

Worthing Planning Committee

Date:	Wednesday 23 September 2015
Time:	6:30pm
Venue:	Gordon Room, Stoke Abbott Road, Worthing

Committee Membership: Councillors Kevin Jenkins (Chairman), Vicky Vaughan (Vice-Chair), Noel Atkins, Edward Crouch, James Doyle, Diane Guest, Nigel Morgan, and Paul Yallop

NOTE:

Anyone wishing to speak at this meeting on a planning application before the Committee should register by telephone (01903 221006) or e-mail heather.kingston@adur-worthing.gov.uk before noon on Tuesday 22 September 2015.

Agenda

Part A

1. Declarations of Interest / Substitute Members

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

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

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

Any substitute members should declare their substitution.

2. Confirmation of Minutes

The minutes of the Planning Committee meeting held on 22 & 23 September 2015 will be agreed at the meeting scheduled for 21 October 2015, and emailed to Members in the usual way.

3. Items Raised Under Urgency Provisions

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

4. Planning Applications

To consider the reports by the Director for the Economy, attached as Item 4 -

- 4.1 2 High Street, Worthing 4.2 Bath Cottage, 49B Bath Road, Worthing
- 4.3 36 Coronation Homelets, Brougham Road, Worthing

5. Public Question Time

To receive any questions from Members of the public in accordance with Council procedure Rule 11.2.

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

Part B - Not for publication - Exempt Information Reports

None

For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Heather Kingston Democratic Services Officer 01903 221006 heather.kingston@adur-worthing.gov.uk	Caroline Perry Solicitor 01903 221086 caroline.perry@adur-worthing.gov.uk

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



Planning Committee
23 September 2015

Agenda Item 4

Ward: ALL

Key Decision: **Yes / No**

Report by the Director for Economy

Planning Applications

1

Application Number: **AWDM/0646/15 & AWDM/1202/15** Recommendations – **Approve**

Site: **2 High Street, Worthing, West Sussex**

Proposal: **AWDM/0646/15 - Change of use from mixed use (A1 on ground floor with ancillary living accommodation on first floor) to Tea shop (A3) on ground floor and forecourt including outdoor seating area and hairdressers (A1) on first floor together with allied internal and external alterations including new boundary fencing.
AWDM/1202/15 - Internal and external alterations (part retrospective) to convert premises to Tea shop (A3) on ground floor and forecourt including outdoor seating area and hairdressers (A1) on first floor**

2

Application Number: **AWDM/0915/15** Recommendation – **Approve**

Site: **Bath Cottage, 49B Bath Road, Worthing, West Sussex**

Proposal: **Single storey rear extension**

3

Application Number: **AWDM/1152/15** Recommendation – **Approve subject to expiry of consultation period without any adverse comments being received**

