27 April 2011

Worthing Borough Council
Portland Road
WORTHING
WEST SUSSEX BN11 1LF

FAO: Mr Keith Morgan, Planning Services Manager

Dear Mr Morgan

Representations concerning WB/11/0047/FULL –

I make these representations within the extension of time to the 28th April permitted by Ms Morin at our meeting at 9 Chandos Road on 19th April 2011.

The Application WB/11/0047/FULL should be refused on the following grounds 1-8:

(1) Noise and disturbance

A. The decision to put all the noisy hydrotherapy swimming pool equipment – pumps, generators, ventilators, filters and the like – on the south side facing the residential neighbours and away from their own facility is extremely insensitive when the Applicant has the design option of placing it completely within its own facility: either within the main church building or between the proposed hydrotherapy building and the church building. On this point, I work for a company which makes acoustic walls and doors and I know that it is not possible to deaden the sound and vibrations of that kind of noisy equipment to the peaceful quiet background levels currently enjoyed night and day. The noise from that equipment will be perpetual 24/7/365. There is no doubt it will be a very significant intrusion by noise and disturbance and an unacceptable degradation of my ability to sleep at night and my right to peaceful enjoyment of my garden during the day.

B. As well, the only access to the noisy equipment is by a service entrance which will be a source of noise and disturbance itself - both by sound leakage from the pool, pumps, generators and ventilators as well as the activity, noise and lack of privacy associated with access, service, repair and maintenance – all directly by my rear bedrooms and garden.

C. The raised section of roof with windows (however well glazed) to the centre of the proposed building will create a permanent and perpetual source of noise and light leakage from the proposed facility both during hours of operation (which are unspecified) and also after hours. Sound from people using the pool echoes and carries, while the pool pump, generators and ventilators will generate a perpetual hum, drone, vibration and noise.

D. There will be commercial levels of noise from the business activities of the proposed building as a hydrotherapy pool and diagnostic rooms in a location which is clearly domestic residential in character and for which no design options have been proposed to minimise or ameliorate. Rather, the siting of the pool equipment, foot print of the proposed building and close proximity to the southern and western boundaries will have maximum adverse impact on the residential neighbours.

(2) Smell

E. The chemicals for the pool are proposed to be stored, and the ventilation for the pool will vent, to the south of the building directly facing my home and garden and the private domain of the other residences on Chandos Road. Like the noise of the pool equipment, the Applicant has the design option to place

the chemical storage and ventilation within the main church building or between the proposed hydrotherapy building and the church building.

(3) Loss of privacy and changed, degraded residential amenity and character

F. Without doubt the proposal will result in business & commercial levels of light at night time - whether from within the building while it is open for business or after hours for external security and maintenance - which will be significantly above the current acceptable residential levels at the back of our homes and gardens which are currently away from the business activity of the street at the front. One only has to observe the night time levels of light on Chandos Road and Buckingham Roads from the NCP car park, street lighting and the Fresh Egg office as compared with the current back garden lighting levels to the rear of our homes to see that internal and external lighting from a business operation would be a major imposition. Again, this will disturb the use of our homes, especially rear bedrooms for sleeping and gardens for relaxing in – whether of adults like myself who work hard each day and need the respite of their homes to return to, or new born babies and young children such as who live at No. 15 Chandos Road.

G. The extension of business activity of the main clinic to this additional building in size, use and particularly with a hydrotherapy swimming pool, will result in a very significant change and degradation of the private domestic character of the existing site location. There is nothing shown in the proposal which in all honesty can be said to be sensitive to the surrounding residents, whereas the proposal will certainly impact adversely on us in very significant ways. It is well known that a degraded environment generates degraded behaviour and will only cause an increase in socio-economic disparity.

(4) Overdevelopment

H. The proposed hydrotherapy pool and diagnostic clinic could not be of any larger extent on the block available and provides no space at all for planting to integrate the development to its residential site to maintain the residential garden character, for privacy and screening or to maintain the garden environment for local birdlife.

I. The Applicant has grossly under-represented the size of the existing portacabin the effect of which is to represent their new building and its proximity to the boundaries as much less intrusive and much less of a change than it will be in fact. The existing portacabin is 2.4m from the southern boundary (*not 1.3m* as drawn), more than 4m from the western boundary and with an overall footprint of 107m² *not 129m²* as the Applicant has declared. This means that the proposed increased size of the hydrotherapy facility is from 107m² to 162m² which is more than 50% bigger. The applicant has stated that the "reason for the increase in floorspace is to allow the unit to be connected to the main church building to allow ease of access for patients." This is a blatantly untrue in that the expansion is to the south and west right up to the boundaries, whereas the main church building connection is to the north. As well, the proposed facility addresses the street an access to Grafton Road and so doubles up on reception areas, waiting areas and diagnostic rooms which could well be included within the main facility of the church building.

J. The misrepresentation by the Applicant of the size change of the proposal means that affected residents have not been given a fair chance to make representations because they have been misinformed by the Applicant as to the basic facts.

K. The proposal is a wall as wall to wall over-development of the site leaving no garden area or scope for planting to sensitively integrate the facility in keeping with the history and character of the site as the church garden (see plans to WB/233/48) and presently surrounded by people's homes and gardens, as well as a key site for local remnant wildlife habitat in the town (birds, bees and butterflies in particular).

L. As well, the walls of the proposed building will be only 1.3m away from the boundaries to the south and the west, with the eaves under 1m away (I will almost be able to touch them), whereas the walls and eave-over of the existing portacabin is 2.4m away from the south boundary and 4.1m away from the west boundary.

