Public Document Pack

WORTHING BOROUGH

COUNCIL

2 December 2024

Worthing Planning Committee

Date:	**11 December 2024**
Time:	**6.30 pm**
Venue:	**Gordon Room, Worthing Town Hall**

Committee Membership: Councillors Noel Atkins, Samuel Theodoridi, Richard Nowak, Helen Abrahams (Vice-Chair), Andy Whight (Chair), Henna Chowdhury, Dom Ford and Hilary Schan

NOTE:
Anyone wishing to speak at this meeting on a planning application before the Committee should register by telephone (01903 221006) or e-mail democratic.services@adur-worthing.gov.uk before **midday** on **Tuesday 10 December 2024**.

Agenda

Part A

1. Substitute Members

Any substitute members should declare their substitution.

2. Declarations of Interest

Members and Officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such as interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

Members and Officers may seek advice upon any relevant interest from the Monitoring Officer prior to the meeting.

3. Public Question Time

So as to provide the best opportunity for the Committee to provide the public with the fullest answer, questions from the public should be submitted by **midday** on **Friday 6 December 2024.**

Where relevant notice of a question has not been given, the person presiding may either choose to give a response at the meeting or respond by undertaking to provide a written response within three working days.

Questions should be submitted to Democratic Services – democratic.services@adur-worthing.gov.uk

(Note: Public Question Time will last for a maximum of 30 minutes)

4. Members Questions

Pre-submitted Members questions are pursuant to rule 12 of the Council & Committee Procedure Rules.

Questions should be submitted by **midday** on **Friday 6 December 2024** to Democratic Services, democratic.services@adur-worthing.gov.uk

(Note: Member Question Time will operate for a maximum of 30 minutes.)

5. Confirmation of Minutes

To approve the minutes of the Planning Committee meeting held on **Wednesday 16 October 2024,** which have been emailed to Members.

6. Items Raised Under Urgency Provisions

To consider any items the Chair of the meeting considers urgent.

7. Planning Applications (Pages 5 - 28)

To consider the reports by the Assistant Director for Regenerative Development, attached as Item 7.

Recording of this meeting Please note that this meeting is being audio live streamed and a recording of the meeting will be available on the Council's website. This meeting will remain on our website for one year and will be deleted after that period.	
For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Katy McMullan Democratic Services Officer 01903 221006 katy.mcmullan@adur-worthing.gov.uk	Caroline Perry Senior Lawyer & Deputy Monitoring Officer 01903 221081 Caroline.perry@adur-worthing.gov.uk

Duration of the Meeting: Three hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.

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WORTHING BOROUGH COUNCIL

Planning Committee
11 December 2024

Agenda Item 7

Ward: ALL

Key Decision: ~~Yes~~ / No

Report by the Assistant Director for Regenerative Development

Planning Applications

1

Application Number: AWDM/0921/24 **Recommendation – APPROVE subject to amended plans and expiry of the consultation period and subject to conditions.**

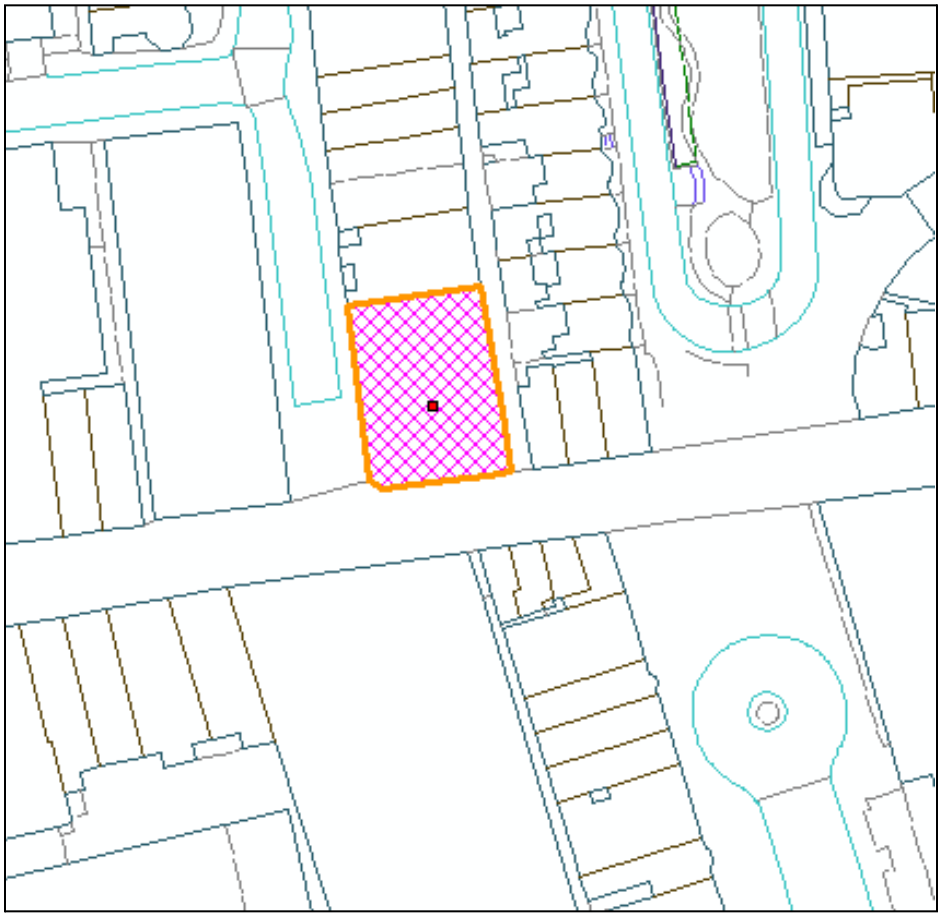
Site: **40 - 46 Montague Street Worthing West Sussex BN11 3HB.**