Site: **36 Coronation Homelets, Brougham Road, Worthing, West Sussex**

Proposal: **Disabled ramp and handrails to front entrance of No. 36**

Application Number: AWDM/0646/15 & AWDM/1202/15

Recommendations – Approve

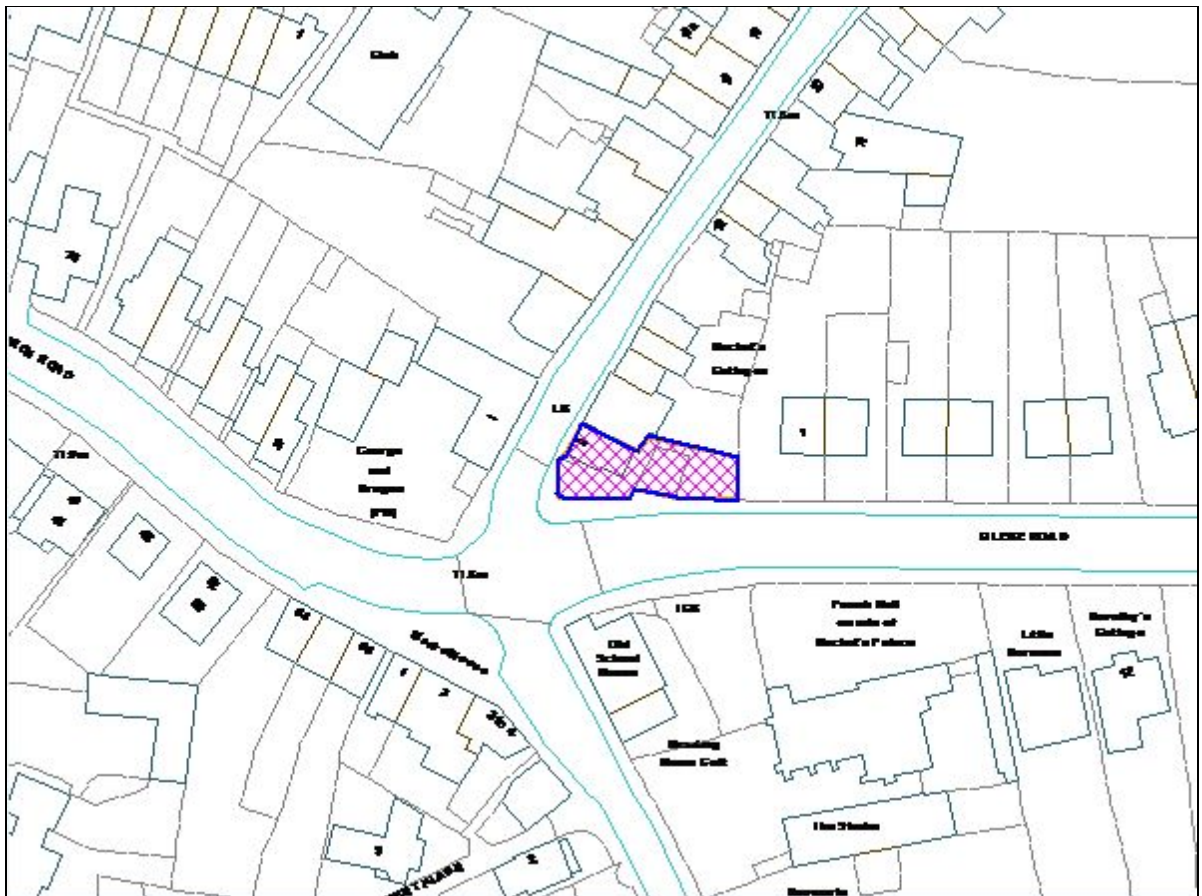
Site: 2 High Street Worthing West Sussex

Proposal: AWDM/0646/15 - Change of use from mixed use (A1 on ground floor with ancillary living accommodation on first floor) to Tea shop (A3) on ground floor and forecourt including outdoor seating area and hairdressers (A1) on first floor together with allied internal and external alterations including new boundary fencing.

AWDM/1202/15 - Internal and external alterations (part retrospective) to convert premises to Tea shop (A3) on ground floor and forecourt including outdoor seating area and hairdressers (A1) on first floor

Applicant: Mr Chris Baxter
Case Officer: Peter Devonport

Ward: Tarring



Not to Scale

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The site and surroundings

The site is in Tarring Village on the north east corner of the junction between The High Street and Glebe Road/Church Road/South Street in the Tarring Village Conservation Area. It comprises both floors of a small end of terrace property facing onto The High Street and curtilage space at the side fronting onto Glebe Road with small access area at the rear. The property is part of a cluster of grade 2 listed building dating back to the seventeen/eighteen centuries.

The property is adjoined to the north by No 4 (a restaurant) and is faced on the other side of the High Street (west) by the George and Dragon PH. Opposite, on the southern side of Glebe Road is the Old School House and Parish Hall. To the east of the property is a detached single storey building in the past used as a bakery but more recently used for storage and currently not in active use. This is under the control of the applicant but does not form part of the application site.

The ground floor of the application property is currently vacant but was last used as a hairdressers (Guys and Dolls) up to November 2014. The allied living accommodation above which is not self-contained, accessed through the hairdressers was until recently in occasional use. In planning terms, the proposal is a mixed (sui generis) use. Before that, it was a post office with allied living accommodation above and has been in commercial use for many years. (Certificate of Established Use issued in 1982 for use of ground floor as post office/tobacconists/newsagents with living accommodation above).

