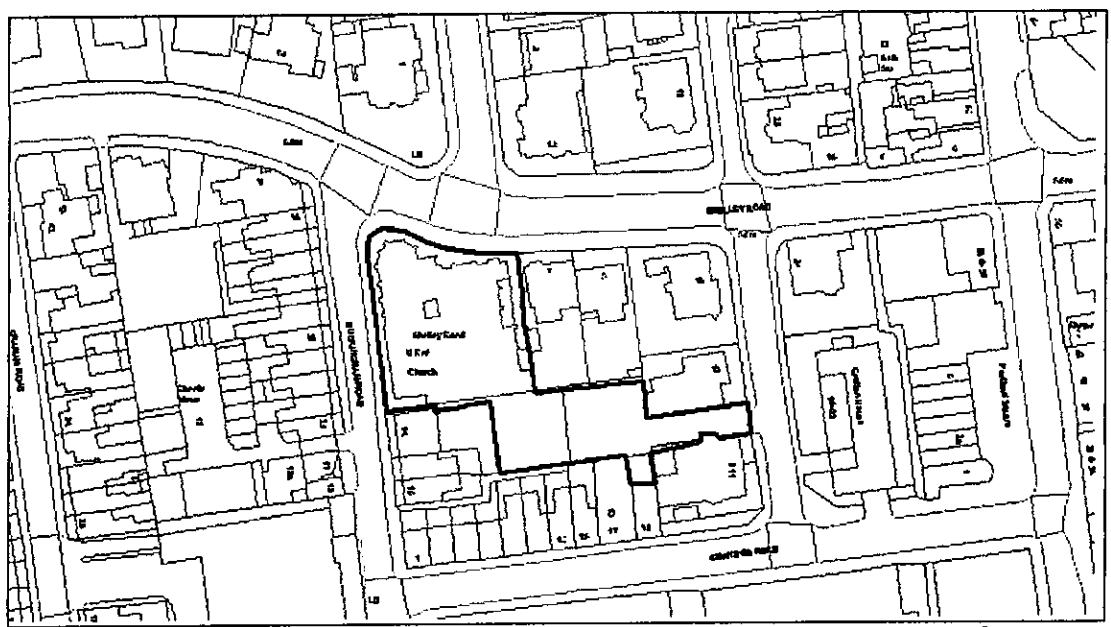
Application No: WB/11/0047/FULL	Recommendation – Approve
Site:	United Reformed Church Shelley Road
Proposal:	Erection of a single storey extension to provide a diagnostic clinic and hydrotherapy unit.



Not to Scale

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1. THE PROPOSAL AND THE SITE

The application site comprises a vacant Church building located on the south side of Shelley Road on the east side of its junction with Buckingham Road. The Church was used as a place of worship up until 2005 when the congregation moved to St Columbas Church in St Michael's Road (renamed Emmanuel United Reformed Church). To the south of the main church building is a fenced off area occupied by single-storey sectional building which was used for youth organisational meetings in connection with the Church. The existing sectional building dates from 1980, initially granted on a temporary basis, but subsequently granted permanent permission in 1990. However, records show that the existing sectional building replaced earlier temporary buildings in a similar position, which were the subject of a series of temporary permissions dating from 1948. To the east of the sectional building is a small car park accessed from Grafton Road. There is a gated pedestrian access linking the car park across to the rear of the main church building.

A Certificate of Lawfulness for the proposed use of the former Church building as a health centre was issued in 2009 (WB/09/0774/CLP refers), but specifically

excluded the part of the site occupied by the sectional building. Permission is sought to erect a single-storey building in place of the existing sectional building to be used as a diagnostics centre and hydrotherapy pool in connection with the proposed health centre.

The proposed building would be 11.9 metres wide and 11.5 metres deep, attached to the rear of the main church building by a narrow link 2.1 metres deep and 5.5 metres wide. The building would have a flat roof, predominantly 3.3 metres high with a taller section of flat roof 4.2 metres high, off-set from the centre to provide clerestory light to the interior of the building. On the north side, the flat roof over-sails to provide a 'covered way' leading to the entrance into the diagnostic centre and hydrotherapy pool.