Proposal: **Two storey upward extension and remodelling of building to provide an aparthotel (Class C1) on upper floors with its entrance lobby to Portland Road at ground floor and the retention of retail space (Class E) at ground and part first floors, plus ancillary plant and equipment on the roof.**

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Applicant:	Martin Millar (tor&co)	Ward: Central
Case Officer:	Stephen Cantwell	



Not to Scale

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Site and surroundings

The application site is 0.06 hectares (ha) and located centrally in Worthing town centre. The site is bordered to the north by a three-storey building accommodating a coffee shop at ground floor level, to the east by Field Row, to the south by Montague Street and to the west by Portland Road. Surrounding the site are various three and four storey retail premises. The upper floors of surrounding premises are understood to be used as residential accommodation.

The site is within the town centre, close to businesses, retail facilities, the beach, restaurants and public houses. Worthing train station is approximately 1.1 km north of the site which equates to a 15- minute walk, five-minute bike ride or an eight-minute bus journey using the bus service from South Street. It is within close proximity of multiple bus stops.

The existing building is part-two, part-three storeys in height. It has a distinctive appearance, with an ornate, overhanging roof at the corner and many traditional details, such as triangular roof pediments and decorative parapets, ornate balconies and timber sash windows. It is in use for retail (Use Class E), occupied by Superdrug with the pharmacy at ground floor with the first floor used for stock storage and by employees.

The site is also within the South Street Conservation Area. Immediately to the east are the listed buildings of Liverpool Terrace. The adjoining properties on the Montague Street frontage (Nos 34 - 38) are identified as positively contributing to the character of the Conservation Area.

Proposal

The proposal involves a two-storey rooftop extension and remodeling of the building to incorporate an apart-hotel (Use Class C1) on upper floors.

The two storey upward extension will be of a mansard design incorporating dormer windows. A flat roof plant room is proposed set back from the roof edge incorporating an air source heat pump and a lift overrun. Solar panels are also proposed on the roof of the building.

The design of the scheme has evolved following positive pre-application discussions and further design amendments have been made since the application was submitted. The scheme incorporates projecting balconies and simple rhythm to windows of a traditional proportion and styling. A mix of larger and Juliet balconies are located on the facade. The building has been designed to step down in scale along the Portland Road frontage to reflect the lower scale buildings to the north of the site.

The planning statement describes the use as follows

“At ground floor level, part of the rear of the existing retail outlet is to be used to provide the entrance to the aparthotel from Portland Road. This part of the ground floor is not used by the public when they visit Superdrug and so no usable retail floorspace is being

lost. The remainder of the ground floor used by Superdrug is unaffected by the proposed development.

The existing first floor is proposed to become a mix of class E retail floorspace and class C1 aparthotel. This will enable Superdrug to reduce the quantum of floorspace that they use for storage and staff accommodation.

The canopy on the second floor of the building is proposed to be demolished. A second floor and third floor (housed within a mansard roof) are to be added to the building and will be exclusively used by aparthotel guests.

Overall, the proposed aparthotel will comprise 32 suites of varying sizes. The suites will be provided with a kitchenette containing a fridge, a microwave oven, a kettle and coffee-making facilities. Guests will not be able to cook substantial meals for themselves and so will largely use hospitality facilities within the town centre.

Entry to the aparthotel will be via a ground floor entrance off Portland Road. The reception area is expected to be unmanned and check-in will be digital. A lift and stairs will take guests to the upper floors. The only staff employed in the development will be housekeeping staff."

Amended plans have been submitted since the application was submitted in response to Officers' concerns about the proposed design. The architect has summarised the key changes:

Summary of the design changes

We have accentuated the corner of the building by bringing forward the corner of the mansard roof so that it sits flush with the rest of the building below. We are also proposing chamfered quoins that wrap around the corner to give the appearance that the corner is wider. The corner is proposed to be topped with a metal cupola. Additionally, we have replaced the single decorative lancet window with two sets of functional Juliet doors, measuring 2250mm in height on the first floor and 2100mm on the second floor. At the mansard level, a 1500mm tall arched window has been introduced to further emphasise the corner feature.

We have revisited the spacing of the windows on each of the floors and re-aligned them to provide a better visual rhythm. The windows on the first floor are 1500mm in height, the windows on the second floor are 1350mm in height and the windows in the mansard roof are 1350mm in height. We have also reduced the number of windows in the mansard roof and have re-aligned them in relation to the windows below. All of the windows will be sash windows. Only the windows on the ground and first floors in the east elevation will be blind.

