extension to provide offices. Permitted 16.10.2020.

Consultations:

WSCC: The local Highway Authority has no objection in principle, commenting:-

"Background
West Sussex County Council in its capacity as Local Highway Authority (LHA) has been consulted on the above full planning application with regards to any highway safety or capacity concerns. The application is supported by a Planning, Design and Access Statement prepared by Whaleback.

Site Context
The application site the 'Mill Building' comprises a four storey commercial premises at the address 31-35 Chatsworth Road Worthing, The development proposals are the construction of a 2-storey roof extension to provide office accommodation (Use Class E). WSCC were consulted on a similar proposal in June 2020 for which no objection was raised.

Access and Parking
The access to the building is from Chatsworth Road which will be retained for future users. There are no additional parking spaces proposed as part of the development proposals: hence, it is a car-free development. The users of the building and visitors could avail parking within the multi-storey car park in front of the building or nearby car parks. The car-free arrangement for the development is justifiable given that the site is situated in a highly sustainable location. There are several local amenities/facilities, public transport facilities etc. within short walking distance from the building.

There is no space to provide on-site cycle parking spaces: however the application is open to discussion with the Council to provide alternatively within the ground-floor of the neighbouring multi-storey car park.

Trip Generation and highway Impact

No traffic flow information has been provided with the current application. However from experience of other similar proposals, the LHA recognise that the proposals are unlikely to result in any material change in traffic patterns. As such, there is no expectation for this proposal to give rise to any increase or material change in the character of traffic in the vicinity of the site.

Conclusion
The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network therefore is not contrary to the National Planning Policy Framework (NPPF) paragraphs 110-113 as revised July 2021. There are no transport grounds to resist the proposal."

It is recommended that if the LPA is minded to approve the application the following condition should be applied:-

Cycle Parking

No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the LPA.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

Adur and Worthing Councils:

The **EHO (Public Health)** initially commented on the application as follows:-

The Planning Statement contains reference to the Sussex Planning and Air Quality Guidance. Whilst there is no on-site parking I would be interested to know what traffic movements are believed to be likely to be associated with the development? Following this I recommend the Emissions Mitigiation Assessment is completed.

There is reference to roof-mounted plant on the existing building and that this could be re-located to the new roof. I recommend any relocated roof mounted plant is subject to a noise assessment to ensure it does not affect nearby residential amenity. This could be achieved through a condition such as:-

1. Provide a scheme which shall be submitted to and approved by the local planning authority for attenuating all external fixed plant. The scheme shall have regard to the principles of BS 4142:2014+A1:2019 and ensure there is no detrimental impact to the nearest residential dwellings. A test to demonstrate compliance with the scheme shall be undertaken within one month of the scheme being implemented. All plant shall be maintained in accordance with manufacturers' guidance and any future plant shall also meet the specified levels within the approved scheme.

2. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction - HGV construction traffic routings shall be designed to minimise journey distance through the AQMA's.
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste, the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding, a commitment to no burning on site, the provision of wheel washing facilities and other works required to mitigate
- the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.
- methods to control dust from the site.
- a commitment to following BS5228:Code of Practice for noise and vibration control on construction and open sites.
- Details of public and neighbour engagement both prior to and during construction works.

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.

Private Sector Housing: No comment.

Representations: Noe received.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, SP2, SS3, DM5, DM11, DM13, DM15, DM16, DM17, DM22, Site Allocation A13 (Union Place).
National Planning Policy Framework (HCLG 2021)
National Planning Practice Guidance
Sustainable Economy SPD (WBC)

WSCC Guidance on Parking for New Development (2019)

Planning Assessment

The policy context comprises of the NPPF and the local development plan which consists of the adopted Worthing Local Plan and accompanying SPDs. The extant permission for an identical development scheme AWDM/0693/20 is also a material consideration of substantial weight.

Chapter 6 of the NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It states that policies should set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth having regard to local industrial strategies and other local policies for economic development and regeneration (paras 81-82).

Chapter 7 of the NPPF states that planning policies and decisions should support the role town centres play at the heart of local communities by taking a positive approach to their growth management and adaptation. Planning policies should allocate a range of suitable uses in town centres to meet the scale and type of development likely to be needed. Meeting anticipated needs for retail, leisure, office and other main town centre uses should not be compromised by limited site availability.

Chapter 12 of the NPPF sets out the policies to achieve well-designed places stating that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps made development acceptable to communities. Paragraph 130 requires (amongst other things) that developments ‘are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are ‘sympathetic to local character and history, including the surrounding built environment and landscape setting’; ‘establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit’ and ‘optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities and transport networks’.

The adopted Local Plan sets out objectives for sustainable economic growth to support Worthing’s ambition to build on its current economic strength, help local business to grow and equip the Borough’s workforce to be ready for future challenges and emerging sectors. The strategy is to protect key employment uses and plan positively for sustainable economic growth to meet quantitative and qualitative needs.