The proposed accommodation would consist of 3 diagnostic rooms, a hydrotherapy pool, 2 changing rooms, a reception/waiting area, disabled WC, plant room accommodation and entrance lobby. The lobby would provide entrance into the rear (south) of proposed health centre building (the former main Church). Pedestrian access to the proposed diagnostics centre/hydrotherapy pool would be from the car park to the east. The applicant's planning consultant has confirmed that the maximum number of patients within the proposed unit at any one time would be 2, with a maximum of 4 staff. The proposed hours of operation are 08.00 hrs to 20.00 hrs.

The proposed materials and external finishes would consist of rendered elevations above a plinth, with timber, vertical-boarded feature panels, aluminium composite windows and door frames and a single-ply membrane roof with over-sailing eaves.

The former Church building is not identified as a local interest building and is not within a Conservation Area, although Chapel Road Conservation Area lies to the east.

2. PLANNING HISTORY

A Certificate of Lawfulness for the proposed use of the former United Reformed Church building was issued in 2009 (WB/09/0774/CLP refers), but excluded the sectional building to the south and the land on which it sits. The use has not yet been implemented. Implementation for the most part involves internal alterations and the insertion of mezzanine floors which would not alter the external appearance of the building. However, planning permission was granted in 2010 for the erection of a modest roof extension at first-floor, together with a new rear entrance on the south side, and ground and first-floor plant (WB/10/0674/FULL refers).

3. A SUMMARYOF THE APPLICANT'S DESIGN AND ACCESS STATEMENT

The applicant seeks planning permission for a diagnostics centre and hydrotherapy pool in order to enhance the range of facilities that are available at the health centre.

This facility is required in order that the building can function more effectively as a health centre, offering a full range of high quality treatments in association with the use of the building as a health centre.

Hydrotherapy works by increasing blood circulation in order to strengthen the immune system and is proven to assist in the rehabilitation of patients who have suffered from strokes, traumas and other injuries as well as connective tissue diseases and asthma.

The proposal has been designed to respect the character and appearance of the existing building and the surrounding area. The extension is single-storey in height and consists of a selection of simple materials that are sympathetic to the surrounding environment.

The location of the proposal is set back from the adjacent boundaries of the site in order to minimise the impact on surrounding properties. This, combined with the height of the proposal ensures that there will be no adverse impact on residential amenity.

Access to the proposal will be through the existing car park and through the main health centre building, which will limit the amount of disturbance to surrounding properties. The unit will be accessible for disabled people.

4. CONSULTATIONS

The **Highway Authority** raises no objection and comments that based on the submitted information, the development of the diagnostic clinic and hydrotherapy unit is unlikely to result in a material impact on parking demand in the area. The site is located close to the town centre where there are opportunities to use a range of sustainable modes of transport. From the additional information provided, there is a small car park with access off Grafton Road with space for approximately 8 vehicles. Secure and covered cycle parking should be provided for staff.

The **Executive Head of Health, Housing and Community Safety** raises no objection, in principle. However, the potential exists for noise from the proposed plant room to affect residential amenity. In the absence of specific noise data relating to the plant room a condition is recommended requiring an acoustic assessment of the proposed plant in keeping with the principles of BS4142:1997. In light of the close proximity to residential development it is recommended that the hours of use are restricted to 07.30 hrs to 20.00 hrs Monday to Saturday and 10.00 hrs to 16.00 hrs on Sundays and Bank/Public Holidays. Moreover, there should be no collections from or deliveries to the site before 07.30 hrs or after 20.00 hrs Monday to Saturday or 10.00 hrs to 17.00 hrs on Sundays and Bank/Public Holidays. A condition requiring a scheme for the control of dust during development is also recommended.

Southern Water comments that it may be possible to connect to the public sewer, but this will require further investigation. A condition is recommended requiring the means of foul sewerage disposal to have been approved in consultation with Southern water prior to the commencement of any development. The Council's Building Control or Technical staff should comment on the adequacy of soakaways to dispose of surface water from the development.