We have removed the balconies and canopies from the second floor of the building to simplify the elevations. The lift overrun has been lowered 2.5 metres to 1.5 metres. The angle of the upper section of the mansard roof has been reduced for a more refined profile. Furthermore, the rooftop vents have been repositioned to face west and south, ensuring minimal impact on nearby residential dwellings.

Planning history

98/05437/FULL – Demolition of 5 no. retail units, construction of 1 no. new two and three-storey retail unit

• 99/00601/ADV - Installation of 2 sets of internally illuminated fascia lettering and Logos and two externally illuminated projecting signs at fascia level to approved retail development

• 99/00602/FUL - Installation of shop fronts, including fascia panels to approved retail development tor&co 2024 5

• 04/01178/ADV - Installation of various internally illuminated fascia signs and one projecting box sign

Consultations

West Sussex County Council as the Highway Authority: The above proposal has been considered by WSCC as the County Highway Authority (CHA) and no objection is raised subject to any conditions attached.

The proposal will create an aparthotel which falls under planning use class (C1) Hotels and there are no plans to provide any car parking associated with the development. The site is located in close proximity to pay and display car parks in the town and access to public transport is very good. Access to public transport The site is located 2-minutes' walk to the nearest bus stop and an 8-minute with no walk to the railway station. The site is considered to be in a highly sustainable town centre location. Cycle parking is also located 50m from the site which will have some level of surveillance however it is noticed these are not covered.

Travel Plan Measures: The applicant has provided a framework travel plan statement. The aims and objectives of the travel plan will be surrounding and encouraging the use of public transport and active travel. The plan already states in the action plan in table 6.1 the measure they will implement and WSCC would suggest the LPA secures these measures in the form of a Travel Information Pack via a suitably worded condition. The applicant also says they will monitor the plan. WSCC would usually take a monitoring fee for this work however given the sites use as a hotel WSCC are of the view this will be difficult to monitor as the baseline will change. Staff travel could be monitored but as staff numbers will be fairly low we would not expect full monitoring to be completed for this site.

Therefore, no monitoring fee will be required, and we would advise the applicant to remove the need for any monitoring from the framework travel plan. However, WSCC would recommend the following actions from the framework Travel Plan in table 6.1, are included in a suitably worded condition to ensure they are provided in a Travel Information Pack. This should include but not be limited to: - Promote sustainable travel activities and initiatives through a guest and staff travel information pack including information on donkey bike hire, car sharing for staff, car hire scheme for guests, provide reduced travel tickets for staff and visitors using bus and rail. -

Parking: As no car parking is provided it is expected that guests will travel by public transport or use the existing car parks available locally in the town centre. WSCC are satisfied there will be ample parking in the town centre car park for visitors who choose to drive to the site.

Construction: Due to the site's constrained nature WSCC would require plans and details regarding the construction of the aparthotel to be submitted to the LPA. This can be included as a condition with the aim to ensure the construction traffic and any other construction related activities will be properly managed and the correct permissions obtained if things like hoarding, skips or cranes oversailing the highway are required.

Environmental Health: No objections in principle. The air quality report recommends that the dust management plan during construction be incorporated into a wider Construction Management Plan, so please can we have the CMP condition added. Please can you also add the hours of construction work condition. Looking at BS8233:2014 noise will have to be considered. It is a town centre location and there will be night time noise in the vicinity. I would ask for an acoustic assessment here and noise mitigation plan to be agreed upon. I have copied the relevant part of the British Standard below for your information.

Safety and resilience: I have reviewed the 2780-CIV-XX-XX-R-C-3000 FLOOD RISK ASSESSMENT document and have no objections at the time of replying. The site is located on the very edge of flood zone 2 which, in conjunction with local knowledge and historical data, poses an extremely low risk of coastal flooding (0.1-1% annually). No specific flood evacuation plans are necessary. A multi agency flood response plan is in existence for the use by responders and covers the response arrangements for this location

WSP as Drainage consultants:

Following a review of the updated information, we have noted no change to drainage or flood risk and therefore would recommend the approval of the application.

Officer Comment: This updated comment follows the recent receipt of a Flood Emergency Plan, which acknowledges that the site is adjacent to a surface water flood risk, which includes directing users of the aparthotel to safe routes in the event of a flood, including use of signage and information.

Southern Water:

No objection subject to an informative requiring details of the proposed means of foul sewerage and surface water disposal to be approved proper to construction.

Worthing Society:

Comments on Amended Plans are awaited. Earlier comments are as follows:

Although we have no objection to an aparthotel on this site and appreciate that it could help to sustain the Superdrug store, we do have concerns regarding the design for the proposed new building.

a) Montague Street is a relatively narrow thoroughfare and, in our opinion, the new building could appear over-bearing. We are concerned with the size and massing, particularly in respect of the second floor. This would be less dominant if it was set back, even a little. The height of the building is also a concern, with the addition of the plant equipment. Perhaps this element could also be set back.

b) We also consider that because the building occupies a distinctive corner site, a feature element, perhaps similar in style to that of the current building, would add character and interest to this area of the town centre CA.

c) The west-facing elevation of the new building is situated in Portland Road. With the exception of the Boots Store, the buildings in Portland Road, which is within the CA, are more traditional in character and lower in scale. The graduated reduction in height of the current Superdrug building reflects this change in height and scale

d) The applicant also refers to introducing 'greenery' but it's difficult to see where this might be positioned. Arrangements for this element and the noted wildlife/insect arrangements will need to be addressed by suitable 'Conditions' if approval is granted.

