



Planning Committee
7th January 2015

Agenda Item 4

Ward: ALL

Key Decision: Yes / No

Report by the Director for Customer Services

Planning Applications

1

Application Number: AWDM/1277/14 Recommendation – Approve

Site: 64 Sea Lane, Worthing, West Sussex BN12 4PY

Proposal: Demolition of single storey side extension and change of use of ground floor from chiropractic (use class D1) to form a single dwelling and the construction of 3 x two storey dwellings including construction of new vehicular access, alterations to the existing vehicular access, associated works and landscaping (including felling of TPO trees).

2

Application Number: AWDM/1446/14 Recommendation – Approve

Site: 1 Furze Road, Worthing, West Sussex BN13 3BP

Proposal: Change of use from 2 no. flats to single dwelling. Erection of detached two and a half bay garage to north of house, porch on north west side and single storey extension to south west side.

3

Application Number: AWDM/1342/14 Recommendation – Approve

Site: 15 Furze Road, Worthing, West Sussex BN13 3BP

Proposal: Roof enlargements involving increase in height of roof, part-hipped side gable on east side, front dormer with Juliette balcony, 2 rear dormers, new roof over existing rear dormer, front rooflight, plus new porch on west side (Revisions to AWDM/0801/13)

4

Application Number: AWDM/1412/14 Recommendation – Refuse

Site: 15 Wyke Avenue, Worthing, West Sussex BN11 1PB

Proposal: Retrospective application for trellis fixed to existing front garden wall on north/east boundaries.

5

Application Number: AWDM/1507/14 Recommendation – Approve

Site: 84 Meadow Road, Worthing, West Sussex BN11 2SH

Proposal: Demolition of 40 no. bedsit flats (in 5 blocks) and redevelopment to provide 12 x 2-bedroom houses, with parking and cycle storage permitted under AWDM/0806/12 (variation of Condition 2 for substitution of uPVC windows instead of aluminium as permitted, minor revisions to external materials and amendment to boundary treatment adjacent to plots 1 and 9).

6

Application Number: AWDM/0798/14 Recommendation – Approve

Site: 11 Church Way, Worthing, West Sussex BN13 1HD

Proposal: Retention of 1.6m high boundary fence along eastern boundary (retrospective).

7

Application Number: AWDM/1423/14 Recommendation – Approve

Site: 22 Foxley Lane, Worthing, West Sussex BN13 3AB

Proposal: Application for consent under Worthing Tree Preservation Order No.16 of 1998 to reduce radial spread by up to 1-2 metres, and to reduce and re-shape to give clearance to cables of up to 1 metre, on one Atlantic Cedar T6

8

Application Number: AWDM/1612/14 Recommendation – Approve

Site: 70 Sea Lane, Worthing, West Sussex BN12 4PY

Proposal: Two storey rear extension to replace existing conservatory on east elevation. Replacement porch to front (west) elevation. Replacement double garage on eastern boundary (Re-submission of AWDM/1032/14).

Application Number: AWDM/1277/14

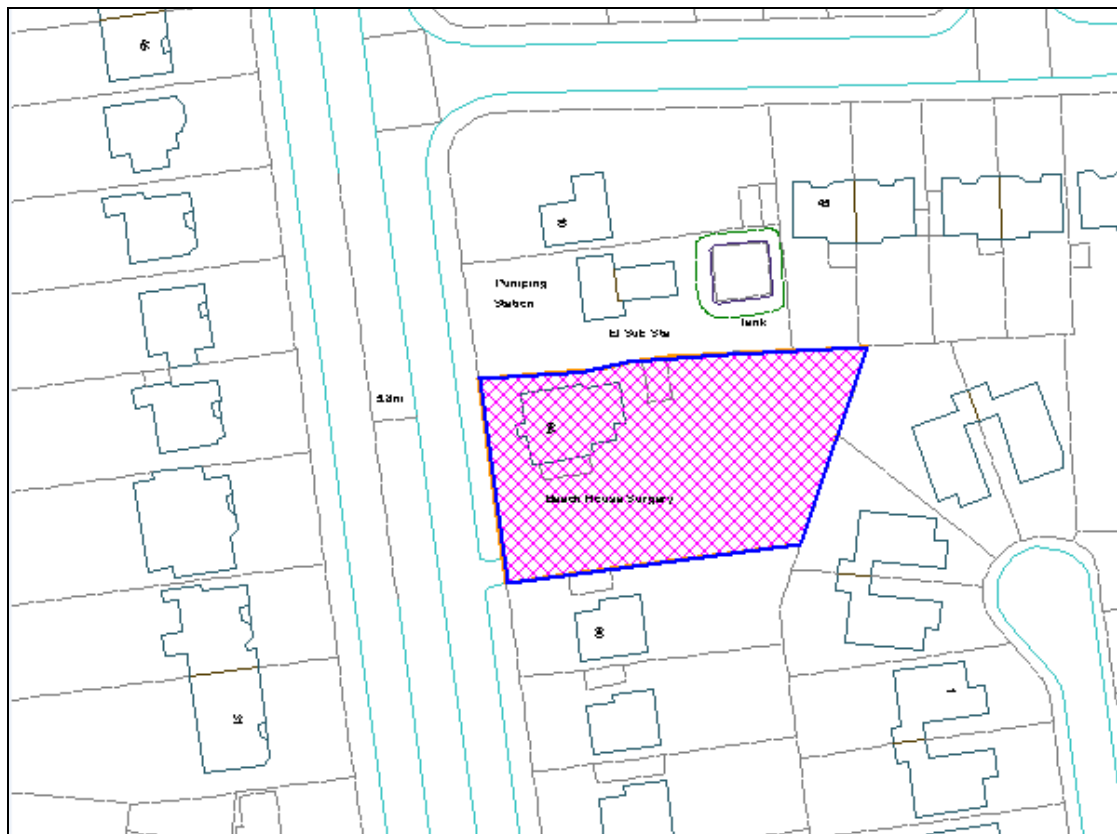
Recommendation – Approve

Site: 64 Sea Lane Worthing West Sussex BN12 4PY

Proposal: Demolition of single storey side extension and change of use of ground floor from chiropractic (use class D1) to form a single dwelling and the construction of 3 x two storey dwellings including construction of new vehicular access, alterations to the existing vehicular access, associated works and landscaping (including felling of TPO trees).

Applicant: J W Stratton Ltd
Case: Peter Devonport
Officer:

Ward: Goring



Not to Scale

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Site and Surrounds

The plot is located in a pleasant and leafy, inter war, outer suburb within the Goring Hall estate area. The area is characterised by a mix of large detached and semi-detached houses, in generally deep plots and on a common, set-back, building line. The older art deco influenced styles are more prevalent to the north, generally

featuring hipped roofs and, often, flat roofed elements, white rendered walls and critical windows whilst later brick faced and occasionally gabled roofed houses tend to predominate to the south.

The site comprises the distinguished large Victorian detached villa known as Beach House at the front (west) and sitting forward of its neighbours and its grounds to the rear (east) and side (south). Later additions to the house are a modern conservatory on the southern side and a detached hipped roofed garage to the rear. The house contains typical period features with pitched roof, shed windows, whiter rendered walls and drops down to single storey at the rear. It is identified as a Local Interest Building.

Beach House was occupied, latterly, as a GP surgery and now as a chiropractor and the landscaped grounds are principally used for car parking. There are semi mature trees and shrubs close to the southern, eastern and northern boundaries, generally of limited intrinsic value.

The site is rectangular and essentially flat and 0.153 hectares in size.

Vehicular access is from the southern end of the site off Sea Lane but there are two separate pedestrian entrances to the north. There are no on-street parking restrictions.

Sea Lane is a dual carriageway with extensive mature tree planting along its wide soft landscaped central reservation, though mainly large shrubs directly opposite the site, as well as in the front gardens of the adjacent houses. The highway itself is designated as an Environmental Area of Special Character. The street frontage of the plot is marked by a low flint wall (with piers by the entrances) and generous planting. This includes two Judas trees and a pine tree, covered by TPOs.

To the north is a pumping station with the main works disguised as an inter war two storey detached house typical of the area with hipped roofs and faced in render and brick. This is set back in the site. The common boundary here is a 1.5 tall, flint and brick wall, rising to 3 metres at the back.

To the south is 60 Sea Lane, a detached brick-faced, inter war house which has added a two storey extension on its northern side, the ground floor of which incorporates an integral garage and a single storey extension at the rear. The facing flank of the house contains a door and window to the garage/utility room. The common boundary is formed by a low brick wall and hedge/planting at the very front; and 1.8 m tall timber fence and planting, including several trees by the house and garden.

To the east are the back gardens of the 1950s bungalows of Nos 9 and 10 Sandown Close. The bungalows are situated at the head of a cul de sac and are arranged at angles to the site. No 9 is the closer (between 7 and 9 metres to the common boundary) and principally faces west towards the site with its bay to the lounge, separate bedroom window and French doors to its conservatory and patios all so orientated. A window serving a bedroom in the loft also faces westwards. A 1.8 m timber fence marks the boundary with the site, supplemented by one small

shed in the SW corner and a much larger (6 ms long) pitched roof shed just off the NW part of the boundary.

No 10's main orientation is north and has just added a sun room extension. Its flank windows mainly serve non habitable rooms. The boundary is marked by a 1.8 ms tall fence with planting behind.

The Proposal

The current scheme has evolved through pre and post-submission negotiations.

The scheme is to demolish the single storey rear extension, side conservatory and detached garage and convert the Beach House to a 4 bedroom house. Three new detached house would be built in the grounds – a 3 bed detached, two storey house at the front (plot 2) sitting to the south of Beach House and set forward of No 60, and, also, a pair of four bed houses at the rear (plots 3 and 4). Vehicular access would be re-sited to the centre of the site between Beach House and plot 2 and run in a straight line to form a central courtyard for parking and turning at the back.

Each house is provided with two parking spaces in the form of tandem undercroft parking for plots 2, 3 and 4 and open parking on the north side of the courtyard for Beach House. All have back gardens and plot 2 and Beach House have sizeable front gardens. The access and courtyard are paved.

All the new houses face westwards to Sea Lane. They are described as pavilion houses in a contemporary architectural style and appear to be influenced by the International movement in their simple, cuboid form and clean lines. They all feature flat roofs and piloti style columns with undercroft and ribbon windows and plots 2 and 3 also corner windows. Plot 3, additionally, incorporates a cuboid oriel window at the front and an angled oriel at the rear. They are faced principally in render, plots 3 and 4 having mainly brick ground floors with some limited timber panelling.

All the new houses contain solar panels on their roofs

Many of the existing trees and shrubs are removed, including one of the Judas trees which is the subject of a Tree Preservation Order and a pine tree at the front. However, several are retained including the southernmost preserved Judas tree and the cherry and holm oaks trees outside Beach House and by the NE boundary next to No 10 Sandown Close. Additionally, extensive replacement planting is proposed comprising a sweet gum at the front; a stilted beech hedgerow and 3 semi mature beech trees on the eastern boundary with No 9 Sandown Close and additional tree screen on the southern boundary with No 36.

The application is supported by a Design and Access Statement, Planning Statement, arboricultural statement, ecological survey and landscaping strategy.

Planning History

WB/224/89 Outline application for the erection of 13 x one-bedroom and 8 x two-bedroom sheltered flats. 64 Sea Lane. Refused 1989

WB/90/0580 Outline application for the erection of one detached house with garage. Plot south of 64 Sea Lane. Refused 1990

WB/91/0620; Change of use from single dwelling to doctors surgery together with ground floor extension and alterations to implement the use. 64 Sea lane Approved 1991

WB/02/01091/FULL: Change of use from a Doctors surgery to a single dwelling house approved 2002

WB/03/00562/FULL: Conversion, extension and alterations to form seven self-contained flats with car parking and associated site works . Approved 2003.

WB/08/0235/FULL Variation of Condition No. 1 of WB/03/00562/FULL to extend development period for another three years for refurbishment of existing Victorian house (currently used as a Doctor's surgery) with new wing extension forming 7 no. self-contained flats. Approved 2008

11/0277/FULL Application for a new planning permission to replace an extant planning permission (WB/08/0235/FULL) in order to extend the time limit for implementation for refurbishment of existing Victorian house (currently used as a doctors surgery) with new wing extension forming 7 number self-contained flats. Withdrawn 2011

Extract from Applicant's supporting statements

Design, Form, Appearance and Layout

The NPPF attaches great importance to the design of the built environment (paragraph 56). Good design is seen as a key aspect of sustainable development.

Planning permission has already been granted for a total of seven flats at the site which included the provision of a large two storey 'wing' extension to the existing Victorian property, which was proposed to extend significantly to the rear and side of the dwelling and in close proximity to the southern boundary.

The current proposals for the site have been developed following a close analysis of the planning history and the opportunities and constraints of the site and the surroundings.

The site area is significantly larger than the adjacent or surrounding plots of land. Most surrounding dwellings are located centrally within the site area with only a small distance at either side to the site boundary. The existing Victorian property is situated within the northwest corner of the site with a significant amount of land located to the side (south) and rear (east). The rear boundary extends beyond the rear boundary of other properties in the area.

The existing Victorian dwelling is traditional in character, with some architectural merit however it has been unsympathetically extended throughout its history. The planning permission for seven flats would result in a further addition which arguably would not lead to an enhancement to the original character of the property by virtue of the significant width and bulky two storey form of the proposed 'wing' extension which would extend across the full width of the site and in close proximity to the southern boundary.

The previous planning permission resulted in a much denser form of residential development on the site, with a density of around 46 dwellings per hectare (46 dph) a development footprint (Gross External Area) of 427m² and a Gross Internal Area of 788.5m². In comparison, the proposed four dwellings result in a density of 26 dph, a GEA of 364.3m² and a GIA of 623.6m². As such, although the numbers of dwellings will increase on the site, the form of development is much more spacious and of a higher overall design quality than the previous scheme. For ease of reference, these figures are tabulated below:

Floor Area Comparison between the Approved Scheme and the Proposed Scheme 2003 Consented Scheme (approx.)	2014 Proposed Scheme	Difference	
Total Gross External Area (i.e. footprint)	427sqm	364.3sqm	62.7sqm
Total Gross Internal Area (all floors)	788.5sqm	623.6sqm	164.9sqm

Within the existing curtilage there is a significant amount of hardstanding which provides car parking for the existing property; this is located to the side/rear of the existing dwelling. A large rear car parking area also formed part of the previous planning permission for the site. The proposals present an opportunity to offer significant environmental improvements at the site derived from the removal of this inefficient hardstanding parking area and the comprehensive redevelopment of the site which is supported by a high quality soft landscaping scheme to encourage wildlife and general biodiversity within the site.

As such there is considered to be an opportunity to provide a more efficient use of the land in this location in a manner which would enhance the street scene, the character of the existing property and the surroundings.

Plot 1 (The existing property)

It is proposed to remove the existing single storey additions that have been constructed to the side and rear of the property in order to restore the existing dwelling to its original form.

The existing dwelling is a period property with traditional proportions and a symmetrical appearance with two large bay windows to the side elevation. The existing glazed conservatory that has been constructed to the side of the dwelling is considered to conceal the traditional bay windows and detract from the character and appearance of the property.

Single storey pitched roof additions have been constructed to the rear of the property. These extensions are not considered to complement the character of the traditional Victorian property, owing to their modern pitched roofs and the relationship of the roofs to the rear elevation.

Their removal would be beneficial to the character and appearance of the existing dwelling and would take the opportunity available for improving the character and quality of the property as encouraged by paragraph 64 of the NPPF.

Plot 2

As discussed above, there is a visual gap that currently exists between the existing dwelling and No. 60 Sea Lane which is not akin to the general rhythm of the street scene along this part of Sea Lane. The existing property consists of a Victorian period dwelling, whilst No. 60 Sea Lane is a more modern addition.

As such the space to the side of the existing property and the differing design approaches to the north and south of this land are considered to lend itself well to a contemporary design approach. This presents the opportunity to clearly preserve the character and appearance of both properties whilst offering a high quality design solution in its own right.

Plot 2 is a clear response to the neighbouring dwellings and is the mother to the two pavilions at the rear. The materials, placement and scale respond to the context. The simplicity of the plan combined with an interlocking three-dimensional geometry, has produced a rich internal spatial sequence where sunlight penetrates into every corner of the building.

Plot 3 and 4

A linear approach has been adopted for plots 3 and 4 which allows the buildings to become 'groundscrapers' therefore minimising the visual impact of the dwellings owing to their low overall height. This approach also allows the façade to be maximised to open up to the private rear gardens.

As with Plot 2, the detailed design of these properties situated to the rear of the site takes

Consultations

Environmental Health Officer

Potentially contaminated land condition required.

Highway Authority

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals which include up to 5 residential units or extensions to single units accessed from roads that do not form part of the Strategic Road Network (SRN). As such the comments provided by Local Development should be considered to be advice only, with respect to this planning application.

West Sussex County Council was consulted previously on Highway Matters for this location under planning application no. AWDM/0227/11 to which no objections were raised.

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

The proposal is for 4 dwelling units with access onto Sea Lane via a new access point. From an inspection of the plans alone, there is no apparent visibility issue at the point of access onto Sea Lane, which is a classified 30mph dual carriageway. The proposal has had supporting evidence submitted in the form of swept paths for each of the parking areas and the Highway Authority accepts these as evidence those vehicles can enter and exit using a forward gear.

The most recently available verified accident records reveal there have been no personal injury accidents in the vicinity of the existing point of access, indicating a low risk of highway safety issues with this proposal.

There are no anticipated Highway safety concerns with this proposal, subject to the following conditions.

CONDITIONS

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

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

No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development.

Representations

45 representations have been received objecting to the application and subsequent revisions from local residents, principally from Sea Lane but also Sandown Close and Nutley Drive/Close.