The building itself is attractive and historic and is accessed from the High Street. It features a pitched roof with hung tile gable end and painted and rendered walls. The curtilage space facing Glebe Road is surfaced with paving stones and bounded by a low close boarded timber fence wall but is not in active use. The ground floor comprises two rooms with a gross internal floorspace of 50 sq ms. The upper floor contains a shared toilet and bathroom and two habitable rooms and has a similar floorspace.

There is no off street parking.

Tarring High Street is one way and contains parking restrictions on the west side and double yellow lines at the junction with Glebe Road.

Proposal

The proposal comprises two complementary applications. They have been called in for determination by the Committee at the request of a Ward Councillor.

Firstly, AWDM/0646/15 a full application to change the use of the property to a tea shop on the ground floor (10 covers inside) and resurrect the hairdressers on the upper floor, to form a mixed (sui generis) use.

As part of this enterprise, the curtilage space facing Glebe Road would be laid out as an outdoor seated eating/drinking area with tables and chairs (up to 16 covers) and the area resurfaced in terracotta paving/gravel and bounded by a new 1.2 ms tall (white) picket fence.

No primary cooking of meals is involved, simply baking cakes (and some bread/scones) and serving tea and other hot and cold beverages and cold or warmed up light snacks such as cake/panini/bruschetta and sandwiches from the rear kitchen. An ancillary take away service would be provided.

Secondly, AWDM/1202/15 sets out the necessary works to the listed building to achieve this and is part retrospective in that a new floor and suspended ceiling have already been added to the ground floor as anticipatory refurbishment works. Other important related works proposed include minor changes to the layout which include converting the first floor kitchen to a new toilet) and adding a new upstairs sink for the hairdressers. A small vent would be inserted at the rear from the kitchen area. Incidental improvements include removing the metal bars of the rear ground floor window; upgrading both rear ground floor windows to timber sashes; removal of rear redundant satellite dish and deleting the existing signage on the south elevation.

Access to the tea shop would be as currently but with unspecified ramp provided. The forecourt would be accessed by a ramp off the High Street and a separate gated entrance off Glebe Road.

There is reference to potentially providing a disabled access toilet in the adjacent single storey building to the east should this opportunity present itself but this does not form part of this application.

A small brick and timber bin store is proposed adjacent the rear passage connecting to the Parsonage restaurant

Proposed trading hours of the tea room and the hairdressers are Monday-Saturday 8am to 6pm and Sunday 8am to 1pm. Two full time equivalent staff are to be employed.

There is reference to the installation of a small hanging sign but details are absent and this falls outside the scope of the planning application.

Consultations

Historic England

Not appropriate to comment.

Highway Authority

The site is located within a small array of retail sites in this part of West Tarring; High Street in this location is a one way street which only permits motorcycles and cars. The site itself is in close proximity to a number of residential properties. As a result it is likely that some customers to the Tea Shop (A3 usage) will be able to walk to the site to place and collect orders. Whilst we are aware that this proposal would result in an A3 facility with no specific parking provision, there are comprehensive parking restrictions in place nearby the site to deter parking in locations where there could be an issue with highway safety. In addition the

previous use of the site as A1 Retail would have attracted passing trade throughout the day. A review of the High Street/Church Road junction indicates that, there have been no recorded accidents within the last 3 years and that there is no evidence to suggest that the junction is operating unsafely. With regards to the A1 usage this is essentially an existing use which appears to be moving to the first floor of the site, in terms of capacity this side of the proposals is not anticipated to result in any increase over and above the existing usage.

Conclusion

It is not considered that an A1/A3 proposal would materially worsen traffic conditions on this stretch of Northgate Place. In conclusion the LHA does not consider that the proposed change of use would have 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (para 32), and that there are no transport grounds to resist the proposal.

Conservation Area Advisory Committee

Prior to submission of listed building application objection due to insufficient information and absence of listed building consent application (which was subsequently received).