In summary and for the reasons stated, the Society objects to the current design for this proposal for the aparthotel.

UK Power Networks

Please note there are HV/LV underground cables on the site running within close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 (Avoiding Danger from Underground services). This document is available from the local HSE office. Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG. You can also find support and application forms on our website Moving electricity supplies or equipment | UK Power Networks.

Representations

No letters of representation have been received in connection with the original plans. Neighbours and the Worthing Society have been re-notified on the amended plans and any comments received will be reported verbally at the meeting.

Policies

Worthing Local Plan (March 2023):

SP1 Presumption in Favour of Sustainable Development
SP2 Climate Change
DM5 - Quality of the Public Environment
DM9 - Delivering Infrastructure
DM12 The Visitor Economy
DM15 Sustainable Transport & Active Travel
DM16 Sustainable Design DM18 Biodiversity
DM20 Flood Risk and Sustainable Drainage
DM21 Sustainable Water Use & Quality:
DM 22 - Pollution
DM23 - Strategic Approach to the Historic Environment
DM24 - The Historic Environment
SS3 - The Town Centre

Conservation Area Appraisal - South Street (WBC, 2001)
National Planning Policy Framework (2023)
National Planning Practice Guidance (CLG)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 indicates that in considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 (1) states: indicates In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Planning Assessment

Principle of development

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

Policy DM12 (The Visitor Economy) sets out that the Local Plan supports the provision of tourism facilities, in particular those that would help to extend the tourist season; improves the quality of the visitor economy; meet the needs of visitors and the local community and are acceptable in environmental and amenity terms. The policy tends towards the protection of existing facilities rather than the assessment of new developments.

The applicants have provided a definition of an apart-hotel as follows:

"*An aparthotel is a class C1 land use which provides overnight accommodation for leisure and business tourists. Aparthotels are essentially a hybrid between serviced apartments and hotels with each suite containing a bedroom or multiple bedrooms for families, a bathroom and a living area containing a kitchen or small kitchenette which enables occupants to cook basic meals. Each room is booked and rented on a short-term basis in the same way that you would book a hotel room, but guests can often stay for longer periods of time than traditional hotel stays. Aparthotels sometimes provide a range of complementary facilities such as a gym or a bar which is available to aparthotel guests, managed by a team of on-site staff. Aparthotels can therefore offer the comfort and amenities of a hotel with the space, privacy and facilities of a selfcatering apartment.*"

The development would involve 32 rooms / suites of various sizes. It is noted that the proposal does not provide any of the complementary facilities associated with a hotel as set out above. At this stage limited information has been set out indicating how this development would operate as a hotel. The planning statement indicates that a small lobby will provide for online check in and out and that the only staff on site will be housekeeping staff. It is not clear whether the housekeeping staff will provide facilities during occupiers' stays or whether they will just be required to turnover rooms between bookings.

In order to demonstrate how these units would be occupied as a hotel, a management plan setting out the hotel facilities and provision will be required by condition. This should clearly set out all elements of the building's operation in order to justify the use of the building as an apart-hotel (Use Class C1). It will also require the maintaining of a guest register, for provision to the Council on request.

It is considered important to restrict the use of the accommodation to an aparthotel as a number of the suites do not meet nationally described space standards and would not be suitable as permanent accommodation (Use Class C3). The national space standards would require 37 sqm for a one person unit and 50 sqm for a 2 person one bed whereas some of the studios being proposed for the aparthotel would only measure

between 19.5 sqm to 26 sqm. The applicant has agreed to a suitably worded condition restricting the use of the building as an aparthotel for short term letting with a limit of no more than 90 days for any single letting.

Members will be aware that a number of upper floors within the town centre have been converted into residential accommodation which will help to increase footfall and economic activity for the shopping centre. The addition of this aparthotel would assist further and boost economic activity and the night time economy increasing the number of visitors spending money within the town centre. The ground floor retail, Class E use, would remain at the ground floor, with associated store/staff space in part of the first floor.

Visual amenity and impact on heritage assets

Policy DM5 provides criteria which all new development should be in accordance with to ensure a high quality development is provided. The relevant criteria for visual amenity includes that development 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;

The existing building has some interesting design features with its projecting lead roof balconies and classical design features. The three storey corner feature has an oversailing roof and eaves detailing which helps turn the corner into Portland Road. However, the condition of the building has somewhat deteriorated, partly as a consequence of the lack of a viable use for the upper floors.