- The design of this development is not at all in keeping with the area. Not one property that inhabits this side of sea lane is built over three floors. I feel that this development is totally out of balance with the character of Sea Lane. There are no other residences in the road that marry in with this and it will appear completely out of place in a wonderful residential street full of 1930's charm and style. Even the Pumping Station has been designed to blend in with the surrounding houses. The existing house and garden are an asset to the area.
- I recognise their link with the Art Deco which does feature in the architecture along and around the road, but those "ice-cube" carbuncles are not in keeping with the bay-windowed, soft-edged, rounded grace of the 1930s examples that make Sea Lane one of the nicest streets in the town.
- The revised proposed buildings are still totally out of character with neighbouring properties with their flat roofs and cuboid and box like appearance - in fact they are downright ugly and it would be like having a development of glazed town centre car park or bunkers plonked in what is a very nice plot totally detracting from the history and character of Beach House,
- The scheme is not dissimilar to the recently refused scheme at 30 Marine Drive.
- The removal of mature trees to be replaced with ugly and "futuristic" buildings should not be allowed, as this would have a detrimental effect on the ambience and character of Sea Lane.
- The house at the North end of Sea Lane has been stated as a precedent. However that building which cannot be seen from the roadside was already in existence - it was not a new-build. The other house at the South end of Sea Lane and quoted as a precedent for a 3 storey building is still in keeping with other properties in the area.
- I think the design for the two front houses is okay, the contemporary house is not in keeping with other properties in Sea Lane but this is not necessarily a bad thing, although I believe it is too high and should be reduced in height.
- Plot 2 - objection to height and design. The proposal is for a 3 floor house, with a flat roof and white rendering which is out of keeping with neighbouring houses in the locality. Neighbouring houses have 2 floors, pitched tile and external brick walls. The proposal would detract from the visual amenity of the locality.
- Plot 2 - position. The proposal is for a detached house with a west facing elevation in front of the building line of the neighbouring houses (60-52 Sea Lane) in the locality. Maintaining this building line was an important consideration when approving the planning applications for neighbouring houses (60-56 Sea Lane). The proposal would detract from the visual amenity of the locality.

- Plots 3 & 4 - objection to design. The proposal is for 2 houses with a flat roof and white rendering which is out of keeping with neighbouring houses in the locality. Neighbouring houses have 2 floors, pitched tile and external brick walls. The proposal would detract from the visual amenity of the locality.
- Plots 1-4 density of houses. The proposal is for a 4 detached houses on the 64 Sea Lane site. This density of properties and occupancy is out of keeping with the neighbouring properties and locality. The proposal would detract from the visual amenity of the locality and represent an overdevelopment of the site.
- Beach House is a treasured house to those of us who live in the area. It is an example of "old Goring" and should be preserved along with its fine flint wall and important trees. It was built deliberately to have seaward view and this would be replaced by view of a blank, brutalist rendered wall. It is one of the oldest properties in Sea Lane once owned by Sir Victor Johnson. Each time I walk past the house, I get great pleasure from looking at this beautiful house and imagining life along the lane in 1887 - you might think that's sentimental rubbish but I believe holding onto that historical charm is worth fighting for.
- If Beach House was being developed into a lovely family home again, that would be a different story - preserving it for the enjoyment of families who will see their quality of life uplifted by living in such a glorious home in a beautiful tree-lined home, minutes from our beach and greensward. I would be happy for the existing property to be developed into two houses fronting onto Sea Lane with back gardens just as the other existing dwellings in Sea Lane do.
- I love walking around Goring and catching sight of the odd piece of flint wall that still stands from the Goring Hall estate. The walls around Beach House and the section within the gardens are beautiful. Will these be destroyed as part of the development?
- I understood that the front of the Houses in Sea Lane have not been allowed to make alterations over the years in an attempt to preserve the original concept of the road, this development doesn't fit with that at all and I hope the council will not permit it.
- If profit is what life is all about, why do we love natural beauty so much?
- I am sure the development company are keen to squeeze in the max dwellings possible for financial gain, but I do not feel building in the garden is correct, either environmentally or socially. The new houses are crammed into a very small area.
- This will be an overdevelopment in atone already blighted by the effects of over development. There are no other plots in Sea Lane with 4 properties on. If the plans are approved it would set a precedence for 3 storey buildings and overdevelopment within the local area, changing the character of Goring. There is serious cramming in these proposals. I recognise that this is probably about profit but do these developers (local aren't they?) ever consider the impact that these overdeveloped small-plots have on current residents?
- This also has a danger of setting precedence for future bright eyed builders thinking of making a quick buck!! This has already happened within the close vicinity of beautiful detached houses being demolished and fancy overpriced flats being erected. This is not why people move to this area, they move here

for the beautiful detached houses and space between them, not crammed in rabbit hutches.

- While Worthing loses more residences, the properties built are unobtainable to them, mostly built with London's requirements or retirement villas for the wealthy older home owners increasing pressure already at breaking point on surgeries, hospitals and police.
- Block out light and view from the rear
- Sandown Close residents must be in depression at the thought of losing natural light and privacy. The house next door (60 Sea Lane?) must be equally distraught at his loss of light and the possible overshadowing by this seemingly selfish and perhaps greedy proposal.
- The real danger here is that this would set a precedent for future planning proposals in the area. Overpriced, rapidly-built flats appearing on what was one a beautiful detached property with beautiful gardens. Will Sea Lane will be filled with these kinds of developments? Probably - with cars double-parked along the roads and people reminiscing about those times when we could take a walk and be completely at peace along a tree-lined street displaying lovely houses and gardens, reminders of "old Goring" and eventually arriving at our beautiful and unspoilt beach and greensward.
- I am aware the council is keen to provide housing stock but I feel the proposed development is not in keeping with the neighbourhood and is unfair on current occupiers
- I am not happy with the idea of creating a cul de sac road off of Sea Lane to serve this development as the cars in and out will create additional noise in the surrounding gardens, bearing in mind the cars will be driving into an area where the existing houses have bedrooms and private gardens. More traffic will egress from the plot onto what is becoming a busy, fast and noisy road. Insufficient parking.
- Impact on privacy of garden and home at 10 Sandown Close from North easterly buildings and also noise & light impacts issues on my property. All of the existing houses in Sea Lane are built near the road with a large garden at the rear giving distance & privacy to the property whose boundary is at the bottom of the garden. The proposed plans do not do this. There has recently been a lot of beautiful mature trees removed from 64 Sea Lane. Thus already altering the landscape. Having recently moved to this area I personally do not want the loss of the trees, light, downland views and peace and quiet in the back garden
- Harm to privacy and natural light of 9 Sandown Close and small garden
- I haven't received any letters from the council about these plans for 64 Sea Lane & found out from a neighbour.
- Trees of considerable age were felled several weeks ago and the proposal to fell an additional beautiful ornamental tree on the west side of the existing property is disgraceful.
- What about the trees? I believe that some of these are preserved - especially the locally renowned Judas Tree. I trust that these will remain? If they don't, then surely any preservation order is worth nothing. I may have to consider setting up my tent too - in the grounds - as a peaceful protest. TPOs are there for a good reason and not for the inconvenience of developers or residents. Loss of trees is pure vandalism and contravenes DOE guidance

on purpose of TPOs. Loss of plants which form part of the lungs of the area. The TPOs were placed in the trees in response to a refused 1989 application.

- Given the number of mature trees on the site I am concerned that an arboricultural report is not included and in my opinion the application should not have been validated without one, refer to question 15 on the application form. The purpose of such a report is to show how the retained trees will be protected during development and after without causing damage to them..
- The trees to the back of the plot are to be used to create privacy. There is no guarantee that they will not be felled in the future. We also have concerns with regards to being overlooked given the fact several trees that occupied the garden at 64 sea lane have already been felled.
- 60 sea lane; object to revised development on the grounds that the plot 2 would still block light to the window at the rear of our kitchen, there is over development of the site as compared to neighbouring gardens in Sea Lane, would cause loss of privacy and noise to us (as one of the neighbouring properties) especially during the evenings and at weekends when the site is now very quiet, would cause loss of evening sun during summer months in our rear garden and would cause TPO trees to be removed thereby making us wonder what the point of applying TPOs to trees is in the first place. Further, I cannot see any reference to what the height of the panels on the roof will do to raise the height of the properties. Again, we ask that this development goes to a full planning meeting rather than being railroaded through by planning officers who, as stated in the paperwork, have already given advice to the architects on what they think is acceptable and would be passed!
- Noise, dust and disturbance whilst it is being built
- The revisions make no difference.
- Concrete causes problems for surface water drainage
- The decision to retain the existing Victorian building as a single dwelling is very pleasing and should be commended. Unfortunately the remaining buildings have been designed and located in a thoroughly unsatisfactory manner.
- The application shows images of other buildings in the locality that have been built using similar box-like designs in order to support the application. It is true there are a small number of similar designs nearby, but none of those shown are immediately visible in Sea Lane.
- The design of the other three box buildings may be modern but the style is such that it neither matches nor complements existing properties nearby. The rear located buildings are not dissimilar to Portakabins on stilts.
- I appreciate there is a shortage of housing in the South East, but this application appears to cram too much into one site and is unsympathetic to the area.
- I believe the application should be rejected and would prefer to see an application that incorporated modern features and building materials using a locally sympathetic design and layout.

The Ilex Conservation Group has also objected:

With respect we strongly object to the proposals in the application for the below reasons and wish the planning committee to take account and have due regard of our objections.

Firstly, the proposed development is in no way whatsoever in keeping compared with other properties in Sea Lane or any other property in the general vicinity of the Sea Lane Goring residential area. The design and the appearance are over-bearing and out-of-scale in terms of general appearance and character to Sea Lane and also Goring Hall properties. Therefore, the proposed development would have an adverse impact on the residential amenity and public view of all properties and have a wider and greater and substantial impact on the wellbeing of the neighbourhood.

Secondly, relating to the effect of the development on Preservation/ Conservation Areas' and the clear fact that a Preservation Order protects trees on the development area. There is a clear legal duty here not to allow unacceptably high density and overdevelopment of residential areas especially if it involves loss of garden land or the open aspect of the neighbourhood for bird and other wild life. We wish to point out that 64 SEA LANE is such a property with such feature aspects and contains unique tree aspects which are protected and whose destruction must surely be unacceptable as it runs counter to the very preservation order issued upon the trees to protect them against such proposed development in the first place.

Thirdly, this type of high density development of existing residential areas within existing settlements compared to the size of the house as originally built and is not in keeping with the our countries National Planning Policy Framework Strategy. That is, the desirability of preserving and enhancing the holistic character and appearance of the whole Sea Lane Goring Hall neighbourhood for existing residents and for future generations, for perpetuity.

We have viewed the proposals for this application and raise our objections as follows on the grounds of overdevelopment, scale, design, visual impact, loss of open aspect and overall adverse effect on the residential amenity:-

No 64 Sea Lane, formerly known as the Beach House Surgery is a local interest building identified on the Borough's approved list and contributes to the character of the local area. As such we are pleased that the proposals return the building envelope to an approximation of the original construction. As a local interest building, however, we consider that the setting, including landscaping, is extremely important in order to complement and enhance the building. The proposals, including the removal of trees subject to a TPO, detract from this setting.

Buildings of the age of 64 Sea Lane and older tend to be located closer to the highway boundary than later additions, indeed some may be adjacent to the pavement such as 201 Goring Road. The main development of Sea Lane took place from the mid-1930s and the building line set then and followed after is further from the highway than 64 Sea Lane and the proposal for Plot 2. We consider that all new construction in Sea Lane should conform to the later building line.

Plot 2, consisting of a three storey cuboid design property is out of character with the predominantly two storey pitched roof properties in Sea Lane and the Goring Hall estate in general and is discordant and detrimental to the local visual amenity. It does not respect local context and street pattern. We also believe that its proximity to No 60 Sea Lane will result in overlooking, loss of privacy and loss of light to that property.

In a similar way, Plots 3 and 4 are an unacceptable increase in plot density, are visually obtrusive, give an impression of an overcrowded site when viewed from Sea Lane and in design bear no relationship to the existing buildings in Sea Lane and Goring Hall. The addition of Plots 3 and 4 provide a courtyard or mews development where there is no immediate local precedent but which, if approved, must lead to further pressure on local garden land for similar projects.

The area in and around Sea Lane gains much of its ambience from the open aspect afforded by the central tree line and the space around properties. This is even more pronounced in the area around the proposed development with large corner plots and the space and placement of the pumping station, together with the site of No 64. The loss of this open aspect of the neighbourhood and loss of existing views from neighbouring properties would adversely affect the residential amenity of local and neighbouring owners.

We believe that, for four bedroom properties, the car parking provisions for Plots 2, 3 and 4 are inadequate in that they require the cars to be parked in line. In practice, people are averse to this type of layout and for convenience will park where either car may be readily moved. In this instance, that means in the road adding to the hazards for motorists, pedestrians and cyclists. In addition, the traffic movements stated for the current use of the building are theoretical assumptions. To have real meaning, we believe that the actual movements should be observed over a number of different periods.

Earlier in this letter the loss of trees is noted. Although mention of an arboriculture report is made in the supporting statement, we are surprised that a full report is not included in the submission documentation in which we would expect the identity of trees to be retained and protected. We are also given to understand that rare plants from British Columbia have been planted by a former owner and again, we would expect the landscaping proposals to identify these and their proposed future on the site.

Revisions

Since our earlier letters of objection and comment on the planning application and design statement, it seems that the proposals have been amended and further drawings added on the Planning website.

We note that the top floor of Plot 2 has now been omitted resulting in a two storey building which in this setting of predominantly two storey properties is a far preferable option. However, our comments and concerns regarding the design and placement of this and Plots 3 and 4, together with our remaining objections to the scheme including plot density still remain.

In our earlier correspondence we raised our doubts as to the adequacy of the parking provisions and our belief that in general use only one space for each plot would be taken for parking, the road being used for any further requirement. Now that the drawings include sweep path analyses, we believe that our fears are confirmed by the extremely tight manoeuvres required to use these spaces as shown in the various analyses. The revised drawings still do not show the effect of the roof mounted solar panels on any of the elevations.

Design and Access Statement

Under site description, the statement mentions the bungalows behind the site and uses these to example "a plethora of architectural styles". Development affecting these bungalows is important to them but the architectural styles should relate to the main street view in Sea Lane.

Regarding public transport, the statement refers to the site being near to Goring railway station. This is a brisk 15 minute walk away — not unreasonable but we would not class that as near.

We would disagree with the statement of a "density commensurate with the overall local area" when considering Sea Lane. This may be true of the wider area when taking flats developments within a 10 to 15 minute walking distance but not of the general density in Sea Lane.

The statement considers "some successful local examples of infill development on constrained sites, most notably at 130 Sea Lane behind the Mulberry public house." This property, not visible from Sea Lane at all and only partially visible from other locations, was the conversion of an existing garage block with workshop or storage over which at one time belonged to the Mulberry public house rather than a new infill property. The conversion retained the overall form of the garage block.

The statement mentions the approved scheme for 7 flats which it describes as "a large bulk of building is incongruous within the context of Sea Lane". Although we agree that the building would be large, we consider the design to be far more sympathetic to the site and neighbourhood than that drawn in these current proposals.

The statement promotes "quality examples of modern pavilion houses". We consider that in the right setting, these may be a useful addition to the housing stock but Sea Lane is not the right setting. We note that the examples given are either stand-alone large properties set in generous grounds or are part of a seemingly large development of similar styled properties. As such they would not necessarily prove as incongruous in their setting as they would in Sea Lane.

Regarding the relevance of "local" examples:-

130 Sea Lane, we have already commented on above regarding its history of conversion and current relevance- to the Sea Lane street scene:

Sea Lane House, Kingston Gorse. This Bauhaus inspired property, although having pavilion influences is also softened by the addition of curved balconies, sits on a large corner plot largely screened by trees and is as much renowned for its original custom interior fittings as its external envelope. It could also not be regarded as local to the Goring Hall estate.

Vista Mare. This new development also has the benefit of curves to lessen the impact of what could otherwise be regarded by some as a rather brutal exterior. In design it does sit comfortably with some of the other large developments on this part of the sea front but this should really be viewed against the legacy of overly large and ugly apartment developments from earlier decades. Sea Lane is predominantly two storey pitched roof housing.

A Hesketh Estates property in Sea Lane. These and similar larger properties in Sea Lane do have a proportion of flat roofs over the curved front bays which are a particular design feature but the main roofed portion of these houses is conventional tiled and pitched. The example shown appears at some time to have been extended over the garage and has an infilled porch. The remaining elevations to these properties have more regular proportions to their glazing. The rendered finish is relieved by flashing, plinths and render detail which, when picked out in a contrasting colour, softens and adds interest to what otherwise could be a rather stark exterior.

1 Sea Lane. This is given as an "example of a prominent 2.5 storey house". Until recently, this was of a more conventional design but sadly the roof was remodelled under permitted development rights, compounded by the regrettable approval of the high level balcony which again was initially decided to be within permitted development. We do not consider this and its continuing piecemeal development to be a desirable adaption of the local housing stock and do not consider that the addition of dormers and what was originally described a "Juliet balcony" at that level to be a precedent for three-storey development in Sea Lane or, indeed, in the Goring Hall estate as a whole.

In the design development section, emphasis has been made on attempting to fit the maximum units to the site rather than to provide something sympathetic to either the original No 64 or to later neighbouring buildings. This is most evident from the use of the most horrendous photographic example of a pitched roof property when seeking to discount pitched roofs.

Section 4 proposes that the development will be "very well integrated with its immediate surroundings and appropriate for its setting, particularly relevant where relating the proposals to the neighbouring buildings". This is, naturally, a matter of opinion depending upon whether the proposals are being promoted or the status quo sought. We believe, however, that the development will not integrate at all with its surroundings, is not appropriate for its setting and will not relate in any way to the neighbouring buildings save for the rendered finish.