M. The Applicant has completely omitted any mention of the affected residential neighbours on Chandos Road which is directly to the south of the proposal and which residential properties from no. 9-15 Chandos Road directly share a boundary wall with the site, the small lane being privately owned by each property.

N. The portacabin was originally erected as a temporary scout hall within the Church garden and since then for the past more than 65 years has always had unpaved, unbuilt, natural soil garden area around it to the full 2.4m to the southern boundary and more than 4m to the western boundary. This is clearly shown and referenced on the plans for WB/233/48. The proximity of the proposed building to its boundaries has left no scope for any planting at all. The absence of any space or planting around the proposed building degrades the current environment and is insensitive to the history and character of the site, the residential character of the block and does not at all integrate the proposed building to its site or location or complement the existing heritage asset of the church in its site. When the applicant has design alternatives for garden space and planting of deciduous garden shrubs for screening and to maintain and encourage the existing bird and insect life such as hawthorn, birch trees, Viburnum, forsythia, Buddleia lilac hazel and planting in keeping with such a church building of a specimen tree planting sited within sufficient space within the grounds such as horse chestnut (Aesculus sp.) or copper beech (Fagus sylvatica) or English oak (Quercus robusta).

(5) Effect on trees

O. The proponent has answered "No" to the question "are there any trees or hedges on land adjacent to the proposed development site that could influence the development or be important as part of the local landscape character". Yet the proposed building will intrude on the canopy and root zone of the old apple tree on the neighbouring block at no 14 Chandos Road formerly Wilton Villa. This tree is at least 50-60 years old, is present in old aerial photos of the site and is of a rare red-fleshed fruiting variety. I am reliably informed by a specialist apple grower that this kind of apple tree "hates having its limbs cut". The canopy pruning and root zone interference which would occur for the proposed building at the very least places the survival of the tree at risk and is very likely to kill the tree. This tree is the only significant deciduous tree in this residential block bounded by Shelley, Buckingham, Chandos and Grafton Roads. It is a significant feeding area for local bird species especially small birds including populations of blue tits, speckled thrush, blackbirds, robin, chaffinches, goldfinch and others which are already declining in population through loss of habitat and feeding environments.

(6) Design, appearance, materials, character

P. The wall to wall nature of the proposal will develop what was once a church and garden in an otherwise residential block, to a major business facility with the built complex and parking area occupying almost half the block bounded by Buckingham, Chandos, Grafton and Shelley roads. The proposal is in effect a very significant business complex which will function like a private outpatient annexe to Worthing Hospital.

Q. The Applicant has stated that the proposed building is not visible from any street yet it is clearly visible from Grafton Road. Indeed, the proposal addresses Grafton Road in its design and will completely change the quiet residential character and amenity of that street to one with a large business complex directly addressing it and accessed by the public and by employees and maintenance of the pool diagnostic complex during and after unrestricted business hours.

R. The Applicant has declared that there is no hydrotherapy facility in the local area when in fact there is the well-established hydrotherapy facility close by at Henry House at 189 Heene Road. Unlike the subject proposal here, the hydrotherapy facility at 189 Heene Road is part of the main building, is set in a large garden and in its relations to neighbours the pool equipment is located well away from peoples homes and noise sensitive areas in that it is adjacent to the neighbour's double garage which itself is offset away from the neighbour's main residence.

S. The proposed use of alwitra membrane as roofing material will be visible from the upper floors of surrounding resdinces and is completely unsympathetic to the materials and visual amenity of the church building.

(7) Traffic and parking

T. There is no doubt that this proposal will have a significant impact on traffic generation and parking burden such that the amount of traffic movement in the local streets will become unacceptable and the competition for residential parking will change from difficult to impossible at all times of day all year around with no respite.

(8) Planning policies

U. Policy H18 of the Local Plan that "Development, including changes of use and intensification of use which would result in an unacceptable reduction of amenity for local residents will not be permitted" will be directly and needlessly contravened and without any objective evidence of fulfilment of Policy BE1. The proposal clearly contravenes planning policy without any objective evidence that it fulfils any policy objectives, when there are design options which could fulfil all policy objectives.

V. The delegated decision of the previous application WB/10/0674/FULL identified the ward within which this application is located as "one of the most deprived wards in Worthing". By degrading our residential amenity especially in relation to the noise of the pool equipment, the proposed business use and activity, its proximity and insensitivity to the residential surrounds, night time light levels and destruction of peaceful sleep and peaceful enjoyment, this proposal will certainly further deprive us the residents – all for a *claimed* benefit to social and economic regeneration and community infrastructure which is completely unsubstantiated in fact. As well, any such benefit could be achieved without any conflict with neighbouring residential amenity by an alternative design which is sensitive, smaller, integrated and high quality which this proposal is clearly not.

W. The proposal site is not in an area designated for change by the Core Strategy yet it will significantly change the predominantly residential quality of the block in which it is sited.

X. The proposal does not objectively conform with or balance any key, relevant planning law, policy statements or objectives such as:

   a. Ensure that "family homes are retained in appropriate locations and the quality and sustainability of existing housing stock has been improved"
   b. "improve the quality of life for all"
   c. "substantially reduce social and economic disparities whilst protecting and enhancing the environment and quality of life for residents"
   d. "protect the settlement pattern and where possible enhance the natural environment within and around the town"
   e. how the local area wants and needs to change, striking a balance between environmental, social and economic needs.
   f. to "provide a balance and direction of how people want to see their towns developed and conserved for the future"
   g. to "protect the identity and setting of the borough"
   h. "reduce the carbon footprint, mitigate adverse impacts of climate change increase the biodiversity of the town, the green network ..."

On all the above grounds, I ask that the application be refused.

Yours sincerely

[redacted]

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