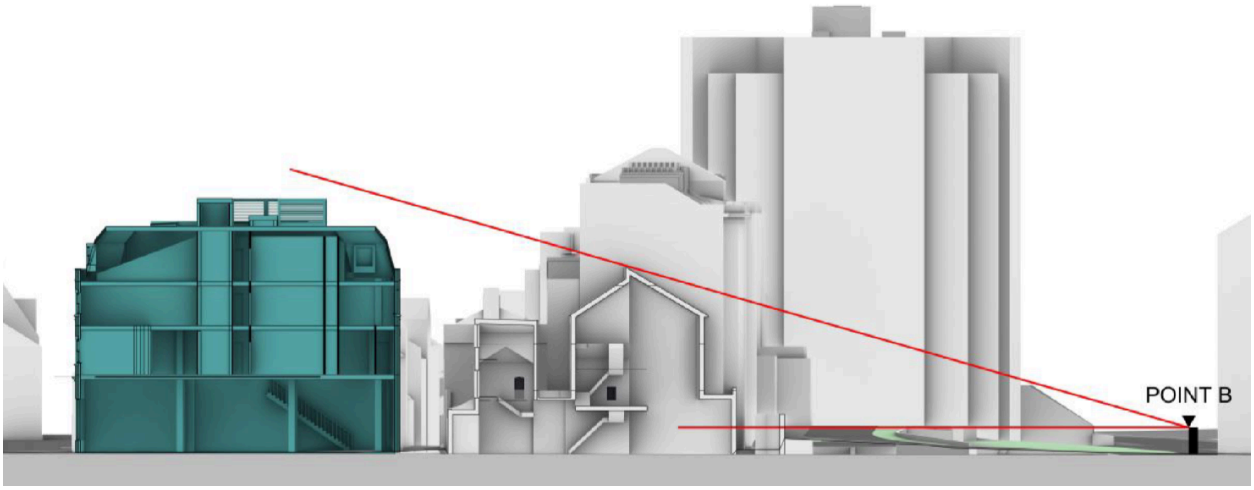
The proposal does increase the scale and height of the building by two floors and removes the oversailing corner detail as well as roof pediments, but Officers have worked extensively with the applicant to ensure that the redesigned building would continue to make a positive contribution to the Conservation Area and add to local character and distinctiveness.

The latest submitted plans have sought to reduce the overall height and dominance of the mansard roof by reducing its steepness and the number of dormer windows. Amended window arrangements give a more balanced and traditional appearance, using replacement timber sashes. The increased height of the building remains lower

than the listed buildings to the east in Liverpool Terrace, and the Montague Centre buildings beyond Liverpool Gardens. The building will still step-down to the two storey height of the adjoining, lower scale buildings Portland Road to the north. On the south side of Montague Street there are the larger buildings incorporating Marks & Spencers and overall the proposed development would not appear out of scale with the surrounding Conservation Area.



To avoid unsightly air conditioning units these have been placed within a flat roof plant room. Whilst this looks prominent in the elevational drawings (see below) it has been set back a significant distance from the edge of the parapet (over 7.8 metres from the south and west elevations and 5.3 metres from the east elevation) and would be screened (partly by slatted louvres).



The agent has confirmed that the plant room would be painted/finished in a grey colour and this would assist to reduce its visual impact on the skyline. Details, including acoustic performance and maintenance would be required by condition.

The agent has also provided cross section drawings (example above) to demonstrate that the plant room would not be visible from street level and that this element of the scheme would only be visible from surrounding roofs and from more distant views. Members will be aware that a far more prominent plant room exists on the flat roof of the Boots building to the west.



A key element of the negotiations has been the approach to the chamfered corner and how best to create an appropriate corner feature. The latest plans have created a tower feature (4 storeys high) with a metal cupola. The use of contrasting stone quoins creates a more generous corner detail, balanced with vertical emphasis and in general terms the amended scheme is a positive improvement.

However, there is some concern that the cupola is somewhat truncated and that the adjacent dormers (although balanced with fenestration below) are too close to the corner feature. Whilst, at street scene level this may not be an issue, Officers are discussing with the applicant options for making further changes to this important element of the scheme. The potential for a larger and higher curved cupola is to be explored to create a more distinctive corner feature. Members will be aware that this is a distinctive feature on many of Worthing's historic buildings (The Grand Victorian PH by the railway station and many pitched roof towers appear in Victorian villa buildings). Members will be updated at the meeting.

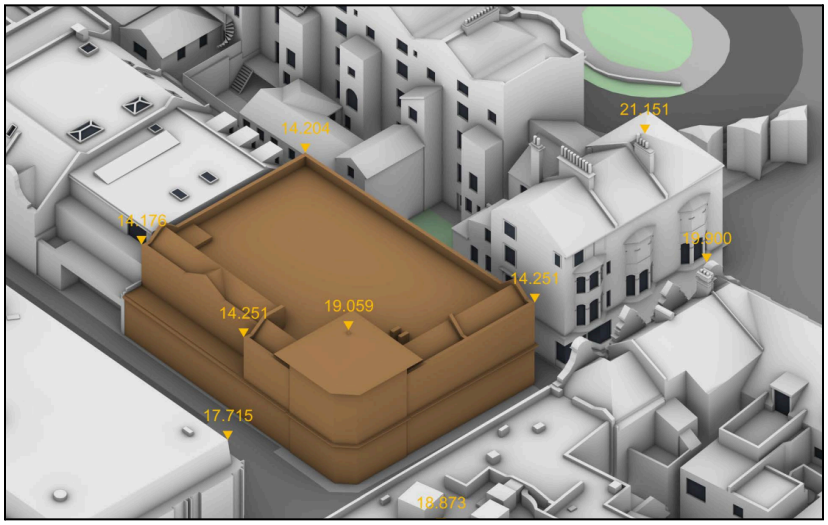
Nevertheless, overall it is considered that the scale and design of the remodelled building is acceptable and would preserve and enhance the appearance of the Conservation Area and the setting of nearby listed buildings. It will be important to ensure that the scheme is not watered down ‘post planning’ and that the detailed design retains proportions, relationships and the architectural features shown in the 1:100 elevations; also that design quality is carried through to detailed execution.