Regarding layout, as we have mentioned before, we consider that the placement of Plot 2 is too far forward of the existing building line for the majority of Sea Lane. We consider that Plots 2 and 3 with their forward projecting upper floors are overbearing

in their feeling of movement towards Sea Lane, in their bulk viewed from the angled space between the pumping station and site and in their west elevations together with No 64 and Plot 2 forming a nearly solid wall when viewed from the street.

Section 6, commenting on scale refers to the site's "individual identity" and "prominent visual references" which emphasises our concerns that the development will stand out rather than integrate with the local neighbourhood.

Under appearance, the statement proposes that the dwellings have been influenced by the historic developments in the locality and that overall the houses compliment their surroundings. We would dispute this but also note that the elevations, street views and architects views do not show the solar panels proposed except on the roof plans. Unless they are laid flat, these panels will no doubt be visible above the roof lines so raising the apparent heights of the dwellings given in the application documents.

It is noted that lighting will be designed to limit impact. There is no doubt, however, that there will be an impact on the neighbours and street scene much above that from the current use of No 64. We believe that before any approvals are considered, this should be thoroughly explored and agreed in order to reduce this possible nuisance.

There appears to be a discrepancy regarding shared vehicular and pedestrian access which the statement notes to be 4.5m whereas the drawings indicate 5.65m. We would hope that the drawings show the correct width and take precedence over the written dimension in the statement.

The conclusion that the proposed design "protects fully the amenities of existing and future residents and would lead to an enhancement of the visual character and appearance of the immediate area" we wholly disagree with for the reasons laid out in the preceding paragraphs and in our earlier letter of objection.

We believe that there may be a case for a second detached property to be built within the confines of the site of No 64 Sea Lane but also that to achieve an acceptable solution, a more sympathetic design should be introduced taking into account the comments from the local neighbourhood.

Relevant legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides 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.

Planning Assessment

The main issues raised by this proposal are:-

- The principle of residential development including loss of community facility, housing need, dwelling mix and density
- Impact on amenity of neighbours and amenity of new dwelling occupiers
- Quality of the design and impact on local character and townscape
- Parking and access arrangements
- Other environmental impacts

The Planning Acts require the application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Core Strategy, including Worthing Saved Local Plan policies, comprises the Development Plan here but the Government has accorded the National Planning Policy Framework considerable status as a material consideration which can outweigh the Development Plan's provisions where such plan policies are out of date; or silent on the relevant matter or at variance with the National Planning Policy Framework.

The Council's self-assessment of the Core Strategy's Conformity with the National Planning Policy Framework demonstrated that, in many respects, the Council's key Development Plan conforms closely to the key aims and objectives of the Framework. However, it is acknowledged that in response to the requirements of the Framework and informed by local evidence it is clear that the Council needs to assess the housing delivery strategy set out in the current Development Plan. Work is currently being progressed to address this.

As such the proposal should be principally assessed against saved Worthing Local Plan Policies H18; BE25, TR9, and RES7, Core Strategy Policies 7, 8, 9, 11, 13, 14, 15, 16, 17 and 19; the National Planning Policy Framework and allied Practice Guidance; Worthing Borough Council Supplementary Planning Document on residential space standards and residential development in accordance with the above.

The principle of residential redevelopment including loss of community facility, housing need, dwelling mix and density

As a community facility, the loss of the chiropractors currently operating from Beach House is regrettable and is resisted under Core Strategy policy 11 in circumstances where there is an unmet need. However, it is noted that the property was in residential use up to relatively recently and the principle of re-conversion to residential use was accepted under the recent 2008 planning permission. The surgery previously operating from the premises has subsequently relocated to Sea Place and it is reported that the current incumbent chiropractor's lease expires in December 2014 and that the clinic intends to relocate within the locality and has sought to identify and agree terms with more suitable premises. On this basis the loss of premises is acceptable.

Turning to the principle of residential use, the development of this windfall site would make a welcome, if small, contribution to the town housing provision and play its part in helping sustain economic recovery. However, given the small size of the proposal, it is not critical to the delivery of the Core Strategy's current housing targets, even against the background of the proposed Plan Review.

The broad location is acceptable in an established residential suburb within the urban area, albeit peripheral, and supported by necessary infrastructure.

The development itself is on part greenfield land (i.e. soft landscaped parts of the grounds), and part on brownfield element (i.e. Beach House and garage and hard surfaced car parks).

The principle of development on the brownfield land element plainly accords with planning policy which assigns such sustainably located land as a priority for residential development.

By the same token, clearly, the greenfield land is also sustainably located but the acceptability of the loss of this area also hinges on the importance of the land in question as an environmental resource/green infrastructure. Here it is noted that the grounds do form part of a moderately large stretch of green space composed of domestic gardens but these have no special scenic, strategic or special wildlife value. Importantly, a large area of soft landscaping would remain and the continuity of the stretch not significantly diminished. Whilst a number of mature trees covered by Tree Preservation Order trees are to be felled, this is compensated for by replacement planting. The adjacent Environmental Area of Special Character is not directly affected.

The principle of residential development was, of course, accepted in 2008 under Planning permission WB/08/0235/FULL, and, though this consent has expired, it is still material.

These factors all point towards the principle of residential development on part greenfield land here being acceptable.

The form and mix of the development accords with Core Strategy Policy 8 which lends support for provision of additional dwellings where they comprise limited infilling by predominantly family housing within suburban areas. The fact that the scheme would enjoy a strong public frontage and is designed as a small cul de sac rather than a wholly backland development also conforms with the preferred approach of the Residential Development Supplementary Planning Document.

The density is low at 26 dwellings per hectare but the development still makes efficient use of the site in terms of site coverage and habitable rooms and is at /close to the margins of acceptability in its present form. A more dense development would be out of keeping with the character of the area.

The proposal meets the requirements of adopted Supplementary Planning Document on residential space standards in terms of floorspace and garden size.

As such, the proposal conforms with the adopted spatial strategy and meets the broad tests for sustainable development in the National Planning Policy Framework (National Planning Policy Framework) and accordingly, otherwise, enjoys the presumption in favour of such development in the National Planning Policy Framework.

However, the acceptability of any particular scheme depends upon its specific circumstances, which are considered below.

Quality of the design and impact on the character and appearance of the area

This is an attractive residential suburb with its own character derived for the most part, from the scale, layout and greenness of the suburb and prevailing period, domestic, architectural style, though it is not entirely homogenous.

Nonetheless, this part of Sea Lane is not a Conservation Area, nor Beach House statutorily listed. The only relevant special designations are; firstly, the dual carriageway and verge of Sea Lane which is designated an Environmental Area of Special Character under Saved Local Plan Policy BE25; secondly, Beach House's designation as a non-statutory, Local Interest Building; and, thirdly, the Tree Preservation Orders on the property. These designations have due weight but, in the main, the proposal falls to be assessed under Core Strategy policy 16 and the National Planning Policy Framework.

In terms of layout/form, the proposed small courtyard/cul de sac is untypical of the immediate area but is an established suburban form which is appropriate for this shaped site and integrates well into the pattern and character of development. A strong street frontage is maintained, and, whilst it would be preferable to stagger plot 2 slightly behind Beach House and less forward of No 60, the building line is generally respected.

Importantly, the distinguished Beach House (Heritage Asset) is retained as the signature building on the site. Indeed, the unsympathetic side conservatory is removed and the decorative flank bays fully exposed, creating added visual interest. Adequate breathing space around the building is kept and the attractive front flint wall retained.

Following negotiations to remove the third storey to plot 2, the scale, footprint and spacing of the new houses is sympathetic to the streetscene. Views to plots 3 and 4 at the rear are more limited but the central vista formed by the access road is successfully closed by these houses and with a welcome flourish in the form of the cuboid oriel window to plot 3.

The rear courtyard is not cramped, and, together with the vehicular access, laid out in attractive block paving and helps domesticize the scene.

Whilst several trees and bushes are lost overall, the verdant character of the forecourt is, nonetheless, kept by retention of many of the key trees, and new and replacement planting. The loss of the preserved trees is regrettable but their public amenity value is not so great that it outweighs the aggregate benefits.

Although adjacent to an Environmental Area of Special Character, it is clear from the description of the Sea Lane designation in Appendix 6 of the Local Plan, that its designation as a *Street of character (is) limited in area to highway width (and its) character stems solely from dual carriageway alignment with retained mature trees which flanked original lane and formed original boundary of Goring Hall estate.* As such, whilst Saved Local Plan Policy BE25 indicates *All development within an Environmental Area of Special Character, as shown on the Proposals Map, will be required to reflect the particular character of the area concerned. Development which would adversely affect existing features which contribute to that character will not be permitted,* no adverse effect would result from the relatively minor proposed works to the actual highway. Nor would the character of the plot's street frontage be changed to the extent that it affected the setting of the Environmental Area of Special Character.

To this extent, the layout and scale display a sense of place and contribute to the character of the area.

Although contemporary, the architectural style of the new houses is inspired by the interwar, International style, exemplified by Le Corbusier's Villa Savoye. This is clearly at odds with much of the prevailing, domestic style in the suburb and deeply unpopular with the many objectors. However, the style has its own aesthetic merit and can honestly draw upon elements of local vernacular in the art deco features a number of nearby houses possess as well as the precedents, not too far away, of other modernist-inspired new residential developments such as Vista Mare at Western Drive; Aurora at Eirene Ave; and Blue Waters Ferring.

In the context of the site and the proposed layout and with the signature Beach House retained, this style is not considered incompatible with the character of the area. Indeed, through its quiet and uncomplicated form and sympathetic palette, it would complement and offset Beach House, adding surprise and interest. Arguably, it would enrich the street scene. The setting and architectural value of Beach House as a Heritage Asset would not be harmed.

The sustainable construction is welcome and the solar panels on the roof would not be obtrusive due to their siting and height and the new dwellings' parapets.

Even so, there may be scope for some further refinement in the scheme and discussions are ongoing. Any further resultant changes will be reported to Committee.

It is important to note that, though planning policy seeks to reinforce local distinctiveness and following the local vernacular can often be critical to this, Core Strategy policy 16 indicates that *where appropriate, innovative or contemporary design will be welcomed.* Likewise, The National Planning Policy Framework advises that; *Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.*

This is underlined by the recent experience of the scheme to remodel a hipped roof art deco villa in a very prominent location nearby (30 Marine Drive) in a cuboid contemporary, modernist style not dissimilar in many ways to the current application, albeit on the seafront. This was allowed on appeal, the Inspector commenting;

There is no doubt that it would be striking and decidedly contemporary. It would break away from the more traditional dwellings which predominate on the Goring Hall Estate. However, the area is not a Conservation Area nor is it protected by any bespoke local policy and I have come to the view that the scheme would not harm the character of the area but would enliven it. There are a number of less traditional house designs along the Goring and Worthing seafront (or close thereto) including various modernist and art deco style buildings. Seeing contemporary flat roofed properties in conjunction with pitched roof properties is becoming more common and in fact this particular development would be seen in part against the two storey flat-roofed element of no.4 Arlington Avenue. Whilst it is proper to seek to promote or reinforce local distinctiveness, in this case the diversity of house designs (which include houses with flat roof elements) and the fact that distinctiveness is often gleaned from interesting individual villas along or near seafronts leads me to conclude that this particularly innovative scheme should not be stifled.

The impact on the amenities of neighbouring occupiers

The site is not large but the scheme has been sensitively designed to try and minimise impacts.

The three properties most potentially affected are the house at No 60 Sea Lane to the south and the bungalows at 9 and 10 Sandown Close to the east.

Whilst Plot 2 sits forward of No 60, the nearest part of plot 2 is actually single storey and the ground floor of No 60 is, at this point, a garage and the only north facing window in the, otherwise blank, northern flank of No 60 serves the garage/utility area. Plot 2 is also north of No 60 and set back from No 60 by over 2 ms. There are no windows in the facing southern flank of Plot 2.

Plot 3 is adjacent to the back garden of No 60 but the closest element is single storey and set off the common boundary by around 2 ms whilst the two storey element is set back around 7 ms. There are no windows in the south facing elevation of Plot 3, and, although a couple of existing trees close to the boundary would be felled, replacement screen planting is proposed. The parking area for plot 3 is on the north side of this house and in undercroft form, and so, remote from No 60.

In these circumstances, no unacceptable harm to the outlook, privacy or natural light or quiet of No 60 would result

Plot 3 drops down to single storey at the rear and this part is just under 7 ms from the common boundary with 9 Sandown Close at its nearest point and around 15 ms from the bungalow itself. The upper storey of plot 3 is set back further and a separation distance of between 16.5 and 21ms is achieved between it and the

bungalow. There are east facing windows on the upper floor of plot 3. However, the closest window has, by negotiation, been angled away to look NW, away from the sensitive areas of the garden and bungalow and views to the garden from the other upper floor windows would be effectively screened by No 9's large shed located next to the common boundary. The current boundary trees/shrubs would be lost but replaced with screen planting in the form of a hedge and 3 semi mature trees.

No unacceptable impact on privacy, natural light or quiet for No 9 would ensue. Some loss of outlook would certainly occur until the screen planting had fully established, even given the relatively low height of plot 3 for a two storey building (at around 12 ms), white render finish of plot 2 and the fact that plot's footprint/orientation means its falls way from No 9. On balance, however, this is acceptable. The screen planting may be secured by condition.

The impact on No 10 Sandown Close would be still less as a result of the separation distance of 21 ms at the closest; the orientation of No 9 and its layout and fenestration and the retention of the existing screen planting.

Parking and access arrangements

The site is in an outer suburb but reasonably sustainably located, less than 500 ms to the Mulberry Neighbourhood Shopping centre and a similar distance to nursery and primary schools and church and is served by bus No 8 and the seafront is around 300ms away.

The vehicular access is slightly resited but the Highway Authority raises no objections and the parking provision at two spaces per dwelling is adequate to meet demand, bearing in mind the long street frontage provides space for additional visitor parking as necessary. Cycle parking may be customised to meet future occupiers own requirements.

Other environmental impacts

The loss of several trees is regrettable. However, replacement planting at the front would help compensate for the loss of one of the Judas trees and the pine tree and the trees lost at the rear are of indifferent quality or dead, unprotected in themselves and replaced by new planting.

The site is not in a flood risk area and sustainable drainage may be secured by condition.

A land contamination condition is required.

Comparisons with previous schemes

Whilst the test of the current application is whether it is acceptable in itself, comparisons with the 2008 (lapsed) consented scheme for 7 flats are inevitable.

Both the site coverage and the overall gross floorspace were larger in the previous scheme. In terms of perception of scale of development, it is noted that the

previous scheme was arranged as a short terrace, doglegging from the rear of Beach House and across almost the full width of the site – a form untypical of the area. The southern end of the terrace accordingly was sited alongside much of the garden of No 60. The previously consented scheme was also taller as a result of the hipped roof form and ran its service road along the boundary with No 60. Its large car parking area (11 spaces), was sited adjacent to the rear gardens of Nos 9 and 10 Sandown Close. The previous scheme was in period style to blend in with Beach House and the terrace set back to try and minimise impacts on its setting, though it was physically attached. The previous scheme provided 7 x one bedroom (each with study).

Conclusions

The principle of residential development has long been established here and the loss of the chiropractors is acceptable. The proposal makes efficient use of this reasonably sustainably sited site and meets a recognised need for family housing. The scale and layout is respectful of local character, and, whilst the architectural style contrasts with much of the local vernacular, it would complement the townscape. Some neighbour amenity impact is inevitable but, on balance, the scheme is acceptable. Access and parking are satisfactory.

Recommendation

Grant planning permission subject to the following conditions

1. Implement within 3 years
2. Built in accordance with approved
3. No new windows in flank or rear elevation upper floors or roof of new dwellings and proposed upper floor flank windows to be obscure glazed
- 4.. No development until site management plan approved including siting of plant, materials and parking; dust suppression; and site waste disposal.
5. No dwelling hereby occupied until the allied garden and parking areas have been provided.
6. No dwelling occupied unless and until surface water drainage details agreed and implemented.
7. The vehicular access to be surfaced, designed, laid out and constructed with visibility splays; sight lines turning areas and lighting in accordance with agreed plans before any new dwelling is occupied.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), no dwelling shall be extended or altered in any way or new outbuilding erected over 5 cubic metres in size.
9. Compliance with ecological protection plan.
10. No occupation unless and until agreed details of boundary and hard landscaping plans implemented and agreed details soft landscaping implemented within first planting season after first occupation and retained trees protected and landscaping retained and replaced as necessary.
11. Approve facing materials and architectural details prior to implementation and build in accordance with approval.

12. Agree details of siting and design of domestic waste storage and access for refuse collection vehicles and provision thereof.
13. No construction works outside of 8am to 6pm Monday to Friday and 9am to 1pm Saturday and no working on public holidays
14. Approve details of lighting
15. Land contamination study/remediation as required agreed prior to commencement of development and implemented.