Environmental Health Officer

Standards for toilet provision for premises undergoing major refurbishments for restaurants and public houses (including cafes) are:

The minimum standard is 12 covers with no toilet provision
Over 12 covers and up to 24 covers one toilet with a wash hand basin.

This includes seating internally and externally.

The issue of ventilation extraction system for both the tea shop /and allied baking and for the hairdressers may be reserved by condition.

Head of Building Control (Access Officer)

In respect of "access for all" the key factors here in my opinion are as follows:

1. The building is Listed and has limiting existing features.
2. The COU of the first floor is significant in this arena as it creates a business solely on the first floor in a Listed Building with limited access to that level.
3. Access to the ground floor is limited and potentially will not be fully compliant however this is an existing business.

There are two aspects here, The Equalities Act and Part M of the Building Regulations.

The Equalities Act will mean that the person operating the first floor business could be at risk from action being taken by an individual with mobility issues who cannot

get access to the service where others can. They would need to show discrimination and it would need to be a private action as there is no legal aid and the council do not enforce this legislation. The business needs to make reasonable provision for all and reasonable adaptations so the debate would be what is reasonable in the circumstances.

Part M is not dissimilar but here we do have some control. COU of the first floor would be considered material under the 2010 Part M revisions and the new shop should comply to a reasonable level as indeed should the WC at first floor. In this case I think it would be open to the applicants agent to submit an access statement outlining the limitations of the Listed Building and the size and scale of the existing building, confirm that the stair has handrails both sides is well lit and make the best use of the wc space possible to form a compliant ambulant facility (a full wheelchair facility would be pointless at first floor level where only stair access exists). It is open to challenge but I think on balance we would accept it.

Drainage Engineer

The road junction by this property regularly floods and I would guess that a contributory factor in the property flooding could be swash from passing vehicles.

The area is known to suffer during heavy rain storms.

The problem is a combination of road slopes under capacity in the drains and poor maintenance / blockage.

The interior works will not prevent re-flooding occurring. A better solution would be property level protection i.e. flood boards but of course install them and no one gets in or out of the property.

From a flood risk point of view, those at risk will have to walk into the property and walkout, the depth of flooding is not life threatening, the clientele using the hairdressers and the cafe will be much the same age so there is no change in demographic.

If the change of use doesn't occur you would still have people in the shop during a flood incident.

I do not think that I would say no on the basis of flooding.

Representations

The proposals have proven to be very controversial for such a modest scheme and have divided opinion locally.

The planning application has attracted 139 representations in support and 32 against.

The listed building consent application has also attracted one representation in support and three against.

In addition, a 400 plus petition has been submitted by the proprietors of The Dukes of Tarring Coffee shop (2, Market House, Church Rd) objecting to the planning application and rolled forward to oppose the listed building consent application.

This is as follows:

We at Dukes of Tarring Coffee shop aim to obtain enough signatures to stop this proposal from going ahead

The Duke family have provided a catering service to the village for 15 years and this Tea Room opening would have an effect of the longitude of service by The Dukes over the coming years.

The Dukes of Tarring Coffee shop and Dukes Sandwiches are already providing a wide variety of food and drink to the village and surrounding community, such as hot and cold food, bread, cakes, wide selectin of teas and coffees, breakfasts and lunches

By signing the petition below you are helping us to get the Council to reject the planning application in its entirety.

Representations in support of the proposal raise the following points;

- a) *This would be a good addition to the area for the mums who want somewhere to go whilst their children are at ballet (rather than the pub).*
- b) *Regularly visit the village and there's no where to go except pubs . This is a great idea much welcomed and needed.*
- c) *I think it would enhance the area and mean locals stayed and supported the local businesses rather than going further afield, as the social venues they require are on their doorstep. Fully supportive of this business venture.*
- d) *I am writing in favour of the proposed changed of use to teashop. Such an establishment would attract people of all ages, and provide a meeting place for people both within and outside of the community. This in turn would increase the volume of people to the area, which would have a positive impact of other businesses already in situ.*
- e) *I support the application on the basis that the downstairs conversion will add value to hairdressing business with little impact on its neighbours.*
- f) *Tarring is a very pretty village, I think visitors are attracted to the village to look at the historical buildings such as the property in question and the restaurant and pubs in the same street along with the church. It would be lovely to be able to have place for a cup of tea in the right setting over a weekend. I know there is a cafe across the road but this is a more modern look and a little out of chapter with the village I for one visit the park and would enjoy the chance for a cuppa on the weekend as I know from experience that the other cafe is not open at weekend. I have visited the other establishment and it is also very nice place.*
- g) *I couldn't think of anything better suited to such a nice, historic and peaceful British village. I think with the two fantastic pubs and the parsonage restaurant in the same road, the tea shop would just add to the charm of the village and complement it very.*