5. REPRESENTATIONS

3 letters of objection have been received from residents of No. 10 Buckingham Road and Nos. 3 and 9 Chandos Road, raising the following concerns (which have been summarised):-

i) The noise of machinery etc. will not allow anyone living on the side of Buckingham Road to have a quiet side.

ii) Parking for residents in Buckingham Road is non existent, despite promises that the problem will be sorted out. This project involving numerous patients and staff will exacerbate parking problems on surrounding roads.

iii) There is no indication whether this would be private or NHS healthcare provision, if the latter then many more people and vehicles can be anticipated.

iv) Residents already have to suffer noise problems relating to shop deliveries in the early hours, vehicles driving round and round looking for parking, plus the noise of skateboarders in the car park. If the proposal goes ahead there will be no relief from constant noise all around.

v) The location of the pool equipment, pumps, generators, ventilators, filters, on the south side of the building is insensitive to neighbours. It is not possible to deaden the sound and vibrations of that kind of noisy equipment to the peaceful quiet background levels currently enjoyed. The hum and drone of plant will be perpetual and a significant intrusion. There will be noise leakage from the service entrance on the south side and activity associated with repair/maintenance will lead to disturbance and loss of privacy to rear bedrooms and gardens.

vi) However well-glazed, the raised section of the roof will lead to noise and light leakage during hours of operation.

vii) Sound from people using the pool will echo and carry.

viii) Pool chemicals will cause smells and fumes, to be vented on the south side, affecting nearby residential properties.

ix) There will be commercial and business levels of light at night time, whether from the building while it is open or for external security, which will be considerably above existing levels.

x) The backs of the houses in Chandos Road are currently protected from noise and disturbance from surrounding business activity, the activity associated with the proposed business use will be disturbing and affect the use of rear rooms and gardens for relaxing and sleeping, a degradation of the private domestic character of the existing site.

xi) A degraded environment generates degraded behaviour and will cause an increase in socio-economic disparity. A previous decision (WB/10/0674/FULL) identified this as one of the most deprived wards in Worthing.

xii) The large footprint of the building constitutes an overdevelopment with no space left for planting to integrate the development into the residential environment or maintain the garden for birdlife and wildlife. The area occupied by the current Portakabin was once the church garden as referenced by earlier the earlier planning history.

xiii) The siting of the existing Portakabin is inaccurate on the drawings and implies the proposed building would be little different from the existing situation which is untrue. This misrepresentation means that residents have not been given a fair chance to make representations because they have been misinformed of the basic facts.

xiv) The building unnecessarily doubles up on reception/waiting areas, diagnostic rooms which could well be included in the main body of the church building.

xv) The completed application forms state that there are no trees or hedges on adjoining land that could influence the development or be important to local landscape character, but will affect the canopy and root zone of an old apple tree (50-60 years old) in the garden of 14 Chandos Road [Buckingham Road] and is a haven for wildlife.

xvi) The proposal is a significant business which will operate like an outpatient annexe to Worthing Hospital.

xvii) The building will be clearly visible from Grafton Road, changing the quiet residential character of the road.

xviii) There is already a well-established hydrotherapy facility at Henry House in Heene Road. It is set in a large garden, located well away from people's homes and noise sensitive areas.

xix) The appearance of the roof material, visible from surrounding properties, is unsympathetic to the character of the traditional church building.

xx) The proposal will significantly impact on traffic generation and the parking burden locally. The amount of traffic movement will become unacceptable and competition for residential parking will change from difficult to impossible with no respite.

xxi) The proposal does not conform with relevant policy statements or objectives, it is not identified as an Area for Change in the Core Strategy but will change the residential quality of the block in which it is sited.

xxii) There are design options which could better fulfil policy objectives and without conflicting with residential amenity.