Background Papers

Observations of the Environmental Health Officer

Observations by the Highway Authority

Representations by Members of the public

7th January 2015

Application Number: AWDM/1446/14

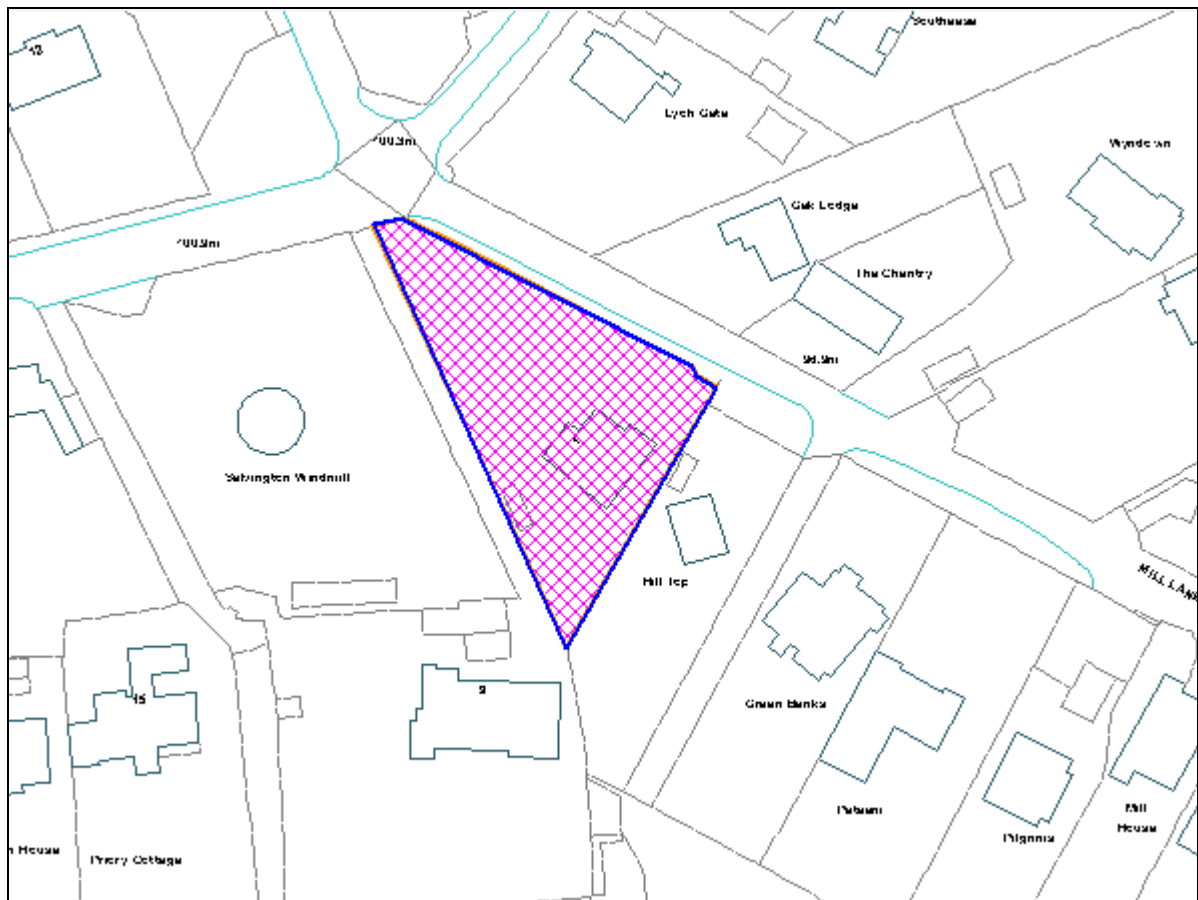
Recommendation – Approve

Site: 1 Furze Road, Worthing, West Sussex BN13 3BP

Proposal: Change of use from 2 no. flats to single dwelling. Erection of detached two and a half bay garage to north of house, porch on north west side and single storey extension to south west side.

Applicant: Mr Paul Meredith
Case Officer: Gary Peck

Ward: Salvington



Not to Scale

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Proposal, Site and Surroundings

This application seeks the change of use of no 1 Furze Road from 2 flats to a single dwelling and the erection of a detached garage to the north of the property, a porch on north west side and single storey extension to south west side.

Works began on site during December: they are unlikely to be completed by the time of the application, so the application is part retrospective. The applicant is aware that the works so far have been carried out at his own risk. Members will be updated with the latest situation verbally at the meeting.

The proposed porch would be pitched roof with an oak frame. The proposed single storey extension would replace, albeit on a bigger footprint, an existing single storey extension which is of limited visual quality. Indeed, the property in general while attractively proportioned is in clear need of works to restore and enhance its appearance. One such example, while not requiring express permission, is a replacement of a window on the Mill Lane frontage, the existing window being a later insertion to the property of a different style and dimension to the original windows and quite clearly detracting from its visual appearance.

The proposed garage has been amended during the determination of the application. At the time of writing the base and lower walls had been constructed. As originally proposed, the garage would have been 3 bay, 2 bays of which would be open and 1 enclosed, 5.5 metres in height and 10.5 metres in length. Following discussion with officers, the garage was reduced to 2 and a half bay and its proposed height and length reduced to 4.8 metres and 8.8 metres respectively. The applicant also confirmed that Photinia Red Robin will be planted to screen the garaging from the road (some hedging has been removed to facilitate the construction of the garage).

The application site consists of a triangular shaped plot, orientated south-east to north-west. The site is at the eastern end of Furze Road and sits on its corner junction with Mill Lane. Although there is a pedestrian access from Furze Road, the vehicular access to the site is from Mill Lane.

The site is subject to Tree Preservation Orders on its western and eastern boundaries and also has a hedging to its boundaries, so it generally well screened with a semi-rural outlook typical of the area. The nearest residential properties are Hill Top, to the south-east in Mill Lane which sits very close to the mutual boundary at an angle with the subject property, and 9 Furze Road which is located to the south-west and is visible from the application site, but partly screened by the preserved trees on the western boundary.

To the west of the site is Salvington Windmill which is a Grade II listed building and because of the topography of the land, a key feature in the area. Because the subject property is set far back in its plot from Furze Road, there is a distance in excess of 30 metres between the property and the windmill and as both sit at an angle from each other, the nearest distance is taken from the respective corner plots of the buildings. The windmill is partly screened from the site by the existing preserved trees.

Relevant Planning History

There is no planning history relevant to the determination of the application.

Consultations

West Sussex County Council:

This application seeks the conversion of 1 Furze Road from 2 x 3 bed flats into 1 x 4+ bed dwelling. The site vehicular assessed is provided via Mill Lane which is a private street. Having consideration that this proposal is arguably less intensive than the existing use of the site and appropriate vehicle parking and turning facilities appear to be retained no objection would be raised from the highways authority.

I have inspected my records and the erection of the proposed garage, porch and extension does not interfere with the publically maintained highway.

No anticipated highway safety concerns.

Environmental Health:

No objection

Arboricultural Officer

Originally expressed concern that the proposed buildings were unnecessarily close to the Root Protection Areas of nearby trees, however, following a site inspection he has confirmed that the works were acceptable in terms of their impact upon the trees.

The Arboricultural Officer has also confirmed that the use of Photinia Red Robin would be fine for the intended purpose of screening the garage and indeed is a species that is often used for this type of screening.

Representations

High Salvington Windmill Trust:

Object to the development on the grounds of the impact the development may have on the workings of the windmill. Other developments around the site of the windmill have reduced the vital wind and there is now a limitation as to when the mill can produce flour.

High Salvington Residents Association

Agree with the comments of the Windmill Trust. The development, especially the tall triple garage, would result in a reduction in the remaining wind flow thereby rendering the windmill inoperable. The loss of this highly important amenity would permanently destroy the character of the area.

27 letters of objection have been received, and 1 letter re-iterating an objection once it became clear that work had commenced, on the following grounds:

- the proposed garaging is unnecessarily high and close to Mill Lane
- would adversely affect wind flow to the windmill thereby severely limiting its ability to operate
- previous developments have already reduced the amount of wind flow around the mill and this would be worsened by the proposed development
- the windmill is a local feature of national importance
- contrary to policy that seeks to protect historic and certain other buildings
- the development would result in a loss of view of the windmill from neighbouring properties and Mill Lane
- as work has already commenced on site, concern was raised that a builder's vehicles had blocked the lane on a number of occasions
- commencement of work had resulted in a situation that was dangerous and hazardous
- the garage was of a scale and type of construction that it could be converted into a dwelling later
- work should have been stopped immediately upon construction

The following letter has been received from a mill owner asked to comment on this application (and AWDM/1342/14) by the Society for the Protection of Ancient Buildings (SPAB) :-

".....I am a mill owner myself and have worked on other such cases for SPAB. In particular, I've used the methodology developed in Holland for estimating the effect of buildings on the wind supply to windmills. I have applied this method to my own mill, where I estimate there has been a 75% reduction in available milling time due to the surrounding housing estates, which have been built since 1930 when the mill ceased working. I have looked at both applications, in particular using Google Earth to examine the environs of the mill to see what additional impact both applications might have on the ability of the mill to work....."

I do not think that either development would have a substantive effect on the mill. I gather from Jon that the applicants at 1 Furze Road may have to remove trees in order to implement their plan. In my view, this would benefit the mill to a far greater degree than any wind loss due to the new work.

High Salvington Mill was originally built in open countryside which has now been severely encroached by suburban buildings. The effect of such buildings on the wind supply is to effectively raise the wind 'boundary layer' (the layer in which wind is slowed by contact with the ground) by the height of the roofs - in effect burying the mill to this depth. The wind speed increases with height, so that the result of raising the boundary layer is to slow down the wind speed at any level near the ground, Since a mill requires a minimum window speed in which to operate the end result is to reduce the number of days in the year when the wind reaches sufficient strength to operate the Mill.

High Salvington is a low Post Mill its sails coming close to the ground, so that even a slight lifting of the boundary layer has a big effect. The surrounding houses reach close to the shaft height of the sails so that around half the wind is lost entirely, and

the remaining exposed parts of the sails are operating in a much reduced window speed.

In High Salvington the damage has already been done by past development, but I would urge you to consider setting restrictions upon any future near development in the neighbourhood of the mill particularly preventing any raising of rooflines.”

Relevant Planning Policies and Guidance

Saved Local Plan policies (WBC 2003): H16, H18

Worthing Core Strategy (WBC 2011): 16

National Planning Policy Framework (CLG 2012)

Planning Practice Guidance (CLG 2014)

Retrospective Application for Planning Permission

The Committee may grant planning permission for development carried out before the date of the application in accordance with Section 73A of the Town and Country Planning Act 1990 (as amended).

Save that the development will have already commenced, this is a conventional planning application, and the Committee should consider the planning circumstances existing at the time of the decision in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides 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.

Planning Assessment

It is considered that the key issues in the determination of this application are i) the effect of the development upon the character and appearance of the area and ii) the impact upon Salvington Windmill

It is clearly frustrating that work has commenced on this proposal prior to the application being considered by the Committee. The applicant was advised that any works carried out were at his own risk; however he wished to proceed, albeit he has responded to officers concerns regarding the height of the proposed garage and its screening from the road by submitting amended plans during the course of the determination of the application.

Members are reminded that the fact works have commenced in advance of consideration of the application by the Committee should not influence their decision either positively or negatively to the proposal and that the application should be considered solely on its planning merits.

In principle, there is no objection to the proposal. The reversion back to a single house from 2 flats would allow a family sized unit to be created of which there is an acknowledged shortage in Worthing. Furthermore, the building has become neglected over recent years and cannot be said to befit its attractive location. Works that would improve the appearance of the property therefore are to be welcomed.

The porch to the north western side of the property is the least contentious part of the application. The north western side of the property did not have an external porch previously and this elevation of the property would be enhanced by the proposal and therefore no objection is raised.

The single storey side extension proposed on the south western side of the building replaces a previous extension that was of little visual merit and quite clearly in need of replacement. The new single storey extension would be larger but more in keeping with its surroundings. The main concern was any impact upon the preserved trees that sit along this boundary as they provide an effective screen to the neighbouring properties, 9 Furze Road and Hill Top, Mill Lane. An inspection of the site by the Arboricultural Officer confirmed that there would be no adverse structural impact upon the trees as a result of the construction of the extension, the footings for which were in at the time of the inspection. It does appear that some surgery works to branches which will overhang the extension may be required, but this would be the subject of a separate tree application.

In visual terms, the greatest impact is from the garage for which construction works have already begun. Your officers initial assessment of the site was actually made prior to works commencing and concluded that while the principle of a garage would be acceptable (the property not currently having one), the footprint needed to be reduced, the ridge height reduced and the screening to the boundary enhanced where necessary.

These concerns were conveyed to the applicant who, in starting the work, had indicated that the footprint of the garage would be reduced in any case. While a pitched roof to serve the garage would be natural to serve an oak framed garage with timber doors, it was considered that the pitch should be altered to reduce the height of the garage while still maintaining the ability to use attractive clay tiles. A reduction of height to less than 5 metres has therefore been submitted as an amendment to the application which your officers consider to be acceptable in principle.

However, your officers were concerned that in constructing the garage the screening to the road had been reduced. Although the applicant confirmed that it was always his intention to replace the screening, it was considered necessary to require the precise details of such screening before any recommendation could be made on the application. The applicant sought advice from an arboretum regarding an appropriate type of screening and has confirmed that Photinia Red Robin will be

used, which is often planted as a specimen shrub or fast growing hedge. The Arboricultural Officer has confirmed that this will provide a suitable screen.

Subject to the planting taking place, therefore, it is considered that the impact upon the street scene will be acceptable and consequently the impact upon the most affected neighbouring property, Oak Lodge which is situated opposite. This particular property has its own preserved tree in its front garden and this in addition to the proposed planting would result in the impact of the garage being acceptable.

The impact upon Salvington Windmill, a grade II listed building, is also of material importance to the application. Normal considerations regarding a listed building would focus on its setting. The nearest point between the house and the windmill is 30 metres but the distance to the proposed garage is in excess of 40 metres and to the single storey extension about 35 metres. Because of the number of preserved trees on the boundaries of the site, and with confirmation from the Arboricultural Officer that these will not be adversely affected as a result of the proposal, it is considered that the proposal will not adversely affect the setting of the windmill whose visibility from within the site is often limited as a result of the trees.

From representations received, it is clear that as well as the setting of the listed building, the impact upon wind flow needs to be considered. Similar points have been raised in respect of another application on the agenda at 15 Furze Road.

The representation from a windmill owner is considered pertinent to the determination of the application. He states that he does not consider the development would have a substantive impact upon the mill and that in fact the preserved trees have a far greater impact on reducing air flow around it. On this basis, your officers consider it would not be possible to resist this application for the reasons of the impact upon the air flow around the building.

The letter goes on to say that while damage has already been done by past development, the Council may wish to look at further restrictions on surrounding development for example preventing the raising of any rooflines. While the proposed garage represents a new roofline, it is quite clearly some distance below the ridge height of the existing properties and the surrounding preserved trees. It is appreciated that a number of valid concerns have been raised about the windmill during the consultation process for this application and number 15 Furze Road, but the issues they raise appear to be much wider and not matters which could be used on a specific basis to refuse the current application.

Officers have also had regard to the comments of the Building Research Establishment (BRE) Wind Engineering section in connection with a previous proposal at No 15 Furze Road in 1991. In its consultation response the BRE stated that it is generally considered that the effect of a building only extends for approximately four times its height. In this instance given the height of the garage (4.8 metres) and the distance from the windmill (over 40 metres) the previous comments of BRE support the fact that the development would not have a significant impact on the operation of the windmill.

Concentrating on the planning merits of the proposal, it is considered that the application is acceptable subject to the amendments and additional planting secured during the application process.

Recommendation

To GRANT permission subject to the following conditions:

1. Full Permission
2. Agreement of materials
3. Agreement of landscaping details and specifically use of Photinia Red Robin to Mill Lane
4. Development in accordance with approved plans

7th January 2015

Application Number: AWDM/1342/14

Recommendation – APPROVE

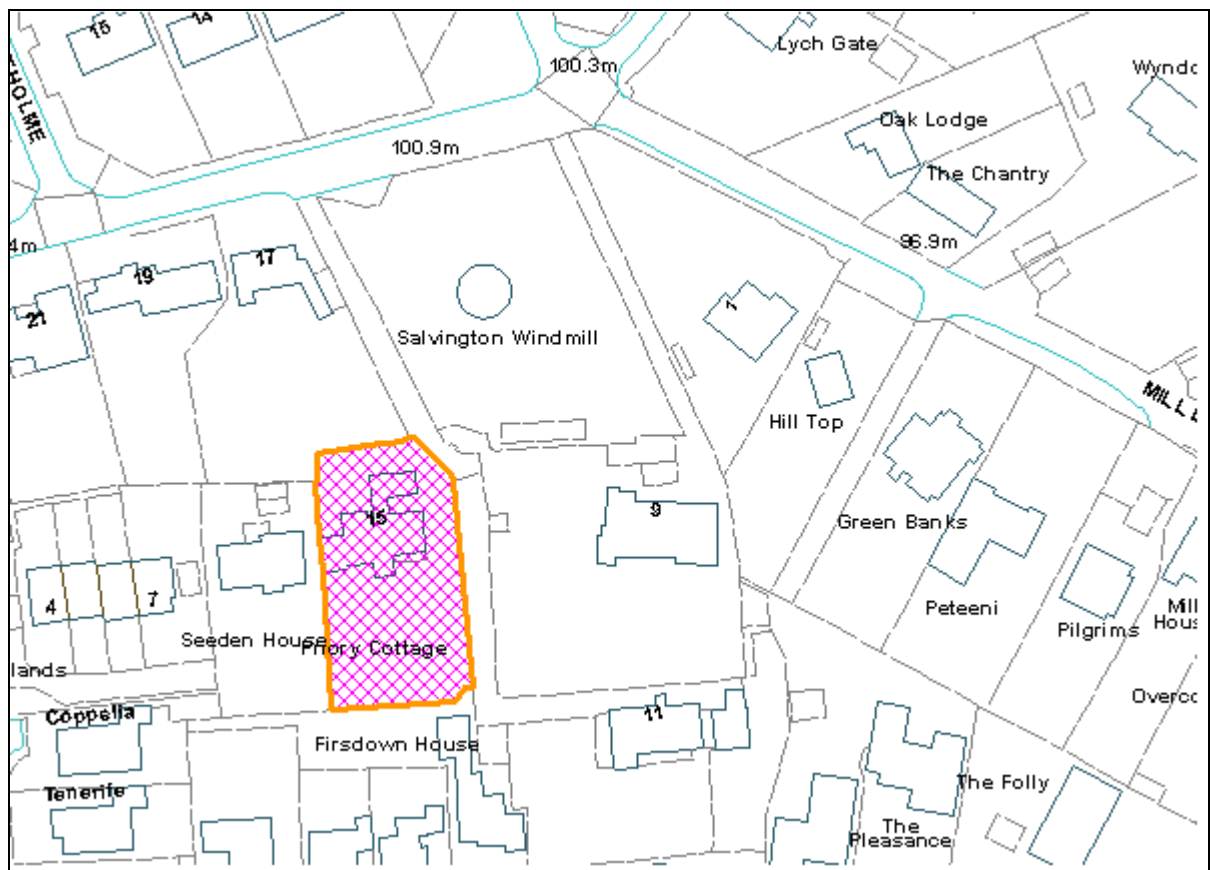
Site: 15 Furze Road Worthing West Sussex BN13 3BP

Proposal: Roof enlargements involving increase in height of roof, part-hipped side gable on east side, front dormer with Juliette balcony, 2 rear dormers, new roof over existing rear dormer, front rooflight, plus new porch on west side (Revisions to AWDM/0801/13)

Applicant: Mr And Mrs Andrew Hunt

Ward: Salvington

Case Officer: Jo Morin



Not to Scale

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Site and Surroundings

The application property comprises an older detached house previously enlarged by single-storey extensions linking the dwelling to a former detached garage at the rear (north), and rooms in the roof, occupying a 'backland' position, accessed via a

private drive, to the south of Furze Road. It is sited close to the brow of Salvington Hill and surrounding ground levels slope down to the south. Salvington Windmill, a grade II Listed Building, lies approximately 30 metres to the north-east.