A condition is recommended requiring a number of architectural features to be shown at a 1:20 scale and to ensure that the building works, when undertaken, deliver a high quality and distinctive building required in this prominent town centre location.

Residential amenity

Policy DM5 of the Local Plan sets out that development should 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. In determining the appropriate density on site policy DM2 states that 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 the need to minimise environmental impacts, including detrimental impacts on the amenities of adjoining occupiers.

The applicant has undertaken a Daylight and Sunlight report which considers the impact of the development on all residential properties surrounding the site. The plan below shows the site in context with neighbouring properties and windows.



The report concludes that following the completion of the development only two existing residential properties would not meet the BRE Guidelines, Nos 1 and 2 Liverpool Terrace. The report assesses that 3 windows in No 1 Liverpool Terrace would experience a breach of the guidelines in relation to Visible Sky Component (VSC) of between 20 - 25% and 3 of the windows would not meet the guidelines for annual sunlight (two windows experiencing an alteration of up to 42% and winter sunlight by 100%).

However, the report concludes that the breach of the VSC component for 3 windows whilst being noticeable would be considered as minor-adverse and not result in an unacceptable loss of light. The breach in annual sunlight is more significant but the report concludes that the rooms are more than likely to be kitchens or bedrooms, where it is accepted that they are less sensitive to changes in annual sunlight.

The report concludes that for number 2 Liverpool Terrace all 13 windows affected meet the VSC guideline whilst 11 of the 12 windows affected meet the BRE annual sunlight guideline. The one window affected would have a 37.5% loss of summer sunlight. This would be considered to be a 'moderate-adverse' effect in Environmental Impact terms.

The increased height and scale of the development with only a narrow passageway between the proposed development and the rear of Liverpool Terrace is inevitably going to have some adverse impact on adjoining residential properties. The Daylight and Sunlight report has not been revised to take into account the amended plans and the slight reduction in height could very slightly improve the daylight/sunlight results but the BRE guidelines would still be breached for the affected windows described above. However, Officers do accept the overall conclusion of the submitted report that the impact is not so significant to justify refusal of the application.

It is noted that the adjoining property No 38 Montague Street is not considered inThe Daylight and Sunlight report, as it is currently in commercial use. However, planning permission was granted in 2022 for the extension and conversion of this building and adjoining properties to 9 residential flats. As this is an extant permission the applicant has been requested to consider what impact the proposed development would have on these flats.

The approved layout plan for No 38 shows new and existing windows to provide light to two bedrooms and a bathroom on the second and third floor. The proposed development would undoubtedly affect these rooms in terms of the BRE Guidelines but again as they would be bedrooms and are already affected to some extent by the existing building on the site, it is considered unlikely that there would be a significant breach of the BRE Guidelines, nor would justify a grounds for refusal refusal of the application. Members will be updated once the agent has carried out a formal assessment of the impact on the proposed flats.

The current site is under-utilised and the NPPF encourages making the most effective use of land; it recognises the need to take a flexible approach to daylight/sunlight considerations (para 129). Whilst, this is a tourist related use and specifically not delivering new housing, the desire to maximise development in sustainable town centre locations is a key message in the NPPF and recently adopted Worthing Local Plan.

Standard of accommodation / Use

There are no specific standards for hotel accommodation. However, policy DM5 states that all development should be well built, accessible, fit for purpose, and adaptable to changing lifestyle, demography and climate.

The proposed suites would vary in size significantly with the smallest being 19.52 sqm and the largest 45.92 sqm square metres, which is considered acceptable for tourism use and short stay lettings. As stated previously, if the proposal were for housing, in many instances the proposed sizes would fall below nationally described space standards. Residential use would also require other planning considerations, such as provision of infrastructure and affordable housing, open space contributions and wider reappraisal, such as transport and waste. This reinforces the importance of the need to ensure that it is used only as hotel accommodation.

The planning statement indicates that all guest floors will be accessible by both lift and stairs with 15% of the guest rooms designed to comply with Part M building regulations and BS 8300, offering accessible bedroom and bathroom facilities.

Sustainability

Policy DM 16 of the Worthing Local Plan states that new non-domestic buildings will achieve a 27% reduction in C02 on average per building compared to the Building Regulations Part L 2013 standard unless superseded by national policy or Building Regulations. Whilst policy DM17 requires major non-residential development should incorporate renewable and low carbon energy production equipment to meet at least 10% of predicted total energy requirements (after C02 reductions from energy efficiency measures). Policies also seek water efficiency, sustainable construction and connection to the proposed District Heat Network (currently being installed by Hemiko).