- h) *Many of the clients would be from the local area (as is currently the case with the hairdressers) so I do not feel it will have a huge impact on the parking in the area either. It may even cheer up that corner of the village in terms of the visual appearance!*
- i) *There is a local coffee shop but this closes early (3pm) and does not open at weekends, therefore not providing a service to parents and children on the school run.*
- j) *Nice to have a tea room locally rather than going into town I have a young baby and I know me and my friends would use it and the outside space is great as it looks a mess at the moment, how can the council allow cafes to open in town opposite each other a bit of competition didn't hurt anyone! All for it.*
- k) *I have been a client of guys and dolls for many years and the added bonus to the pampering experience of a tea room and a place to sit outside would be an asset and a place I would not only visit whilst having my hair done but a place to bring family at the weekends and a place to go whilst waiting for clubs that my children attend to sit and have 5 minutes peace*

The principal representations opposed to the proposal are from The Dukes themselves as follows;

Firstly the parking is a major issue in tarring village, there are a lot of cars parked and speeding through which is already dangerous for the public on that side of the road, also large lorries stopping outside the opposite site for the pubs and the parsonage restaurant delivering goods ie Heavy beer kegs, fruit machines and other not so desirable goods.

Then there is No downstairs toilets for the customers especially for wheel chair/disabled people which is against the law in this country as it could be class as discrimination/human rights act.

Also there isn't any fire exits for the upstairs A1 hairdresser which again is against the law you must provide this for staff and customers and being a grade 2 listed building are prone to easy fires.

Health And safety is a must and we must protect are little village in Worthing. Worthing already as a whole has far too much hairdresser/ tea /coffee shops and other A3 licence, so I recommend that this concern should be put back to a home/house for a family as tarring village needs more homes for people to live in.

Under the disability discrimination act cafes restaurants etc are required to provide disabled toilets that are accessible for wheelchair users.

The building (including the garage on the premises is listed which should prevent the building from major changes to protect the history which makes it listed.

Parking and high volumes of traffic is already an issue for the village. Parking is non-existent other than roadside parking which makes it dangerous for users and pedestrians.

New signage for the building is also concern due to the building being listed and in-keeping with the Conservation Area and appearance of the village.

The applications are retrospective surely this should not be allowed as work should not start until the permission is granted.

How will two businesses work combined with regards to health and hygiene - one being a hair salon and one being tea room providing food and drink. Will baking on site be permitted so close to a hair salon.

As the applicants live locally does their home residence require health and hygiene visits to ensure they meet the standard of baking at home also.

Other objections raised are summarised as follows:

- a) This is a very old and narrow street, in a conservation area. There is a serious lack of parking in Tarring Village and when I go for my regular coffee/lunch there I struggle to find anywhere already.*
- b) The proposal seeks to double the number of businesses within these small premises, which will clearly lead to an increase in the total volume of customers. Much of this custom is likely to be from outside the neighbouring streets, so this will clearly lead to an increase in the number of cars driving to and parking in Tarring Village. The small roads around 2, High Street, are heavily congested as it is. Despite being an access only thoroughfare, the High Street is routinely used as a cut through. This is directly attributable to inconsiderate parking in the limited number of parking bays in both Church Road and Glebe Road, which leads to tailbacks at busy times of the day. This whole situation will only deteriorate if the change of use is approved.*
- c) There was very nearly an accident a while back when a police chase came through the village!*
- d) You say competition is good ?????!!!! For who?? It has to be Fair Trade.*
- e) Dukes have been there for 5 years working very hard to give them a good name bringing in customers to the village so im sure the new A3 Tea/coffee shop will take their customers, what will they give back to Dukes and the village when this service is already there. We strongly believe that Tarring village is not large enough to sustain two shops supplying food and drinks be it a coffee shop or tea room. There is already a coffee shop, pub, convenience store/off license and a restaurant in the same section of the village with more amenities around the corner with more pubs a Tesco and Sainsbury.*
- f) The proposed change of use at 2, High Street, will obviously lead to the loss of a small and affordable residential unit, which is well suited to a single person or a couple. There is significant pressure from Central Government to increase the amount of residential housing units in the South East, to keep pace with the continued increase in population. Approving this change of use would therefore be contrary to this greater, Central drive to create more residential properties.*
- g) Harm to the proprietors and consequently to family of Dukes an established business .*