The existing dwelling consists primarily of ground-floor accommodation with a partial first-floor within the roof to the west side. Permission is sought to provide additional rooms in a new roof to be created by raising the existing ridge by 1.6 metres with a part hipped gable to the east side. It is proposed to 'cap' the existing flat-roofed dormer on the rear elevation with a pitched-roof, plus 2 additional pitched roof dormers. A single large dormer 'breaking through' new raised eaves is proposed on the front (south) elevation incorporating French doors and a Juliette balcony. A Velux 'conservation-type' roof light is proposed on the front roof slope.

The current application is an amendment under S73 (of the Act) to an earlier permission granted in 2013 for a very similar development (AWDM/0801/13 refers). The main changes sought as part of the current application involve increasing the height and width of the proposed front dormer by approximately 0.3 metres and re-positioning it 1 metre eastwards on the front roof slope; re-positioning the chimney stack on the rear roof slope (rather than straddling the ridge as previously approved); insertion of an obscurely-glazed north-facing window (serving a bathroom) within the existing rear dormer and altering the roof of the latter to create fully pitched roof; and external cladding of the first-floor elevations in black, horizontal 'Cedral' weatherboarding in place of the existing 'Mock Tudor' detailing.

Seeden House, a modern, detached 2-storey house is located to the west of the application property, accessed from the same private lane off Furze Road. No.17, a detached, 2-storey house is sited to the north and west of the application property, fronting Furze Road.

The applicant has written in support of the application:

"As owners of Priory Cottage and as High Salvington residents for over 10 years, my wife and children, we have a deep-rooted love of this area. In particular we are delighted to be close to the South Downs and the splendid post windmill which Tom and his team do a great job of preserving. During our 10 years in the area we have supported each of the windmill summer open days and bring many friends and family to the Christmas carol concerts. I mention this to demonstrate that my family, the Windmill Trust and High Salvington Residents Association have aligned goals. I wish to make a professional and highly sympathetic enhancement to not only my home, but this beautiful and unique corner of Worthing. We have rejected previous extension designs which would comply with Permitted Development Guidelines on the basis they are ugly and would devalue the immediate area. Having studied Environmental Engineering at Leeds University in particular coastal erosion patterns caused by wind and tide I feel certain that increasing the ridge height of one property to the south west of the windmill will have no deleterious effect on the windmills capacity to turn on a handful of occasions per year. Keeping in mind that the windmill has the capability to turn to point in any prevailing window I trust all views will be taken into account in arriving at a decision and upholding the process that began under AWDM/0801/13. Let us jointly reserve and enhance this unique area for our families and visitor to enjoy for many more years to come."

Relevant Planning History

Planning permission was granted in October 2013 for a roof enlargement involving an increase in the height of the roof with barn end gable to east side, two rear dormers, front dormer with Juliette balcony and roof lights (AWDM/0801/13 refers).

Representations: 3 objections have been received raising the following concerns:-

- The proposal will have a detrimental impact on the setting and viability of the adjacent Grade II Listed Salvington Windmill.
- In granting the earlier permission in 2013, no balanced assessment was carried out as to the effect of the proposals on the neighbouring heritage asset in accordance with the required procedure and the decision is flawed in law. The NPPF states that applications which harm the significance of a heritage asset should only be permitted where there is clear public benefit which cannot be achieved by less harmful means. The application should not be permitted in the absence of a full appraisal of the proposal visual and physical effect on the adjacent listed building.
- It is not relevant whether or not the windmill is worked on a few occasions per year. An increase in the ridge height would reduce the working capability of the windmill still further, harming its significance as one of the few workable post mills in the country.
- A similar proposal made in 1990 was not determined, and was approved only in an amended form which did not involve raising the roof of the property.
- The Windmill is a rare and precious working mill that fascinates, educates and delights and is important for local heritage. A lack of wind would cause it to become a museum piece;
- Due to past development it is only possible to use the mill for grinding when the wind comes from the south west - being the predominantly wind direction – or the north east. The application property is directly in its way.

High Salvington Residents Association object to the proposed development due to the increase in roof height which will cause loss of wind affecting the Windmill, leaving it a non-working mill. In the event of such loss a much treasured amenity in High Salvington would be lost forever.

A strong objection has been received from High Salvington Windmill Board on the grounds that it will rob the Windmill of the little wind it currently uses and will make it impossible to retain the working mill status which is so proudly held.

3 representations in support of the application have been received from local residents commenting:-

- Having walked past the Windmill twice a day since 2003, taking children to the nearby School, it is apparent the Windmill only turns on approximately 8 occasions per year. The sails always face the same direction but have recently been turned to face No.15. Only 2 sails are used on the occasions that the Windmill is working.
- The Windmill may be fully working but is more often is solely being used as a tourist attraction on a bi-weekly basis on a Sunday from March to September;

whilst a well-liked local landmark it bring traffic and parking problems and local residents tolerate the inconvenience without complaint.

- The proposal is sympathetic to the Windmill in trying to match in with its surroundings and will add value to the property in the area.
- I would not support the proposal if I felt the ability of the Windmill to turn would be affected since as a direct neighbour I know people like to come and watch it in action. I am satisfied that it would not be affected as sometimes the Windmill turns with just 2 of the 4 sails which indicates it is not sensitive to a small change in wind; the wind generally comes from a SWW direction and therefore the application property is not in the direct path of the general window direction; the properties and trees to the west of No.15 and the trees that line the lane leading to No.15 cause a greater loss of wind.
- The objections raised by the High Salvington Residents Association do not reflect the sentiments of every High Salvington resident.

The following letter has been received from a mill owner asked to comment on this application (and AWDM/1446/14) by the Society for the Protection of Ancient Buildings:-

“.....I am a mill owner myself and have worked on other such cases for SPAB. In particular, I've used the methodology developed in Holland for estimating the effect of buildings on the wind supply to windmills. I have applied this method to my own mill, where I estimate there has been a 75% reduction in available milling time due to the surrounding housing estates, which have been built since 1930 when the mill ceased working. I have looked at both applications, in particular using Google Earth to examine the environs of the mill to see what additional impact both applications might have on the ability of the mill to work.....”

In the case of 15 Furze Road the additional height of the building is very modest, and would not make a material change to the wind flow given the presence of so many other buildings around the site.

High Salvington Mill was originally built in open countryside which has now been severely encroached by suburban buildings. The effect of such buildings on the wind supply is to effectively raise the wind 'boundary layer' (the layer in which wind is slowed by contact with the ground) by the height of the roofs - in effect burying the mill to this depth. The wind speed increases with height, so that the result of raising the boundary layer is to slow down the wind speed at any level near the ground, Since a mill requires a minimum window speed in which to operate the end result is to reduce the number of days in the year when the wind reaches sufficient strength to operate the Mill.

High Salvington is a low Post Mill its sails coming close to the ground, so that even a slight lifting of the boundary layer has a big effect. The surrounding houses reach close to the shaft height of the sails so that around half the wind is lost entirely, and the remaining exposed parts of the sails are operating in a much reduced window speed.

In High Salvington the damage has already been done by past development, but I would urge you to consider setting restrictions upon any future near development in the neighbourhood of the mill particularly preventing any raising of rooflines.”

Relevant Planning Policies and Guidance

Worthing Core Strategy 2006-2026 (WBC 2011): Policy 16
Worthing Local Plan (2003): H16, H18
Design Guide ‘Extending or Altering Your Home’ (WBC)
National Planning Policy Framework (2012)
National Planning Policy Guidance (2014)

The Committee should consider the planning application in accordance with Section 73 of the Town and Country Planning Act 1990 (as amended) that applies to applications for planning permission without complying with conditions subject to which a previous planning permission was granted. The Committee should consider only the conditions subject to which permission should be granted, and either grant the application, or refuse it if they consider permission should only be granted subject to the same conditions as before.

Planning Assessment

Principle

Saved policy H16 of the Local Plan allows for extensions and alterations to dwellings providing the scale, design, materials and site coverage is satisfactory in relation to both the host dwelling and any predominant characteristics of adjoining properties or the area as a whole; would not adversely affect the appearance of the street scene and would not result in an unacceptable degree of overlooking or overshadowing of neighbouring property or have an overbearing effect.

Core Strategy policy 16 requires all new development to demonstrate good quality architectural and landscape design and use of materials and respond positively to the important aspects of local character. It states that the settlement structure, landscape features and buildings which represent the historic character of Worthing should be maintained; preserving and enhancing existing assets.

The current application under S73 seeks only a variation to the design and proposed external finishes of the extensions and alterations approved under AWDM/0801/13. The extant permission is therefore the most significant material consideration in the determination of the current application.

Visual amenity

The neighbouring house to the west, Seeden House, dates from the early 1990s and is full 2-storeys in height with a large hipped roof. As previously approved under AWDM/0801/13, the proposed raised roof ridge would be of a similar overall height to that of Seeden House and would not appear out of place. The proposed 2 no. pitched-roof dormers on the north elevation are relatively modest in width at 1.5m each and would not appear excessively large or bulky seen against the enlarged

mass of the new roof. The formation of a fully pitched roof (rather than the previously approved part pitched/part flat-roof) over the existing rear dormer is if anything a marginal improvement in design terms. On the other hand, the slight increase in height and width, and re-positioning of the front (south) dormer will result in a more ungainly feature and a less balanced composition than the earlier approved scheme. Given its 'backland' siting, the front (south) of the property is not perceptible in views from Furze Road, but is visible from Firsdow Road through the gaps between the dwellings in that road, in view of its elevated position. Nevertheless, the front dormer is a relatively minor and although its proportions are considered less satisfactory than the earlier scheme it is considered refusal would not be justified on grounds of causing significant harm to the visual amenity of the area. The decorative 'Mock' Tudor boarding is a traditional detail on the front gables of the existing dwelling. Whether its substitution with horizontal 'Cedral' cladding is sympathetic to the character of the property is largely subjective and a matter of personal taste. However, the dwelling is not located within a Conservation Area and in other circumstances the application of external cladding would constitute 'permitted development'.

The use of bonnet 'hips' on the re-tiled roof can be secured as a condition of planning permission.

Residential amenity

Seeden House lies to the west and occupies a similar building line to the Priory Cottage. The main bulk of the proposed additions are to the east side of Priory Cottage furthest away from Seeden House, and it was previously considered would not have an overbearing or overshadowing effect on that property. The amendments the subject of the current application do not raise any additional impacts on Seeden House.

There is a distance of approximately 10 metres between the rear of the Priory Cottage and the rear boundary of No.17 Furze Road, located to the north and west, which is defined by hedging. Windows in the existing rear (north) gable face towards the rear of No.17. In granting the earlier permission it was concluded that views from the 2 no. proposed rear dormers would not be so direct, being slightly off-set to the east, as to result in an unacceptable loss of privacy for the occupiers of this dwelling. It is now proposed to insert a window in the north of the existing rear dormer. [Currently there is only a window in the east side of this dormer.] The proposed new window is shown as obscurely-glazed and in view of the overall separation distance in excess of 35 metres between these properties would not result in a loss of amenity for the occupier of No.17.

Effect on the Setting of Salvington Windmill

The current application has not been advertised as affecting the setting of a Listed Building. Salvington Windmill, a grade II Listed building dating from c.1700 occupies a roughly rectangular-shaped plot approximately 40 metres wide and 48 metres deep to the south side of Furze Road, on the brow of Salvington Hill. Private lanes run along the east and west sides of the Windmill site, serving a group of residential dwellings occupying a 'backland' position to the south of it, of which Priory Cottage

(No.15) is one. The Windmill is surrounded by residential dwellings on all sides, primarily consisting of detached individual style dwellings within reasonably spacious plots. The form of existing development is varied and includes both 2-storey dwellings and bungalows. Within this suburban setting the proposals for a domestic scaled extension to a dwelling sited some 30 metres south and west of the Windmill, would have no visual impact on the setting of Salvington Windmill.

A number of objections have been received citing that the proposed development would be physically harmful to the setting of the Windmill, being a designated heritage asset, by depriving it of wind and potentially causing it to become unworkable. The listing of Salvington Mill refers to the machinery of the Mill being in working order. An extract from a report (translated from its original Dutch) has been submitted by the Chairman of the Windmill Board, which sets out a formula for calculating the wind reduction affecting the sails of a windmill as a result of an obstacle in its path.

Reference is made to an earlier proposal for a first-floor extension to Priory Cottage in 1990, to which a similar objection concerning loss of wind power to Salvington Windmill was raised. At that time, an initial application was made for a first floor extension to the eastern element of Priory Cottage (WB/90/0878 refers) involving the formation of a new gable feature on the east side of the dwelling and taller in height than the existing roof ridge. Although that application was subsequently withdrawn by the applicant a consultation response from the BRE Wind Engineering (British Research Establishment) stated:-

“The power in the wind is proportional to the momentum of the air which, in turn, is proportional to the cross-sectional area multiplied by the velocity cubed. However, it is very difficult to determine the effect of the proposed extension to Priory Cottage on the wind velocity at the windmill. While work has been undertaken on the effect of shelter belts on wind velocity this is not strictly applicable to this case. This is because the proposed alteration is not similar to a wind break.

When meeting a solid obstruction, the wind separates and passes either side and over it. These separated flows then meet again at some distance downstream and the momentum loss in the wake is replenished by momentum from the surrounding wind. Once this occurs the obstruction effectively has no further influence. The effect on a fixed point downstream is further complicated because when blowing the wind is continually backing and veering through an angle of approximately 30 degrees.

While long windbreaks can have an effect on velocity for distances in excess of fifteen times their height, it is generally considered that the effect of a building only extends for approximately four times its height.

An estimate of the power loss which might be relevant for this case can be obtained from the research on the effect on the structural loads of the distance between two isolated buildings.

A power loss will occur from Priory Cottage and its neighbouring buildings irrespective of whether permission is given for the alteration. [Based on the

calculation given in 'The Designer's Guide to Wind Loading of Building Structures – Part 2 – Static Structures'] it is suggested the reduction in power resulting from the proposed alteration might be quantified as 15% of the resulting change in area. Because of the backing and veering of the wind, the change in area probably needs to be related to Priory Cottage and its immediate neighbouring building. [Assuming that the neighbouring building is of a similar size] the change in area affecting the power loss at the windmill will be approximately 5%. Priory Cottage is approximately 30 metres from Salvington Windmill and its height is approximately 7 metres therefore, the distance between them is approximately four times the height of the cottage. Consequently the theoretical power loss at the window resulting from the proposed alteration to Priory Cottage is likely to be approximately 15% of 5%, i.e. 0.8%.

In conclusion, I would suggest that taken in isolation the proposed alteration to Priory Cottage is unlikely to have a significant effect on wind power at Salvington Windmill. If anything, this effect will be a power loss which from the above argument might be 1% of that already happening. However, it will only occur when Priory Cottage is directly upwind of the windmill (this is likely to occur for approximately 15% of the time).

In response to the submission of the same report (the 'Dutch Report') by the then Windmill Trust, the author further comments:-

"The High Salvington Mill Trust seem to be basing their case solely on the statement in the translated paper –

"For mills with sails to the ground the rules are not valid in an area of 100 metres of the mill. In this area is no planting or building acceptable." [sic]

The paper implies that this statement is only valid when the approach terrain corresponds to Wieringa's 1977 classification of open terrain: flat land with only open vegetation (grass) and isolated thin obstacles – grazing land without windbreak, low-lying land. Much of the paper is devoted to considering the effect of different types of wind breaks and the effect of different types of approach terrain. Its conclusions include:-

- (a) a solid obstruction has less of a downstream effect than a porous obstruction;*
- (b) a solid obstruction has a more severe effect immediately behind the obstruction;*
- (c) the effect of an obstruction is dependent on the roughness of the approach terrain, decreasing as the roughness increases;*
- (d) the effect of an obstruction only extends upwards for twice its height.*

The paper derives an equation for taking some of the dependent parameters into account, although it states that it does not apply within 100 metres of windmills with sails to the ground.