Policy SS3 states that retail, leisure, office and other town centre use development should usually be directed to the Town Centre to ensure

Worthing Town Centre continues to fulfil its sub-regional role, including through the more efficient use of existing sites.

Policy DM11 identifies Chatsworth Road as a key office location that will be protected.

The proposed development will provide 918sqm of new office floorspace within a highly sustainable town centre location and a designated key office area and can therefore be supported in principle.

The key considerations are the design of the resulting building and the impact on visual amenity and the surrounding townscape; the impact on and compatibility with neighbouring properties and future occupiers (including the adjoining development site – A13), sustainable design, and parking/highway safety matters.

Design and the Effects on Visual Amenity

Policy DM5 requires all new development to 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, design, form, context, massing, siting, layout, density, height, size, scale, materials and detailed design and landscaping. Development should enhance the local environment by way of its appearance and character and make a positive contribution to the sense of place and local distinctiveness of an area.

Although having a strong sense of visual coherence the external appearance of the existing building block (Nos 31-41) is not homogenous. The central component of the building has a dual-ridged and pitched roof with central valley and front (south) and rear (north) gable features whilst the outer components are flat-roofed with parapet edges. The south-west corner of the block is chamfered onto Chatsworth Road, and includes the entrance to the first-floor night-club and laser zone.

The elevations consist of a mixture of face brickwork and render although these differing treatments do not line through consistently, even on the main front elevation. That said, there is a consistent approach to the treatment of the ground-floor which faces directly onto the back edge of the pavement on Chatsworth Road, consisting of a series of attractive brick arches (edged in contrasting brick) with recessed glazing (of differing styles) forming the commercial entrances/frontages to the ground-floor premises (Fernandos restaurant, Molotov cocktail bar and the offices at No.41) and the entrances to offices above (The Mill Building and Chatsworth House). An attractive dentil band lines-through above the arches and extends round to the east and west sides of the block. The vertically proportioned arched-head windows line-through on each of the upper floors, although there is a slightly difference to the ‘rhythm’ of fenestration between The Mill Building and Chatsworth House. Expressed banding lines-through above the first-floor windows, but not on the floors above.

Given the existing irregularities in the architectural composition and detailing of the block it is considered there is some scope for adding additional floors to the western component of the building notwithstanding the resulting imbalance. It is considered the proposals, which following amendment are now identical to that approved under AWDM/0693/20, would have a satisfactory appearance, complementing the proportions and detailing of the existing building with the top (fifth) floor 'set in' from the inner parapet wall of the fourth floor below. The recessed fifth floor would consist of vertical, standing seam, metal-clad elevations under a flat roof with over-sailing eaves detail. The amendment sought now includes the more elegant profile of the over-sailing eaves previously approved under AWDM/0693/20. As before, precise details, along with the standing seam cladding, will need to be agreed as a condition of planning permission.

The additional floors would be prominently visible in views from the east including from the Steyne Gardens Conservation Area, north-east and from the north from Union Place across the adjoining development site – A13. At present, the top of the multi-storey car park and tallest components of the Guildbourne Centre (Guildbourne House and Guildbourne Court) can be seen projecting above the roof of The Mill Building and Chatsworth House in views from the north. Within this context the larger 'bulk' of 2no additional floors, with the recessed top-floor, would not appear out of scale or intrusively dominant in townscape views across the existing unused land from the north and north-east. The resolution to approve the outline application AWDM/0461/20 for the development of this site is also a material consideration of some weight.

The submitted drawings show the siting of residential blocks E1 and E2 to the north of The Mill Building and Chatsworth House (Nos 31-41). Building E1 a narrow 6-storey mixed-use (commercial /residential) building is orientated to front onto High Street. Building E2 a 14-storey residential building, lies within the site interior, to the west of E1, separated by a podium deck. E2 is shown similarly orientated with its main aspect east/west. It lies due north of The Mill Building. Building E1 would be of a similar scale to the enlarged Mill Building (with a recessed fifth floor element) whilst E2 would be considerably taller. It is worth pointing out that the application is in outline (with all matters reserved) with the scope for considerable deviation in the siting and scale of the proposed buildings. Nevertheless, whilst the enlarged scale and massing the Mill Building would likely continue to be visible in views from Union Place through the gaps between the new buildings it would be difficult to argue that its resulting 6-storey scale would prejudice or be at odds with the unequivocally urban townscape envisaged for this development site.

Views from the south, west and north-west would be more contained and seen in the context of the existing larger scale and taller buildings to the south at the eastern end of Chatsworth Road, namely the High Street multi-storey car park and Guildbourne Centre. Within this context it is considered the resulting increased scale and massing of the building would assimilate with the existing surrounding townscape without appearing unduly dominant.

The unaltered eastern component of the building and adjoining surface-level High Street car park (shown as a ‘pocket park’ within AWDM/0461/20) provide a degree of ‘breathing space’ between the proposed enlarged ‘bulk’ of the Mill Building and the more domestic scale of buildings which typically characterise the eastern side of High Street (although Crown House, a utilitarian-looking, modern 3-storey Government office building lying directly opposite the end of Chatsworth Road is somewhat anomalous in this regard).