- ☐ The submitted Energy and Sustainability reports demonstrate that the Local Plan policies can be met and exceeded. The following key measures are being implemented as part of the development and can be verified by condition:
- ☐ ASHP with an efficiency of at least 400%
- ☐ 19 kWp of PV panels - an overall reduction of 32.62% in CO2 emissions is achieved exceeding the minimum 27% reduction requirement set out in policy DM16.
- ☐ Over 10% of the site's energy demand is provided by renewable technology complying with Policy DM17.
- ☐ The scheme would comply with the heating and cooling hierarchy set out in Policy DM17 by using a site wide heating network (with future proofing to connect to any potential local heating networks) and using renewable energy sources (heat pumps).

The Sustainability statement also sets out measures to reduce waste during construction and water usage following occupation. The report also highlights that the development does not generate a requirement for BNG as the proposed development utilises a site with a 100% site coverage and there is no impact on onsite biodiversity..

The planning statement sets out that “The development will utilise a site-wide heating network and renewable energy sources for ventilation and cooling. The system will feature a low-energy air source heat pump, complemented by solar panels covering over 80% of the roof area”

Drainage & Floodrisk

The site is located in an area at risk of surface water flooding. The application has been accompanied by a flood risk assessment due to it being a major development.

The Council’s Safety and Resilience Officer has highlighted the potential risk of surface water flooding and the need for a multi-agency emergency response plan. He accepts that there is only a low risk of coastal flooding. However he has indicated that the initial plan was not acceptable. A revised Emergency Response Plan has now been submitted

and his response is awaited. It is noted that the Council's Drainage consultant has replied and is satisfied on this point.

This is a matter that can be covered by planning condition and ultimately would need to be implemented and kept updated by a Management Company/operator of the aparthotel.

Southern Water raises no objection to the development.

Transport and highways

The site is within the town centre on the corner of Montague St and Portland Road, both pedestrianised streets. Worthing train station is approximately 1.1 km north of the site which equates to a 15- minute walk, five-minute bike ride or an eight-minute bus journey using the bus service from South Street. The site is situated within close proximity to multiple bus stops.

The West Sussex Guidance indicates that 1 car parking space per 8 bedrooms is required. This would equate to 4 spaces. The site doesn't provide any car parking due to its town centre location and nature as a rooftop development. This is considered acceptable due to its sustainable location within proximity of Worthing train station and multiple bus routes.

Cycle parking for hotels is required at one space per 8 car parking spaces with a minimum of two which in this case would equate to two spaces. However, given the long term nature of the apart-hotel with rooms used for up to 3 months at a time it is considered that additional provision should be provided for cycle spaces. Unfortunately no spaces have been provided on site.

A framework travel plan has been provided within the Transport Assessment. A full travel plan will be secured by legal agreement to ensure the development promotes the use of sustainable methods of transport.

The scheme is to be constructed within a pedestrianised area of the town centre. A construction management plan will be secured by condition to ensure construction can be adequately managed. Seek a contribution towards monitoring?

Refuse and servicing

The planning statement has provided the following information regarding waste and servicing.

"*Provision has been made for a refrigerated waste collection area on the first floor, ensuring that waste is managed efficiently and hygienically. The absence of an on-site kitchen or restaurant will significantly minimise waste production. The existence of kitchenettes will also help to keep waste levels low. Collection will be handled by a commercial waste contractor." The Transport Assessment states that "Servicing will be via the main entrance to the development along Portland Road, along with access for emergency vehicles. This will largely be in line with the existing servicing arrangements*

for the Superdrug store, with servicing taking place outside the pedestrianised zone restrictions in place".

It is not clear from the plans whether the units would dispose of refuse and recycling themselves or whether housekeeping would provide this service for them. No details have been provided indicating the amount of waste that is expected to be produced nor the number of bins required. The number of vehicle movements have not been specified other than to indicate that the arrangements will be similar to the existing situation. 33 hotel rooms are expected to provide substantially more waste than the existing super drug store so more information will be required on servicing and waste facilities.

A servicing and deliveries plan is recommended to be secured by condition which should also set out the required refuse store size and arrangements for how the waste will be presented to the street for collection and returned to the building. The arrangement is not ideal as the development proposes to use the same lift as the one for the hotel rooms.

Conclusion

The addition of an apart-hotel in the centre of Worthing is considered to be a positive step helping to re-invigorate the town centre and seafront increasing footfall and economic activity. Future use and management would be subject to conditions regarding length of stay, books, serving, housekeeping and waste management arrangements, also Flood Emergency requirements.

The overall scale, height and bulk of the development is now considered acceptable with a more traditional mansard roof and improved design and detailing. Subject to further refinement, particularly of the corner element, the scheme would provide a distinctive replacement building which would preserve and enhance the character of the Conservation Area and the setting of adjoining listed buildings.

The detailed design has been the subject of considerable analysis and evolution. Members will be updated at the meeting regarding discussions about the corner feature but overall it is considered that this development is acceptable and will enhance the town centre offer.

Recommendation

Subject to the receipt of amended plans and the expiry of the consultation period it is recommended that this application be **APPROVED** subject to the following conditions:

1. Approved Plans [to be listed when finalised].

2. Standard time limit of 3 years for implementation.

3. Details

   Prior to commencement, (or such times otherwise if agreed by the Local Planning Authority in writing) to submit:

A) Plans at a scale of 1:20 of key architectural features including:

i) the depth of window reveals on each floor
ii) details of the window designs including the dimensions and sections of glazing bars
iii) details of dormers,
iv) corner detail and roof
v) details of corbels, mouldings, cappings, string courses and friezes
vi) details of the balconies and canopies.
vii) details of roof intersections and eaves and interactions with ground floor facade
viii) rainwater goods

B) Samples of Materials to be submitted to and approved by the Local Planning Authority.