Having read the paper I would suggest that it supports the conclusions drawn in [the earlier letter]. Namely considering the approach terrain is fairly rough and that the cross-sectional area increase associated with the proposed extension is

comparatively small, then there is unlikely to be a significant effect on wind speed at the mill for this one case to be taken in isolation.”

A subsequent application for a first-floor extension having an amended design (with a roof height lower than the existing roof ridge) was subsequently approved in 1991 (WB/91/0119 refers), but was not implemented. It is worth pointing out that the above response by the BRE Wind Engineering section to the initial application made in 1990 on grounds of wind reduction to the Windmill would not have supported refusal on this ground (had this earlier application not been withdrawn).

The objection raised to this latest application at Priory Cottage is based on the same ‘Dutch report’ submitted in 1990. Although the shape of the roof enlargement is different to the earlier proposal in 1990 (and that subsequently permitted in 1991), it would be difficult to arrive at a different conclusion other than that the proposed alterations, taken in isolation, would not have a material impact on wind supply to Salvington Windmill such as to affect significance as an important heritage asset.

Recommendation

APPROVE

Subject to Conditions:-

1. Standard 3 year time limit
2. Approved Plans
3. The external materials and finishes of the development hereby permitted, to include bonnet hips tiles, shall be completed to match in design, colour and texture those of the existing building unless otherwise approved in writing by the Local Planning Authority.

Application Number: AWDM/1412/14

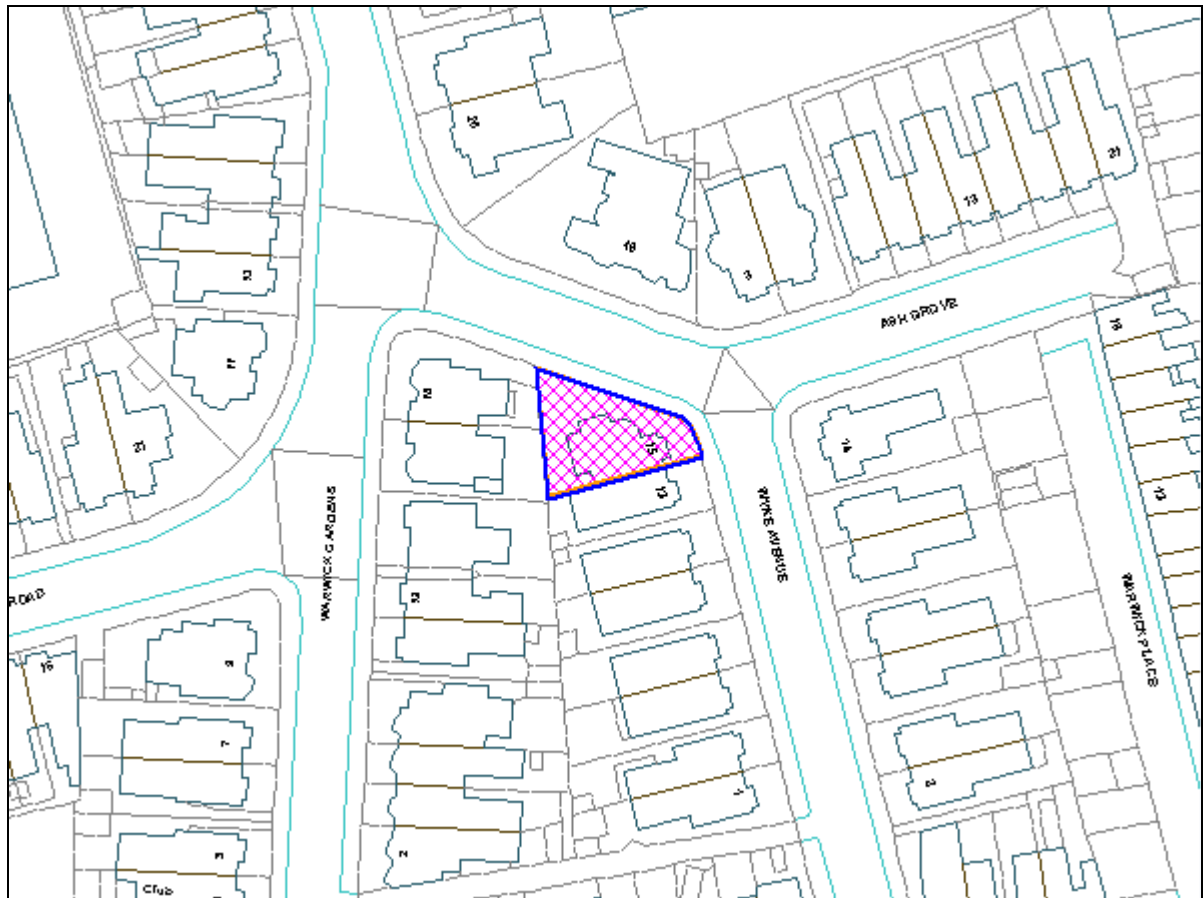
Recommendation – REFUSE

Site: 15 Wyke Avenue, Worthing, West Sussex BN11 1PB

Proposal: Retrospective application for trellis fixed to existing front garden wall on north/east boundaries

Applicant: Mr Jamie Dobson
Case Officer: Gary Peck

Ward: Central



Not to Scale

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Proposal, Site and Surroundings

This application seeks retrospective permission for the retention of a wooden trellis style fence attached to the top of an existing brick, stone and flint front boundary wall. The existing brick and stone wall is approximately 0.95 metres in height and the trellis fence 1 metre, making 1.95 metres in total. A solid close boarded fence has also been erected along the boundary with the neighbouring property to the south, 11 Wyke Avenue.

The application site is located within the Warwick Gardens Conservation Area where there is also an Article 4 Direction in place which removes permitted development rights for the erection of any new fences or walls. Since the trellis fence fronts a highway and together with the brick wall exceeds 1 metre, it would require planning permission in any case but the close boarded fence to the side also requires permission as a result of the Article 4 Direction.

The applicant has indicated that, if required, he could fix an artificial hedge to the fence to screen it (as the fence would still be in situ, permission is still required) but that his preference is to retain the fence as erected.

The application site is on a prominent corner site on the western side of Wyke Avenue and the southern side of Ash Grove and within the Warwick Gardens Conservation Area which contains generally Edwardian dwellings. Wyke Avenue consists largely of 2 storey semi-detached houses while Ash Grove has terraced properties at its eastern end and semi-detached and a single detached property closer to the application site.

The area is characterised by low walls to the front of the properties and in the immediate vicinity there have not been any fences constructed above these walls with any further boundary treatment most commonly provided by the planting of hedging some of which is a little overgrown on other properties.

Relevant Planning History

There is no planning history relevant to the determination of the application.

Consultations

The comments of the Conservation Area Advisory Group are awaited and will be reported verbally at the meeting.

Representations

7 letters of objection have been received (5 from residents in Wyke Avenue, 1 in Ash Grove and a former member of the Conservation Area Advisory Committee) on the following grounds:

- fence is not in keeping with the area
- is an eyesore
- loss of light to adjoining neighbour
- does not provide security or privacy anyway as gate and driveway left unsecure
- abrupt and harsh when compared to surrounds
- contravenes Conservation Area policy

22 letters of support have been received (3 from residents in Wyke Avenue, 6 from other addresses in Worthing, and others from Emsworth, East Molesey, Surbiton, Croydon (2), Newton Abbot, Waterlooville, Epsom, Hastings, London (2), New Malden and Woodmansterne) on the following grounds:

- fence is much tidier than hedging in the area and does not obstruct the highway
- fence has no adverse impact upon the character of the area
- is well constructed
- prevents litter
- innovative design
- ugly developments in the vicinity at the Thai Restaurant at the entrance to Wyke Avenue have been ignored

Relevant Planning Policies and Guidance

Saved Local Plan policies (WBC 2003): H16, H18

Worthing Core Strategy (WBC 2011): 16

National Planning Policy Framework (CLG 2012)

Planning Practice Guidance (CLG 2014)

The Committee should consider the planning application in accordance with: Section 70 of the Town and Country Planning Act 1990 (as amended) that provides 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.

Planning Assessment

It is considered that the main issues in the determination of the application are the effect of the proposal upon the character of the Warwick Gardens Conservation Area and the amenities of neighbouring properties and whether there are any material considerations that override normal planning policy considerations.

The Council's Conservation Area guide to the Warwick Gardens Conservation Area states:

Warwick Gardens Conservation Area is a small area of Edwardian dwellings which are of good quality and largely unspoilt. The buildings are not grand, but they exhibit numerous features of Edwardian house design in a consistent group. Edwardian domestic architecture evolved from a more formal Victorian style. Typically the Edwardian buildings are characterised by ornamental brickwork and tiling, ornate gables, finials, turrets, balconies and bays, and a use of stained and etched glazing. All the buildings in the Conservation Area are of the same very narrow period except No. 16 Wyke Avenue. None have been extensively redeveloped, and many original features are still evident. Important characteristics of these streets are:

- a rigid building line

- two-storey dwellings, either semi-detached or terraced, (although 41-47 Warwick Gardens have three-storeys)
- pitched natural slate roofs
- brick elevations
- brick and boulder flint boundary walls

The guide goes on to say that future enhancement should include:

- Maintain, and reinstate where necessary, the brick and field flint boundary walls and the plain brick walls (eg. the brown brick wall at the east end of Ash Grove).
- Maintain the lime trees in the pavement. Plant more of similar type and manage them to achieve the same grown-out-pollard effect.
- Retain the tree screening the garage at the east end of Ash Grove - or demolish the garage.
- Encourage frontage planting.

It is evident from the guide above that the area is considered as relatively unspoilt and that the existing boundary walls form part of the character. It is also noted that frontage planting is encouraged by the guide as an enhancement. The unspoilt nature of the area is perhaps evidence by the fact that there have been very few recent planning applications in the Wyke Avenue/Ash Grove area with the vast majority of those that have been received relating to required tree works which require permission because of the site's location within the Conservation Area.

It is quite clear, therefore, that the fence is not a typical feature in the area. The majority of the surrounding properties, especially the terraces to the east in Ash Grove, have completely open frontages with low walls in front, typical of this style of Edwardian property. Where frontages are enclosed, this has been done by hedging and while it is acknowledged, as stated in some of the representations in support of the application, that some of the hedging is slightly overgrown, the over-riding impression is that such hedging contributes to the visual character of the area as acknowledged by the Conservation Area guide. It is not considered that any overgrown hedging, the adverse effects, if any, of which are to overhang the pavement which is a responsibility of the County Council, could act as a justification for erecting fencing in its place.

In light of the character of the area, the fence is considered unacceptable in visual terms. The application site is prominently located on the corner of Wyke Avenue and Ash Grove. From the eastern end of Ash Grove it effectively frames the vista at the end of the street in a westerly direction where otherwise low walls, trees and hedging dominate. It is also visible from a southerly direction partly because of the nature of the close boarded fence that has been erected on the southern boundary with number 11 and can be considered to be even more out of keeping than the trellis style fence to the front of the site.

Your Officers conclude, therefore, that in policy terms the fence is unacceptable.

The applicant, in his supporting information accompanying the application has stated that the location in the town is a busy cut through and it has been a regular

occurrence to find litter, bottles and even on occasion drugs and syringes in the front garden. The applicant has 4 young children and considers that their safety is his priority. The contractor carrying out the works advised that the works did not require planning permission. The applicant, in any case, feels that the trellis adds character and is sympathetic to the area.

The problems that the applicant cites can be considered as material considerations to the determination of the application and should be taken into account. While your officers have sympathy to his concerns, it is noted that no other of the properties in the area have felt the necessity to address such problems in a similar way by the erection of a fence. Certainly, were the argument to be accepted on such a basis then it would act as a precedent for similar proposals in the surrounding area, the cumulative effect of which would be to irrevocably impact upon the character of the Conservation Area to its detriment. Moreover, the nature of the fence and how it has been erected does not provide complete enclosure in any case as there is still a central low gate to the property and there is a driveway serving the property, which remains open to the road, but it is also possible to view the front garden beyond it at this point. Given the harm to the Conservation Area identified above, therefore, it is not considered that there are any material considerations that could enable a different conclusion to be reached.

The close boarded fence erected on the southern boundary of the site to 11 Wyke Avenue is also considered to adversely affect the outlook of the property which previously would have had a clear view out to the north east over the existing low wall. While such side boundary fences ordinarily do not require permission, in this instance it does because of the Article 4 Direction preventing the erection of such fences and therefore it can also be considered unacceptable.

The applicant has offered to provide an artificial hedge to screen the fence (there is artificial grass in the front garden at present) although he has stated that he would prefer to retain the fence as is. Your officers have looked at this proposed solution carefully but consider that it would worsen the existing situation by providing an obviously manufactured solution.

In conclusion, it is considered that the fence adversely affects the character of the Conservation Area and accordingly is unacceptable.

Recommendation

To REFUSE planning permission for the following reason:

The fence, by virtue of its design, size and location on the corner of Wyke Avenue and Ash Grove, adversely affects the character of the Warwick Gardens Conservation Area and the amenities of the neighbouring property to the south. The proposal therefore conflicts with guidance within the National Planning Policy Framework, Planning Practice Guidance, saved policy H18 of the Worthing Local Plan and policy 16 of the Worthing Core Strategy.

Application Number: AWDM/1507/14

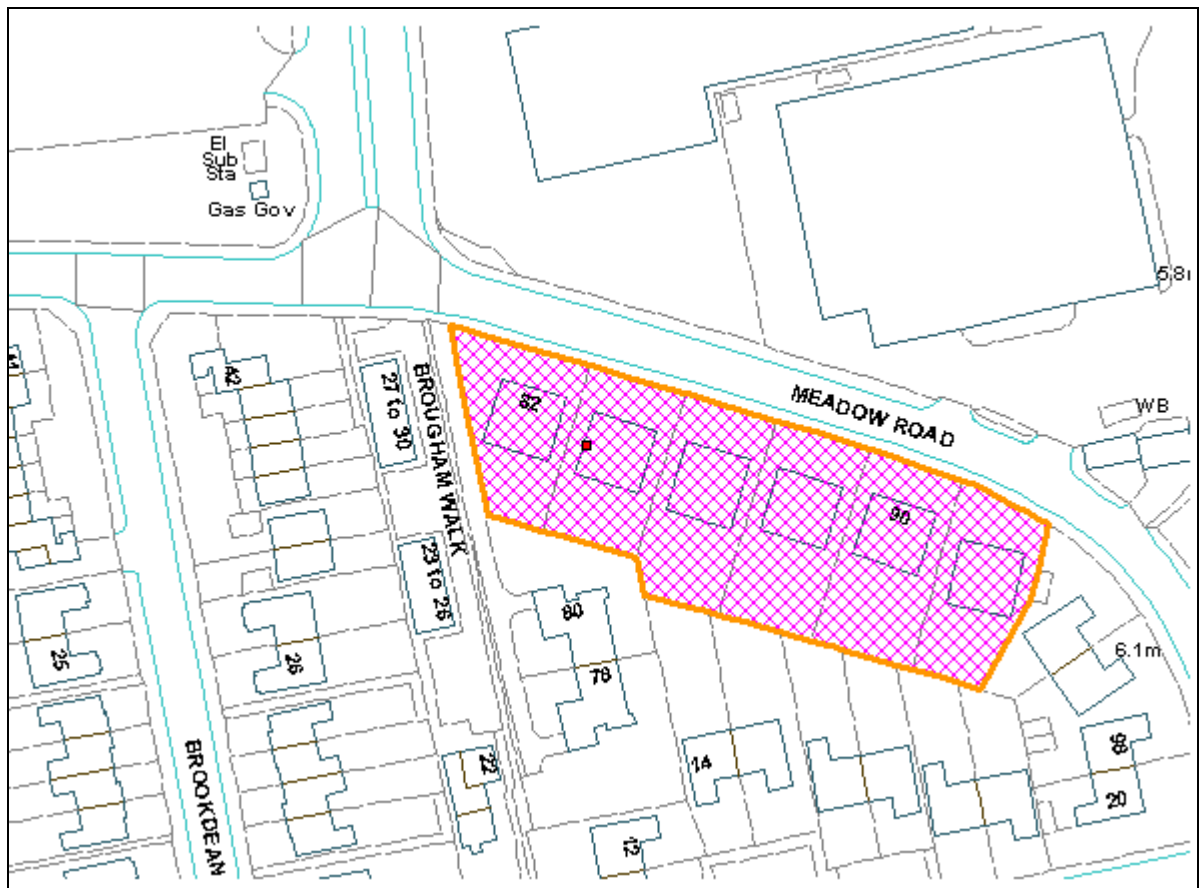
Recommendation – APPROVE

Site: 84 Meadow Road Worthing West Sussex BN11 2SH

Proposal: Demolition of 40 no. bedsit flats (in 5 blocks) and redevelopment to provide 12 x 2-bedroom houses, with parking and cycle storage permitted under AWDM/0806/12 (variation of Condition 2 for substitution of uPVC windows instead of aluminium as permitted, minor revisions to external materials and amendment to boundary treatment adjacent to plots 1 and 9).

Applicant: Mary Evans
Case Officer: Jo Morin

Ward: Selden

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Proposal, Site and Surroundings

The application site formerly comprised of 5 no. 2-storey flat blocks owned by Worthing Homes located on the south side of Meadow Road opposite the large industrial buildings within Meadow Road Industrial Estate. Planning permission was

granted under AWDM/0806/12 to demolish the flat buildings and erect 12 no. 2-bedroom houses with parking and cycle spaces, for Worthing Homes.

The eastern part of the approved layout consists of 2 no. 2-storey terraced blocks sited at 90 degrees to the road, facing onto a courtyard containing 11 parking spaces. The western part of the layout consists of a short terrace of 3 no. 2-storey dwellings, facing onto the south side of Meadow Road. Whilst the form of the terraced blocks is largely traditional, consisting of pitched and hipped roofs; the approved design concept sought to use modern finishes and detailing in order to achieve a more contemporary appearance. As permitted, the elevations consisted largely of render incorporating feature panels in coloured weatherboarding and grey metal composite windows, under a shallow-pitched metal roof with a distinctive, deep overhang.