Following notification of the amended plans, one further letter has been received from the occupier of No. 9 Chandos Road, re-stating the earlier objections and raising the following concerns:-

i) The revised plans still suffer from inaccuracies of between 600-700mm relating to the proximity of the roof overhang to the south and west boundaries. This is important because it is essential to retain sufficient space to accommodate screen planting, particularly in the context of this site as the former church garden.

ii) Discrepancies expose residents to unacceptable flexibility in the final siting of the building if approved.

iii) Concerned about the absence of detail such as external lighting, signage, security features and alarms, boundary details, opening hours etc. which could expose surrounding residents to noise and night time lighting well above the levels considered acceptable for a residential environment.

iv) The application should be refused or restrictions imposed on hours of operation, hours of servicing and access for deliveries, lighting levels for internal and external lights, security alarms etc. Servicing and delivery restrictions should apply no only to the premises but also to waiting restrictions on surrounding roads in order to be effective.

v) It is incumbent on the planning authority to make changes to the parking controls on surrounding roads in order to restore the balance in favour of residents.

vi) Traffic controls should be introduced, such as broadened pavement areas, speed restrictions, and altered road surfaces to slow traffic.

vii) To balance the intrusion of commercial activity into the residential environment, there should be tree planting in key locations on Chandos, Buckingham, Grafton and Shelley Roads.

viii) Residents should not have to suffer the loss of their environment. The lack of respite from noise and ugliness of perpetual, overdeveloped and under regulated commercial activity leads to distress, stress, anger, loss of sleep, loss of recreation, loss of peaceful amenity leading to poor health, anti-social behaviour and degraded social fabric – the opposite of good planning, community and well-being.

The application has been referred to Committee by the local ward Councillor.

6. PLANNING ASSESSMENT

The relevant considerations raised by this application are:-

i) The principle of the proposed development;
ii) The impact on the living conditions of neighbouring residential occupiers,
iii) Design and the effects on the visual amenity of the locality; and
iv) Parking, servicing and access impacts.

The relevant policies are Core Strategy policies 11, 12 and 16, 'saved' Local Plan policies RES7 and H18, South East Plan policies CC1, CC6, T4, BE1, S2, S6 and national planning policy contained in PPS:1 'Delivering Sustainable Development' and PPG:24 'Planning and Noise'.

The principle of the proposed development

The Certificate of Lawfulness issued in 2009 established that the use of the former Church building as a health centre within Class D1 of the Town & Country Planning Use Classes Order does not constitute development requiring planning permission. However, the Certificate specifically excluded the part of the site occupied by the existing sectional building because of a planning condition which limits the use of the sectional building solely to activities ancillary to the United Reformed Church and no other purpose. The use of the former Church building as a health centre has not yet been implemented.

One of the key challenges identified in the Core Strategy is to ensure that a full range of high quality community facilities are provided in accessible locations. In particular, it identifies accessibility to local doctors and wider health care facilities as an ongoing issue within Worthing. Policy 11 of the Core Strategy seeks to retain and enhance existing provision for community facilities which contribute to the well-being of residents, workers and visitors, including the potential for alternative community uses where an existing community facility is no longer needed. The sub-text supporting Policy 11 identifies the role of the Core Strategy in contributing to improved health care provision by providing an enabling policy framework for new facilities to come forward and help deal with pressures placed on existing health care and related services. The proposed development is for an additional facility required in connection with the use of the former Church building as a health centre, and would enhance the range of healthcare facilities available. It would involve the redevelopment of land and buildings previously used for a community use and therefore accords in principle with Policy 11 of the Core Strategy.

The impact on the living conditions of neighbouring residential occupiers

The proposed diagnostic clinic and hydrotherapy pool would be attached to the south side of the former church building, roughly on the site of the existing sectional building. The site is adjoined to the west by the L-shaped rear garden of 14 Buckingham Road (which wraps around the shallower rear garden of 12 Buckingham Road). To the south is a narrow private footpath. Beyond the footpath, to the south of the site, are Nos. 9 to 21 Chandos Road, a terrace primarily consisting of residential dwellings, including some converted into flats. The entrance to the car park in Grafton Road is bounded on either side by larger Victorian dwellings converted in flats (No.11 and 13). The north side the car park is bounded by the rear gardens of Nos. 5 and 7 Shelley Road, a pair of Victorian dwellings, recently converted into flats.

In response to concerns relating to the proximity of the proposed building to the rear of residential properties in Chandos Road, and the potential for noise emanating from the plant room to adversely affect the amenities of residents, the plans as originally submitted have been amended to provide a separation distance of 2.3 metres from the external wall face to the southern site boundary, and to re-position the plant room from its original position on the south side of the building to a new position on the less sensitive east side of the building, facing the car park. The separation distance from the southern boundary is roughly the same distance as the existing sectional building. There would be a distance of 7 metres between the southern elevation of the proposed building and the nearest part of the rear elevations of 9-13 Chandos Road, which include windows serving bedrooms.