4. High Standard of Works with Ongoing Liaison

Prior to commencement of any works (including any works of dismantling of external fabric), a programme and timetable of development works shall be submitted to and approved in writing by the Local Planning Authority. This shall describe key stages of the implementation of development directed towards the attainment of a high standard of implementation and workmanship, including:

i) Any dismantling of existing external fabric and construction of new fabric;

ii) Working techniques during key stages to ensure design quality;

iii) Arrangements for early stage review of works as they are implemented and provision to remove such works if they are deemed by the Local Planning Authority to be of an unsatisfactory standard;

iv) Completion of works, including all design detailing, prior to commencement of the use hereby approved.

The development shall only be carried out in accordance with the details thereby approved.

Reason: *In the interests of visual amenity, to ensure a high quality appearance and character of development in accordance with policies DM5 & DM24 of the Worthing Local Plan 2020 - 2036 and NPPF, 2023.*

5. No externally mounted services, pipes or vents without planning approval.

6. Use of The Site.

A) The use hereby approved of first floor level and above shall be for hotel accommodation only (under Class C1 of the Town And Country Planning (Use Classes) Order 1987, as amended and notwithstanding any future changes or re-enacting of that Order). Rooms and suites shall be let only on a short-term basis, where each short-term let is no more than 90 consecutive days in any one calendar year and shall not be extended during that calendar year. There shall not at any time be any use as dwellinghouses (flats and apartments), under Class C3 of the Town And Country Planning (Use Classes) Order 1987, as amended, or any Order revoking or re-enacting that Order.

B) The operator of the use shall maintain a register of guests at all times, including length of each booking and shall provide this on request of the Local Planning Authority within 14 days of such request

C) The hotel use shall only relate to the first floor level and above and not to the ground floor which, with the exception of the aparthotel entrance lobby to Portland Road shown on the approved plans, shall remain as retail space under Class E of the Town And Country Planning (Use Classes) Order 1987, as amended.

Reason: *To ensure that the accommodation hereby approved remains in hotel (Class C1) use and is not used as Class C3 residential accommodation, which would be likely to lead to substandard provision of internal and external space, and demands upon infrastructure which would require further planning consideration and to retain a Class E use at Ground Floor, in accordance with the Worthing Local Plan 2020-2036.*

7. Management Plan for the Hotel Accommodation, (including servicing, housekeeping, booking arrangements, maintaining a booking register. etc.).

8. Waste Management Plan.

9. Emergency Flood Management Plan.

10. Acoustic assessment and noise mitigation plan (ASHP and Plant Room).

11. Details of the solar panels.

12. Verification of Sustainability / Energy proposals.

13. Construction of drainage in accordance with details.

14. Details of blue roof drainage including management.

15. Construction Management Plan (including hours of working, minimising and management of noise, dust, pollution during development work).

16. Any other appropriate conditions.

Informatives to include:

Subsequent design changes which negatively affect the scale, appearance, proportions and quality of development are unlikely to be supported by the Local Planning Authority.

11 December 2024

Local Government Act 1972
Background Papers:

As referred to in individual application reports

Contact Officers:

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Schedule of other matters

1.0 Council Priority

1.1 As referred to in individual application reports, the priorities being:-
- to protect front line services
- to promote a clean, green and sustainable environment
- to support and improve the local economy
- to work in partnerships to promote health and wellbeing in our communities
- to ensure value for money and low Council Tax

2.0 Specific Action Plans

2.1 As referred to in individual application reports.

3.0 Sustainability Issues

3.1 As referred to in individual application reports.

4.0 Equality Issues

4.1 As referred to in individual application reports.

5.0 Community Safety Issues (Section 17)

5.1 As referred to in individual application reports.

6.0 Human Rights Issues

6.1 Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those affected by proposed developments and the relevant considerations which may justify interference with human rights have been considered in the planning assessments contained in individual application reports.

7.0 Reputation

7.1 Decisions are required to be made in accordance with the Town & Country Planning Act 1990 and associated legislation and subordinate legislation taking into account Government policy and guidance (and see 6.1 above and 14.1 below).

8.0 Consultations

8.1 As referred to in individual application reports, comprising both statutory and non-statutory consultees.

9.0 Risk Assessment

9.1 As referred to in individual application reports.

10.0 Health & Safety Issues

10.1 As referred to in individual application reports.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership Working

12.1 Matter considered and no issues identified.

13.0 Legal

13.1 Powers and duties contained in the Town and Country Planning Act 1990 (as amended) and associated legislation and statutory instruments.

14.0 Financial implications

14.1 Decisions made (or conditions imposed) which cannot be substantiated or which are otherwise unreasonable having regard to valid planning considerations can result in an award of costs against the Council if the applicant is aggrieved and lodges an appeal. Decisions made which fail to take into account relevant planning considerations or which are partly based on irrelevant considerations can be subject to judicial review in the High Court with resultant costs implications.