To the west, the approved scheme does not include the 82 Meadow Road, a detached 2-storey flat block owned by Worthing Homes, which is to be retained. Beyond No. 82, is a private access drive leading to a pair of bungalows of which one, No.78 Meadow Road, adjoins the southern site boundary. To the south and east of the site are pairs of traditional bungalows in Meadow Road and Meadow Close.

Permission is sought under S.73 for minor alterations to the approved scheme comprising:-

- Use of coloured uPVC windows throughout instead of aluminium composite windows;
- Use of uPVC fascias, gutters and rainwater pipes instead of aluminium rainwater goods;
- Alteration to the detail of the glass blocks and door position within the entrance lobbies;
- Revision to the boundary wall/fence detail adjacent to Units 1-9.

The application is supported by a Statement which states:-

“Planning approval for the project was granted some 2 years ago in November 2012. The initial cost plan for the project included the elements shown on the planning drawings in particular, the aluminium windows, gutters, fascia and rainwater goods. Since the cost plan was prepared, as well as an increase in the building tender price index unforeseen costs have arisen. These include alterations to a Fibre Optic cable box owned by Virgin which is located in the entrance of the scheme and has needed to be moved and the carrying out of an asbestos survey, which was unable to be undertaken whilst the studios were occupied, this identifying asbestos to be removed.

These two extras alone have amounted to £23K. Due to the high number of dwellings the removal of the existing gas supplies have amounted to £35K which again is an increase in cost on the cost plan and the Council Tax rules changes as to when Council Tax is due on derelict property adding again to the overall costs.

Information provided by the Contractor for the scheme advises additional costs for the aluminium composite windows over uPVC is £35,705 and for the aluminium fascias, gutters and downpipes £13,750. Although the applicant is dedicated to providing a high quality design for the buildings and the improvement of the area in which they are located, this additional cost of £49,455 is unsustainable and unless this application is approved the viability of the whole scheme will be called into question and it may very well not proceed in its current form.

There will be a large improvement to the housing stock arising from the proposed development which will contribute towards meeting a need for affordable small family housing. The scale and density of the development is consistent with the residential character of the wider area whilst the proposed layout would provide future residents with an improved 'sense of place' compared to the existing flat blocks."

Consultations

As the application for a Minor Material Amendment relates solely to matters of design and external appearance no additional consultations have been carried out in respect of the current application. The comments reported below are those received in respect of the earlier application AWDM/0806/12.

West Sussex County Council: The Highway Authority raised no objection, commenting that visibility at the access accords with 'Manual for Streets' guidance and the amount of development compared to the existing use would not impact on the capacity of the local highway. The site is in a sustainable location, with good pedestrian, cycle and public transport access. The site currently relies on on-street parking facilities to cater for the demand generated by the 40 bedsits. The proposed development provides parking for 11 vehicles with 9 of these are allocated and the others unallocated for visitor parking. The WSCC Parking Demand Calculator identifies that there would be a demand for 16 spaces of car parking. Whilst this would require the need for some of the parking to be catered for on the highway, it is unlikely that the proposed development would increase pressure on the existing parking capacity given that the 40 bedsits relied entirely upon on-street parking. As a result, it is not anticipated that the parking will result in a detrimental impact upon highway safety. Cycle parking provision has been made in accordance with WSCC guidelines.

Adur & Worthing Councils:

The **Housing Strategy and Enabling Manager** broadly supported the application as the need to refurbish out-dated bedsit accommodation for family sized homes is acknowledged. Some concern was expressed at the high overall loss of the existing bedsit flats as there remains a significant need for this type of accommodation.

The **Planning Policy Manager** raised no objection commenting that the proposal provides the opportunity to redevelop sub-standard bedsit accommodation and deliver 12 new affordable dwellings. The room sizes within the current accommodation do not comply with the Council's Space Standards SPD, the

properties are dated and are, in general, not considered to meet the needs or requirements of those on the housing need register.

The Core Strategy would usually expect developments of this nature to provide a proportion of family housing. However, the Design and Access Statement argues that there is a relatively good provision of small affordable units in the Borough and that the most significant area of demand for 'Worthing Homes' is for 2-bed dwellings suitable for smaller families (this position being accepted by the Council's Housing Enabling Officer).

Although the proposal would result in a net loss of accommodation it is not considered that this is reason for objection given the vast improvements in the housing stock that would be delivered and the fact that the new dwellings could potentially accommodate more residents.

Environmental Health Manager: The Environmental Health Officer raised no objection subject to a precautionary condition relating to the potential for contamination.

Representations

At the time of writing no third party representations have been received in response to the normal publicity of the application.

Relevant Planning Policies and Guidance

Worthing Core Strategy 2006-2026 (WBC 2011): Policy 7, 8, 9, 10, 16 and 17.

Worthing Local Plan (WBC 2003) (saved policies): RES7, TR9, H18

Supplementary Planning Document 'Space Standards' (WBC 2012)

Supplementary Planning Guidance 'Outdoor Recreation Space' (WBC 2001)

Supplementary Planning Guidance 'Parking Standards and Transport Contributions' (WBC 2005)

West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003)

West Sussex 'Guidance for Parking in New Residential Developments' and 'Residential Parking Demand Calculator' (WSCC 2010)

The Provision of Service Infrastructure Related to New Development in West Sussex – Part 1 (WSCC 1999)

National Planning Practice Guidance (2013)

National Planning Policy Framework (2012)

Planning Assessment

Principle

The principle of the development has already been agreed under AWD/0806/12 and works have commenced on site (following approval of the pre-commencement conditions). The main considerations relate to the effects of the proposed alterations on the design quality of the development having regard to Core Strategy policy 16 which expects all new development to demonstrate good architectural quality,

landscape design and use of materials that take account of local, physical, historical and environmental characteristics of the area. In particular, it states that new development should display a good quality of architectural composition and detailing as well as respond positively to important aspects of local character, exploiting all reasonable opportunities for enhancement.

Design and appearance and the effect on the character of the surrounding area

In the absence of any clearly identifiable character to the immediate site environs given its position on a bend in the road and opposite the industrial estate, the original concept was to create a high quality contemporary development with a recognizable sense of 'place' established to enhance the character of the surrounding area. Compared to the repetitive form and appearance of a traditional terrace, the scheme incorporates a courtyard with the component features of the terraces consisting various of hipped gables with raised or lowered ridges, recessed balconies and architectural columns to give definition to the individual dwelling units and to create visual interest. Although the approach is contemporary, there are references to traditional architectural detailing such as chimneys and a deep eaves overhang with 'brackets'. However, in arriving at a decision it was made clear that a careful choice of materials and precise details of windows, rainwater goods etc. would be critical to the design success of the development.

The original submission included details of a proposed grey aluminium composite window (Velfac) having a distinctive, flat and 'clean cut' profile inherently in keeping with the contemporary approach. The current proposal is to use grey, uPVC wood-effect windows in order to reduce the costs of the development. The main difference visually is the bulkier profile of the uPVC window, and the framing detail around the opening windows, which will result in a 'heavier' appearance. Although arguably only a minor detail, the use of uPVC windows compared to the more aesthetically appropriate Velfac window will result in a weakening of the original design concept and a dilution of in the visual distinctiveness of the development.

The use of a grey, rectilinear-profiled uPVC guttering and square downpipes instead of aluminium will be a less perceptible change to the appearance of the dwellings.

It is understood that the change to the entrance detail of the dwellings arises due to the construction of the 'glass block' side panels being more substantial than originally anticipated. The effect of this has been to necessitate re-positioning the front entrance door on Plots 1, 3, 7 and 9 so that it no longer aligns with the first-floor windows above. Again this is a relatively subtle alteration, but nevertheless constitutes a weakening of the original design quality, which appears to be unavoidable for structural reasons.

As approved, the rear garden enclosures of the dwellings plots adjoining Meadow Road (plots 1 and 9) were shown to consist of 1 metre high walls with 0.8m high close-boarded fencing on top. It is now proposed the rear garden enclosure fronting the public highway would consist of a 1.5 metre high wall with 0.3 metre high 'hit and miss' trellis fencing painted grey. It is considered this will be a more robust means of enclosure for the benefit of the occupiers of these units.

Of the above changes, the use of uPVC windows in particular is disappointing since this will result in a perceptible change in the appearance of the dwellings, and loss of integrity to the overall design concept compared to the approved scheme, which is frustrating when set against the original high aspirations of this development to uplift the quality of the surrounding built environment. However, viability is a material consideration and the NPPF states that decision-making must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic growth. On balance, your officers accept that the development will achieve a satisfactory standard of design quality whilst making an important contribution towards meeting in identified substantial need for affordable, small family housing in the Borough.

Recommendation

Delegated to the Head of Growth to APPROVE following the expiration of the publicity period, subject: to-

1. Standard 3 year time limit
2. Permission relates to approved plans
3. Provide vehicle access in accordance with approved drawing prior to first occupation
4. Provide and maintain visibility splays of 2.4 metres by 43 metres at vehicle access
5. Provide and retain car parking spaces
6. Provide and retain secure covered cycle storage
7. Implement Construction Management Plan, including measures to control the emission of dust and dirt during demolition and construction, as agreed under AWDM/0806/12
8. Implement measures to prevent surface water draining onto the public highway, as agreed under AWDM/0806/12
9. Implement courtyard surfacing, including parking bays and footpaths, as agreed under AWDM/0806/12
10. Implement and retain screen walls/fences and means of enclosure
11. No extension or alterations to dwellings without planning permission
12. Limit hours of construction to 08.00 to 18.00 hrs (Monday to Friday) and 08.00 to 13.00 hrs on Saturdays
13. Implement hard and soft landscaping scheme
14. Implement in accordance with submitted schedule of materials
15. Implement in accordance with agreed architectural details of doors, chimneys, overhanging eaves/soffit and eaves brackets, and pergola/car port.
16. No aerials, dishes, cables, soil pipes, meter boxes, flues, vents on front elevations unless agreed
17. First-floor windows in south side walls of Units 4 and 5 to be obscurely-glazed and fixed shut.
18. Implement details of surface water drainage as agreed under AWDM/0806/12
19. Agree details of external lighting

20. Precautionary contamination (agree measures in the event that contamination is found)

7th January 2015

Application Number: AWDM/0798/14

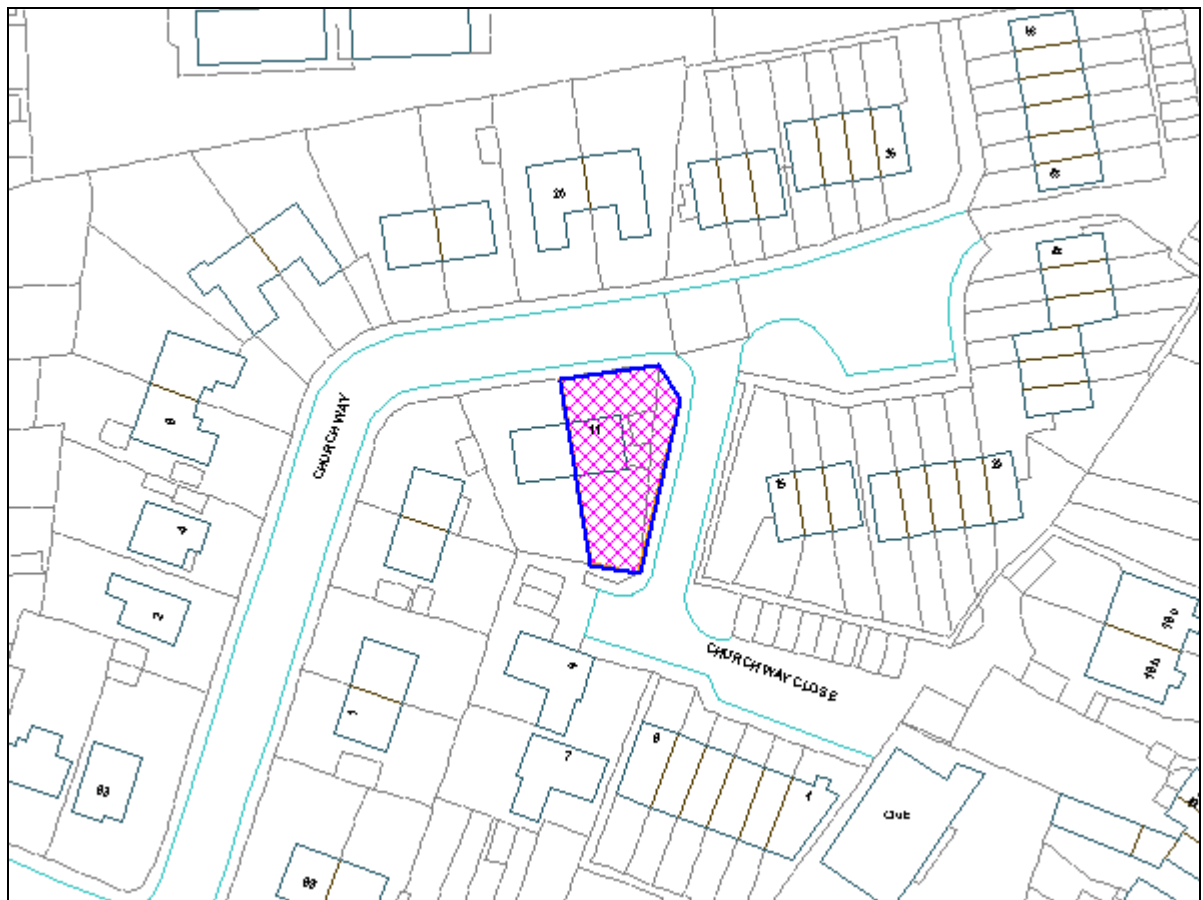
Recommendation – Approve

Site: 11 Church Way, Worthing, West Sussex BN13 1HD

Proposal: Retention of 1.6 m high boundary fence along eastern boundary (retrospective).

Applicant: Mr Daniel Pumphrey
Case Officer: Marie O'Keeffe

Ward: Tarring



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Site and Surroundings

This application relates to an extended chalet style house on the corner of Church Way and Church Way Close.

The property is not in a conservation area and is not a listed building. There are no protected trees on the site.

Until the autumn of 2012 the site had a flat roofed garage at the side and a brick wall parallel with Church Way Close beyond which was a narrowing grass verge

with a tree and some shrubbery up to the back edge of the footpath. The garage and wall were demolished and a new fence erected along the edge of the footpath incorporating this grass verge into the curtilage of the site.

Since the fence was erected a side extension has been built, allowed under appeal. This extension is built in part on land formerly part of the grass verge.

The land is owned by the applicant, bought in August 2012, but is currently defined as public highway.

Proposal

Planning permission is sought to retain the fence in its current position.

Planning History

AWDM/1335/12 – Part two storey/part single storey side extension (to replace existing garage). Refused 5.12.12, Appeal Allowed 3.3.13

91/0433 – Replacement attached garage, detached garage and rear dormer. Granted 23.7.91

Consultations

Highways: Initially objected to the fence on the grounds that the land is publicly maintainable highway.

The Highway Authority's latest comments are as follows:

We note the extension has planning permission, however the fence does not and is still on public highway. We do not dispute that you own the land.

I do not believe it is in the public interest at this time to insist on the removal of the fence and consider the public is best served by suitably raising no objection to the extinguishment of the highway rights over this land, particularly as there are no highway safety implications to this resolution.

A stopping up order can be applied for as the removal of the highway status is necessary to enable a planning permission to be implemented.

For your information I have spoken with Marie O'Keeffe at Worthing and Adur Borough Council Planning to confirm the above.

This way we do not have any on-going unsuitable maintenance issues in this area.'

Representations

Two objections from Church Way Close residents received summarised as follows:

- The extension and fence encroach onto County Council land,

- This land was formerly used by local children to play on,
- An established cherry tree has been removed,
- How was planning permission granted for an extension which encroaches onto land not in the ownership of the applicant?
- This land was one of the few green spaces in our area and formed a pleasant entry to the Close,
- Why can they land grab like this, well will it end?
- The extension and fence should be removed.

One letter of support from a Church Way Close resident stating that '*the fence has improved the street outlook considerably.*'

Planning Appraisal

The Committee may grant planning permission for development carried out before the date of the application in accordance with Section 73A of the Town and Country Planning Act 1990 (as amended).

Save that the development will have already commenced, this is a conventional planning application, and the Committee should consider the planning circumstances existing at the time of the decision in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides 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.

The main issues for consideration are whether the erection of this fence is harmful to highway safety and whether its loss, and the loss of the tree, is harmful to the appearance of the area.

As such the proposal should be principally assessed against saved Worthing Local Plan Policies H18 and TR9 and Core Strategy Policy 16, and The National Planning Policy Framework.

Highway Safety

The Highway Authority has confirmed that the position and height of the fence is not having any highway safety implications, consequently there is no planning highway objection this proposal. The Highway Authority has also confirmed that they are prepared to extinguish any highway rights over the land and have advised the applicant to apply for the necessary stopping up order.

Visual Amenity

The fence encloses land which previously formed a modest green sweep into Church Way Close. The planning inspector in allowing the appeal for the side

extension, now built, allowed the extension to be built in part on this land. It would not therefore be possible to return the land to its former state even if the fence were to be removed. The fence itself is a solid and suitably domestic construction which steps down to a lower height as it curves around the front boundary. It is an acceptable addition to the streetscene. The loss of the cherry tree is regrettable but as this land is owned by the applicant, is not in a conservation area and the tree was not protected by a Tree Preservation Order its removal could not have been prevented.