The building would be sited 1.4 metres from the western site boundary, which is some 2.7 metres closer than the existing sectional building. There would be a distance of 9.5 metres between the west elevation of the building and the nearest part of the rear elevation of No. 12 Buckingham Road. This separation distance increases to 13 metres to the rear of No. 14 Buckingham Road, which has an appreciably longer rear garden.

It would be difficult to argue that the physical effects of the proposed building would be significantly worse than the existing building which occupies a similar footprint, and is similar in height and massing. The windows serving the proposed diagnostic consulting rooms are necessarily small (0.5 metres by 0.5 metres) for privacy reasons. There are larger windows serving the reception/waiting room area and hydrotherapy pool, but those serving the latter are shown as partly obscured or screened by timber framing, for reasons of privacy.

Following the re-location of the congregation in 2005, evidence suggests the Church building was briefly used as a pre-school but has been vacant since at least 2006. There is no evidence that the pre-school used the sectional building in the rear grounds, and its use for youth organisational meetings is likely to have been extremely low-key. The proposed development would therefore result in a more intensive use of this part of the site. The applicant has stated there would be no more than 4 staff and 2 patients at the facility at any one time. The fact that there would be 3 diagnostic consulting rooms, plus the hydrotherapy pool and a waiting area suggests the actual number of patients could be slightly higher than this, although the overall floor area (148 square metres gross) is modest. The applicant has confirmed the proposed hours of operation of the diagnostic centre and hydrotherapy pool as 08.00 to 20.00 hours daily. Clearly the proposal would

introduce a greater degree of activity compared to the former use of the existing sectional building. This increased activity would be particularly apparent for those residents adjoining the western part of the site who have become used to the relative tranquillity of the existing vacant buildings. However, the most serious concerns relating to potential noise disturbance have been addressed by re-positioning the plant room. Although precise details of the plant to be contained within the plant is unknown as this stage, the Environmental Health Officer is satisfied that issue this can be properly dealt with by imposing a planning condition requiring the submission and approval of an acoustic assessment prior to any development commencing. The potential for noise 'leakage' from the opening windows serving the hydrotherapy pool could be addressed by reducing the size of these windows to match those serving the diagnostic rooms (0.5 metres by 0.5 metres), the hydrotherapy pool being also served windows on the east side of the building.

The hours of use put forward by the applicant largely accord with those stipulated by the Environmental Health Officer as a necessary safeguard to residential amenity. However, even in an urban environment close to the edge of the town centre it is reasonable to expect a degree of peace and quiet on a Sunday, and therefore the Environmental Health Officer has recommended that hours of operation are restricted between 10.00 and 16.00 hours on Sundays to safeguard the amenities of residents. Similarly, the Environmental Health Officer also recommends controls over delivery times.

There is scope to introduce shrub planting in the 2.3 metre gap between the south side of the building and the southern boundary, and to a lesser extent on the west side of the building, which will help screen the building in views from neighbouring gardens.

On the north side, the over-sailing eaves of the building would extend to create a canopy or sheltered 'covered way' leading to the main entrance. The canopy extends as far as the site boundary with No. 7 Shelley Road. Although it would be difficult to argue that the additional 'bulk' of the over-sailing canopy, compared to the existing sectional building, would have an unneighbourly impact on the amenities of the occupiers of No. 7, it nevertheless results in a rather cramped appearance which could be avoided by reducing the extent of the over-sailing eaves on this side and by creating a smaller canopy porch in front of the main entrance only.

Design and the effects on the visual amenity of the locality

The scale, massing and detailed design of the building largely responds to its constrained siting in relation to neighbouring properties. The simple flat roof design and rendered elevations would appear unfussy, with visual interest added by timber boarded feature panels, the over-sailing eaves and brick-edged door and window heads and cills. Whilst visible from the rear of surrounding properties, the proposed building would only be visible in public views from Grafton Road through the gap between the frontage buildings, along the access drive, but would be a significant improvement on the utilitarian appearance of the redundant sectional building.