The enlarged ‘bulk’ and mass of the building would not extend further eastward than the front (east) elevation of the High Street multi-storey car park to the south.

Neighbouring Buildings and Uses

There are no residential properties in the immediate vicinity of the site, however, the impact arising from the additional scale of the building on the amenities of the future residential occupiers of the buildings included as part of AWDM/0461/20 is a relevant consideration.

The most affected building is Block E2 shown sited approximately 3.5m to the north of The Mill Building. As the application has been made in outline the submitted floor plans show the number and position of flat units per floor but not the detailed internal layout of individual flats or the positioning of habitable rooms within them. Elevation drawings have been provided, but for illustrative purposes only. These show the South Elevation of Block E2 with floor-to-ceiling glazed openings across its full width on all floors (above ground floor).

The existing 4-storey building is a constraint that will have an impact on the receipt of daylight and sunlight to the lower residential floors of building E2. Notwithstanding the large glazed opening shown on its South elevation it can reasonably be expected that these windows would necessarily be secondary in nature in view of the ‘bulk’ and proximity of the existing building (The Mill Building and Chatsworth House). Existing north-facing windows on the second and third floor of the Mill Building will overlook the south side of E2 close quarters. In approving AWDM/0693/20 it was accepted that the creation of 2 additional floors would not materially worsen these existing impacts to the detriment of the future residential occupiers of E2, or prejudice the final siting, layout and external design of this building having regard to the submitted Design Code (and Addendum). AWDM/0693/20 is a material consideration of substantial weight and notwithstanding the subsequent resolution to grant AWDM/0461/20 it is considered refusal of this latest application could not be reasonably justified on grounds the proposals materially prejudice the detailed design and layout of any future reserved matters application made subsequent to the issuing of a decision on AWDM/0461/20, or the objectives and principles for developing the site as set out in A13 (Site Allocations) of the Local Plan, which specifically recognises the site constraints associated with overlooking and issues of ‘right to light’ in connection with surrounding buildings.

Access and parking

The site has no external curtilage with no scope to provide on-site car or cycle parking. However, the site is within a highly sustainable location, accessible to bus routes on High Street and within easy walking distance of Worthing rail station.

The LHA has recommended a condition to secure cycle parking provision whilst noting that there is no external curtilage to the site, or scope to make such provision on the ground floor of the building. Offsite cycle parking provision or a financial contribution would necessitate a legal agreement. Secure, covered, public cycle parking (50 spaces) is available within the 'cycle hub' within the adjacent multi-storey car park together with numerous Sheffield stands throughout the town centre. In the circumstances it would be difficult to justify such a requirement, although a condition requiring a travel Plan to promote sustainable modes of transport would be justified in accordance with DM15. To this end, the layout includes a shower on each floor to support the use of sustainable transport modes.

Other issues

In response to the initial comments of the EHO the Agent has replied that there is no obligation to undertake the air quality emissions mitigation assessment as the as the proposal is not a 'major' development, nor within or close to an AQMA, or within an area close to exceeding air quality objectives and does not involve Class B8 (storage and distribution) development. It is also pointed out that the LHA has recognised the proposals will be unlikely to result in a significant uplift in traffic movements or change to the character of traffic in the vicinity of the site.

The Planning Statement confirms that the proposed development would deliver compliance with current Building Control standards for insulation, energy and water usage. It is anticipated that with the use of highly insulated facades, roof and high performance aluminium windows, heat loss will be minimised and general energy performance will potentially be greater than required under current Building Regulations. Windows will be openable to allow for passive cooling through natural ventilation, minimising any requirement for air conditioning.

Policy DM16 requires all non-domestic properties to achieve a minimum B rating Energy Performance Certificate. This can be secured as a condition of planning permission.

There is no external curtilage available for refuse storage provision. It is understood that refuse use is currently stored outside the site, by agreement, within the car park/grounds of Cannon House. There may be scope for a similar negotiated arrangement in the event of an approved scheme on the adjoining development site being implemented. However in the absence of any agreement in the meantime internal refuse/recycling cupboards are shown on the proposed new fourth floor. Whilst clearly not ideal this provision

is considered adequate on the basis the proposed use, restricted to offices, will generate little putrescible material.

Recommendation

Approve subject to Conditions:-

1. Approved plans
2. Standard time limit
3. Agree materials and finishes (including windows)
4. Agree architectural details
5. Limit use to offices Class E(g)(i)
6. Agree all new and re-located roof plant inc noise
7. Agree and implement travel plan
8. Construction Method Statement
9. Hours of Construction
10. Evidence to be provided prior to first occupation that development achieves minimum B rating Energy Performance Certificate

Informative

Proactive Amendment

Is recommendation contrary to letter(s) of representation? N

Case Officer:	Jo Morin	Date: 23.08.2023
Authorised by:	Gary Peck	Date: 23 August 2023