Conclusions

The incorporation of this land into the curtilage of 11 Church Way Close is not harmful to highway safety and is not of significant harm to the streetscene or neighbour amenity and therefore it is recommended that planning permission is granted.

Recommendation

Approve subject to the following condition:-

1. Approved plans

7th January 2015

Application Number: AWDM/1423/14

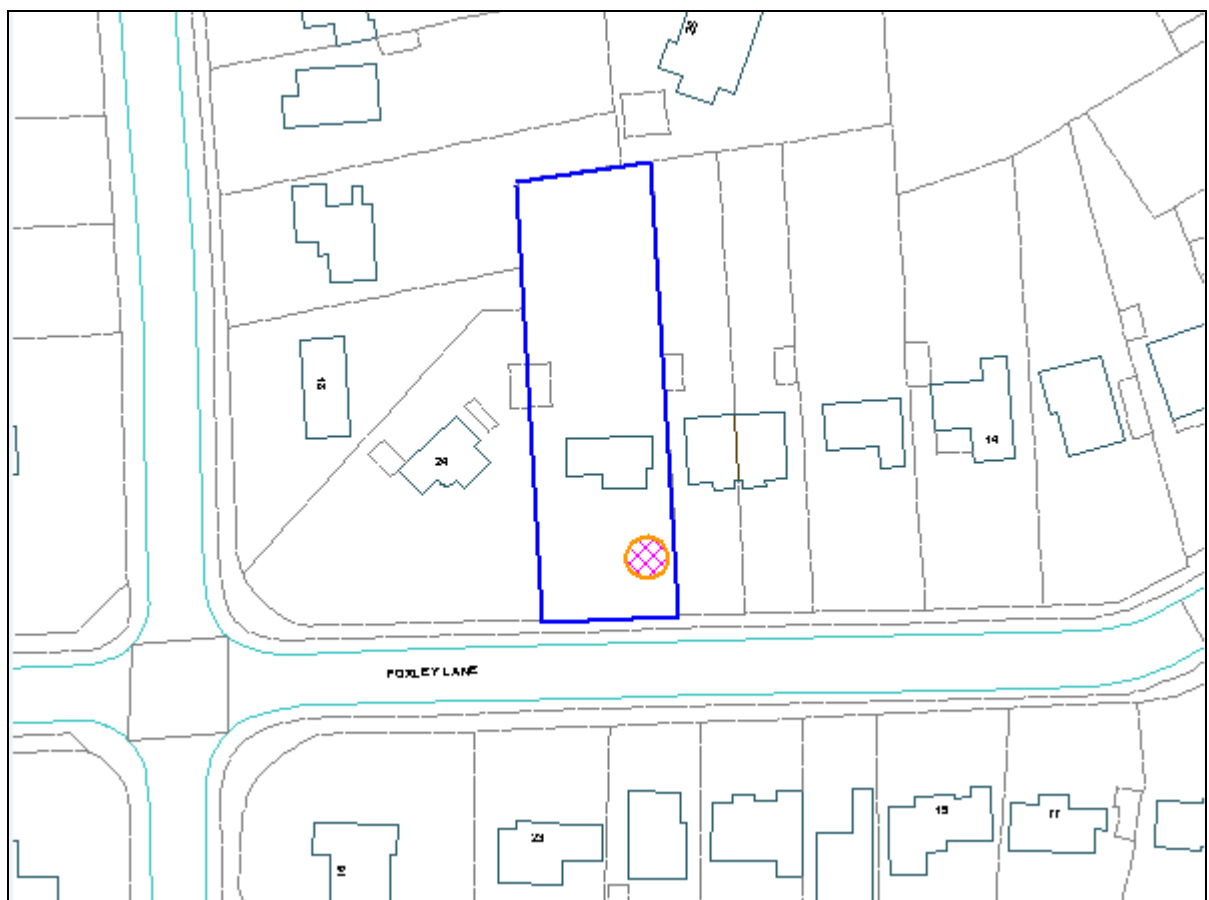
Recommendation – APPROVE

Site: 22 Foxley Lane, Worthing, West Sussex BN13 3AB

Proposal: Application for consent under Worthing Tree Preservation Order No.16 of 1998 to reduce radial spread by up to 1-2 metres, and to reduce and re-shape to give clearance to cables of up to 1 metre, on one Atlantic Cedar T6

Applicant: Mr John Churchfield
Case Officer: Jeremy Sergeant

Ward: Salvington



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Proposal, Site and Surroundings

The application refers to one Blue Atlantic Cedar tree to the eastside of the front garden of 22 Foxley Lane. The tree is one of a pair of established Blue Cedars trees, which are prominent in the street scene and make a significant contribution to the character and visual amenities of the area.

Consent is sought to reduce the radial spread on the east side and to prune to clear existing phone lines.

The reasons for the works are primarily in the interests of abating nuisance, light issues and amenity value.

Relevant Planning History

1998: Worthing Tree Preservation order Number 16 of 1998 confirmed on 17/06/1998.

1998: Application under Worthing Tree Preservation Order No 16/1998 to crown reduce two Atlantic Blue Cedar (T6 and T7) back to previous pollard points, to reduce crown spread overall by up to 1 metre : 22 Foxley lane

2010: Application for consent under Worthing Tree Preservation Order no. 16 of 1998 to lateral prune low limbs back to source, crown thin by 15%, crown clean and uplift front lower canopy to 2m from ground level one Blue Atlas Cedar (T6); to lateral prune low limbs back to source, lateral prune limbs back to edge of drive at height of 3m, crown thin by 15%, crown clean and uplift front lower canopy to 2m off ground level one Blue Atlas Cedar (T7).

Consultations

None

Representations

Two received: one objection and one in support of the works. The objection is the claim that the works are unnecessary at this time, and should not be carried out for several more years. It was also proposed that a suggested problem with phone wires could be avoided by re-positioning of the cables to number 20 Foxley Lane. It was also suggested that problems with needles and other tree debris would not be alleviated by the proposed works.

The representation in support of the works, claims that it is not possible for the cables to be re-positioned and suggests that the proposed works are reasonable maintenance of urban trees.

Relevant Planning Policies and Guidance

Worthing Core Strategy 2006-2026 (WBC 2011): Policy 16

Worthing Local Plan (WBC 2003) (saved policies): H18

National Planning Policy Framework (March 2012)

Circular 04/07 'Tree Preservation Orders: A Guide to the Law and Good Practice' (DETR 2000)

Applications in connection with carrying out works on trees that are protected by TPOs

The Committee should consider the Town and Country Planning (Tree Preservation) (England) Regulations 2012 that provides the application may be granted either unconditionally or subject to relevant conditions, or refused.

Planning Assessment

The tree is a large mature Blue Atlas Cedar, which is growing as one of a cohesive pair in the front garden of 22 Foxley Lane. The two trees are prominent established features of the area, which can be seen from many views, and contribute to the character of Foxley Lane and the High Salvington area.

The Blue Atlantic Cedar T6 has a single continuous stem to the top of the crown with large lateral limbs emerging from 2 metres above ground level. The tree is large with a dense wide spreading crown.

The proposed works are to crown reduce the radial spread to the eastside by up to 2 metres, and to reduce and reshape the crown to clear phone lines by up to 1 metre. The works are to give clearance to the neighbours drive way on the eastside, and prevent alleged recurring damage to the phone line of 24 Foxley Lane. The works are considered to be reasonable, but conditions are applied to limit the overall reduction to a tapered lateral reduction of 2 metres back to edge of drive leading to the existing width at 4- 5 metres above ground level.

The works to clear the phones lines should be restricted to clearance of up to 0.5 metres within the crown of the tree, so as not to alter or disrupt the shape of the tree.

It is considered that the proposed works are relatively minor in relation to the overall size, spread and crown form of the tree and would not significantly or adversely affect its appearance, or amenity value, or its contribution to the character of the area.

Recommendation

Grant Consent, subject to the following Condition:

1. Proposed works, hereby permitted, shall be restricted to:-
 - i Reduction in crown width of up to 2 metres, at ground level tapering, to the existing width at 4 – 5 metres
 - ii Prune branches within the existing spread of the crown to allow clearance of up to 0.5 metres of phone cables

only, unless otherwise agreed in writing with the LPA, and carried out within two years from the date of consent, and in accordance with the British Standard BS 3998: 2010 Tree Works.

Reason: In the interest of visual amenity.

Application Number: AWDM/1612/14

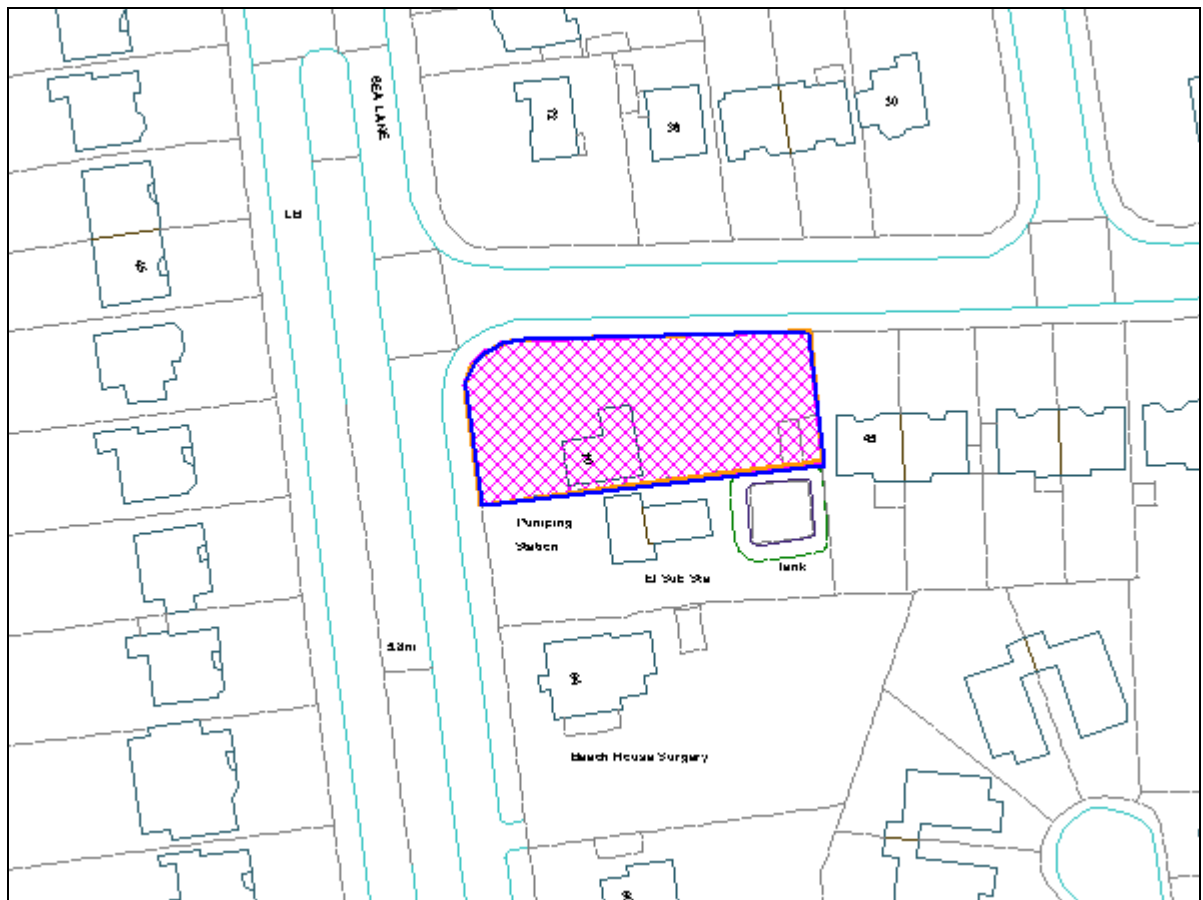
Recommendation – APPROVE

Site: 70 Sea Lane, Worthing, West Sussex BN12 4PY

Proposal: Two storey rear extension to replace existing conservatory on east elevation. Replacement porch to front (west) elevation. Replacement double garage on eastern boundary (Re-submission of AWDM/1032/14)

Applicant: Mr F Grispino
Case Officer: Gary Peck

Ward: Goring



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Proposal, Site and Surroundings

The application site is located on the eastern side of Sea Lane at its junction with Nutley Drive.

To the south of the site is a Pumping Station, disguised as a 2 storey house, beyond which is 64 Sea Lane which subject to redevelopment proposals under a current planning application. To the east are 2 storey properties in Nutley Lane.

Sea Lane is a dual carriageway with trees in the central verge and therefore the properties opposite to the application site are set some distance back.

The application seeks full permission for a 2 storey rear extension to replace an existing conservatory as well as a replacement porch to the front elevation and replacement double garage on eastern boundary

Relevant Planning History

Earlier this year, an almost identical application for a two-storey rear extension to replace existing conservatory on east elevation, replacement porch to front (West) elevation and replacement double garage on eastern boundary (AWDM/1032/14) refused for the following reason:

The proposed rear extension, by reason of its bulk, scale and excessive ridge height protruding above the host dwelling, would result in a visually assertive and overly dominant addition to the host dwelling, detrimental to its the architectural form and out of character with the street scene and harmful to the visual amenities of the locality. The proposal would therefore conflict with Worthing Core Strategy Policy 16 and Saved Local Plan policies H16 and H18 and allied SPG on householder extensions, along with the relevant policies of the National Planning Policy Framework.

Two storey extension on north west corner of existing house and replacement of existing garages granted permission in 2011 (11/0270/FULL)

Consultations

None undertaken

Representations

The Ilex Conservation Group state they objected to the original application and although the revised drawings now show sight lines from Sea Lane, it is the stepped ridge that would remain part visible from Sea Lane and fully visible from Nutley Drive that remains a concern and therefore the Conservation Group objects to the raised ridge against the original property which have an overbearing impact upon Nutley Drive and would be visible and incongruous from Sea Lane.

1 letter received raising no objection to the extension but expressing concern about the garage as it addressed to the side wall belonging to the neighbouring property.

(In response to this objection, the applicant commented that he had spoken to the neighbour before the original planning application and had agreed to construct a pier to support the wall)

Relevant Planning Policies and Guidance

Saved Local Plan policies (WBC 2003): H16, H18

Worthing Core Strategy (WBC 2011): 16

National Planning Policy Framework (CLG 2012)

Planning Practice Guidance (CLG 2014)

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides 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.

Planning Assessment

The application seeks to improve the existing housing stock within the defined built-up area and is acceptable in principle.

Since neighbouring properties are set well back in Nutley Drive and across the road in Sea Lane and the Pumping Station is set further back into its plot than the host property, there is no impact upon residential amenity regarding the 2 storey extension and so essentially the key issue in the determination of the application is one of design.

A previously submitted identical proposal was refused under delegated powers but the applicant's agent failed to declare on the application form that the applicant's wife is a Council employee and therefore the application should have been determined by the Committee.

The applicant has therefore taken the opportunity to submit additional information to accompany the second application including the ridge heights of adjacent properties and sight lines when viewed from Sea Lane of the proposed extension.

In respect of Sea Lane, the Pumping Station is clearly higher than the host property (by about 0.4 metres) and currently has a bulkier roof fronting the highway in any case. The proposed increase in roof height as a result of the stepped ridge of the proposed rear extension would result in the host property being almost equal in ridge height.

The applicant asserts that this effect will not be discernible from Sea Lane and having looked at the matter further, your officers are of the view that a refusal of the application could not be justified in terms of the impact of the proposal upon Sea Lane. The increase in ridge height would be largely obscured by the original part of the dwelling and in any case would be similar to the neighbouring building.

The key issue therefore is the visual impact upon Nutley Drive. Because of the position of the site on the corner of the Sea Lane and Nutley Drive with its rear garden between the host building and the nearest property in Nutley Drive, there is considerable space available for an extension of the type proposed: there would still be 23 metres between the extension and the neighbouring property if the application were permitted. It is not considered that any objection could be raised in terms of the scale of the extension, therefore, and therefore the application falls to be considered on the issue of whether the higher ridge of the extension when compared to the existing property is sufficiently harmful to warrant refusal.

After careful consideration, your officers feel that, on balance, it would be difficult to justify a refusal in this instance. The impact of the extension from views to the east would be reduced in part by the proximity of existing trees and therefore essentially any harm that would result would be when the extension is viewed directly to the north of the property. As the extension itself is well designed and would complement the host property, the stepped increase in ridge would be of minor visual impact by comparison and your officers consider that were an appeal to be lodged against a refusal of the application it is likely to be successful.

The proposed garage, which has been slightly amended since the submission of the previous application, is effectively of similar dimension to the existing garage but instead of a flat roof would have a pitched roof. This would represent an improvement on the existing appearance and in any case a larger garage was previously granted permission but not constructed in 2011. The comments from the neighbour are noted but would be a civil matter in respect of the boundary wall.

This is a balanced case which could be argued either way but officers feel that approval can be justified in this instance.

Recommendation

To GRANT permission subject to the following conditions:

1. Full Permission
2. Matching Materials
3. Development in accordance with approved plans

7th January 2015

Local Government Act 1972 Background Papers:

As referred to in individual application reports

Contact Officers:

Gary Peck
Planning Services Manager (Development Management)
Portland House
01903-221406

gary.peck@adur-worthing.gov.uk

Jo Morin
Principal Planning Officer (Development Management)
Portland House
01903-221350
jo.morin@adur-worthing.gov.uk

Peter Devonport
Principal Planning Officer (Development Management)
Portland House
01903-221345
peter.devonport@adur-worthing.gov.uk

Marie O'Keeffe
Senior Planning Officer (Development Management)
Portland House
01903-221425
marie.o'keeffe@adur-worthing.gov.uk

Jeremy Sergeant
Planning Officer (Trees and Landscape)
Portland House
01273-263477
jeremy.sergeant@adur-worthing.gov.uk

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.