Parking, servicing and access impacts

There are approximately 8 parking spaces available in the existing small car park accessed off Grafton Road (between Nos. 11 and 13), which would be shared between the proposed diagnostic centre and hydrotherapy pool and the proposed health centre. No alterations are proposed to the existing access arrangements off Grafton Road (which are shared with No. 13). The partial layout of the car park submitted with the application shows the creation of 1 disabled parking space within a bank of 5 spaces adjacent to the east side of the proposed building.

All the representations received from local residents express concern about the lack of parking to serve the proposed health centre facilities generally, and the implications for increased parking pressures on neighbouring roads and the surrounding environment. However, it has been established through issuing a Certificate of Lawfulness that the use of the former Church building as a health centre does not constitute a material change of use. Subject to the provision of cycle parking for staff, the Highway Authority has raised no objection on the basis that the level of additional traffic and parking demand generated by the relatively small scale of the current proposals would be limited. Notwithstanding the limited availability of on-site parking, the Highway Authority is satisfied the additional traffic and parking generated by the proposed development would not give rise to highway safety issues as surrounding roads are included within the Controlled Parking Zone, where parking controls are enforced. The site is sustainably located, very close to the edge of the defined town centre boundary, and is accessible by public transport (nearest bus stop approximately 200 metres to north). In addition, there is a large public car park close-by in Buckingham Road. The extensive traffic management measures on surrounding roads suggested by a local resident cannot be justified for a development of this modest scale.

7. CONCLUSION

The proposed development which involves the redevelopment of an existing community use within a sustainable location is supported in principle by Core Strategy policy 11. At present, the rear of the dwellings in Chandos Road and Buckingham Road which back onto the redundant sectional building are relatively quiet and private, shielded from noise and activity associated with the nearby town centres uses which characterise the 'street side' of these properties. To some extent this is indicative of the fact that the former Church and ancillary building have been vacant for a number of years. This aside, the proposed development would give rise to a greater intensity of use and activity than the former low-key use of the existing sectional building. However, it is considered that the potentially disturbing effects of the proposed development can be satisfactorily dealt with by imposing suitable conditions. This course of action being consistent with the advice set out in Circular 11/95 which identifies the proper use of conditions as enabling development to proceed where it would otherwise have been necessary to refuse planning permission. Notwithstanding the limited amount of on-site parking, which would be shared with the proposed health centre, having regard to the lawful use of the latter, the Highway Authority is satisfied that there would be no adverse implications for highway safety such as would substantiate refusal.

8. RECOMMENDATION

SUBJECT TO THE RECEIPT OF AMENDED PLANS SHOWING REDUCED- SIZE WINDOW OPENINGS SERVING THE HYDROTHERAPY POOL ON THE SOUTH SIDE, AND SETTING IN THE OVER-SAILING CANOPY ROOF ON THE NORTH SIDE, APPROVE SUBJECT TO:-

1. Standard 3 year time limit
2. Approved drawings
3. Boundary treatment to be agreed and implemented
4. Parking spaces (including disabled space) to be provided
5. Cycle parking to be agreed and provided
6. Diagnostic centre and hydrotherapy pool to be used solely for purposes within Class D1 of the Town and Country Planning Use Classes Order in conjunction with and ancillary to the use of the former United Reformed Church in Shelley Road.
7. Limit delivery hours
8. Limit hours of use to
9. Acoustic assessment of equipment
10. No external plant or equipment on south or west elevations without planning permission
11. Details of dust suppression scheme to be agreed and implemented during construction
12. Limit hours of construction
13. Restriction on external lighting
14. Landscaping scheme to be agreed and implemented
15. Samples of materials to be agreed before construction
16. Foul water drainage to be agreed in conjunction with Southern Water
17. Surface water drainage to be agreed and implemented.

9. BACKGROUND PAPERS

Letters of Representation by Members of the Public
Supporting Statements by Applicants
Observations of the Highway Authority
Observations of the Executive Head of Health, Housing and Community Safety
Observations of Southern Water