- h) Both No 4 and No 6-10 have a "legal establish" right of way and access at the rear of no 2. If this Retrospective Application "infringes this, both No 4 and No 6-10 will challenge to this proposal.*

Planning Assessment

Section 70 of the Town and Country Planning Act 1990 (as amended) in relation to planning applications and Section 16 of the Planning and Listed Building and Conservation Areas Act 1990 in respect of listed building consent applications provide that consent 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 in respect of planning applications.

Sections 16, 66 and 72 of the Planning and Listed Building and Conservation Areas Act 1990 provide that in respect of both listed building consent and planning applications special regard shall be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and, where applications affect a Conservation Area,. special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that decisions on planning application be made in accordance with the Development Plan unless material considerations indicate otherwise.

The main issues for consideration are:-

- Principle of change of use
- Impact on neighbour amenity and health and hygiene
- Impact on listed building and Conservation Area
- Impact on access and parking
- Inclusive access
- Flooding

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. A Housing Study has recently been published to this end and further work is being advanced to assess the local economy. A revised Local Development Scheme

which commits the Council to undertake a full review of the Core Strategy and prepare a new Local Plan for the Borough has been produced.

As such the proposal should be principally assessed against saved Worthing Local Plan Policies H18; TR9, and RES7, Core Strategy Policies 6, 7, 9, 15, 16, and 19; Worthing Conservation and Heritage Guide; Sussex Noise and Air Quality Advice; the National Planning Policy Framework and allied Practice Guidance; and West Sussex County Council Parking Guidance in accordance with the above.

Principle of change of use

Tarring village is not designated as a local centre in the Core Strategy and there are no protective policies for the hairdressers (i.e. what would otherwise be classified as A1 retail) element lost as part of the proposal. In any case, the hairdressers is reinstated upstairs. Given the location in the heart of the village, history of the use of the property and adjacent A4/A3 uses (i.e. pub/restaurants) and D1/B1 (community and business uses), a tea room use (otherwise classified as A3 use) is appropriate and adds to the village's offer, generates jobs and attracts footfall to the benefit of other local businesses and the local economy. It could be said that the historic character of the building lends itself to use as tea rooms

It is important to note that, whilst safeguarding designated town centres is a feature of national and local planning policy, central government positively encourages competition between businesses and the existence of a coffee shop (Dukes of Tarring Coffee Shop) in Church Road almost directly opposite is not a valid planning reason for refusal. It is significant that several supporters cite opening all afternoons and at weekends as key benefits of the new proposal and, to this extent, the businesses are complementary.

Since the upper floor accommodation lost is un-self-contained and historically tied in with the erstwhile hairdressers/post office use, its removal is not opposed in any Core Strategy Policy. Its value and quality is also questionable, being so small, lacking any outdoor amenity space and sharing facilities with the ground floor commercial use. The applicant reports that the tenant, who is a friend, used the accommodation only occasionally and was due to move out last July.

Impact on neighbour amenity/health and hygiene

The site is adjoined by established commercial and community uses and no residential dwellings are affected.

The proposal is very modest in scale and nature of the businesses unlikely to be offensive in themselves. Importantly, the tea shop excludes primary cooking other than limited baking and so no issue of odour disturbance should arise and no significant ventilation extraction equipment unlikely to be required. Appropriate controls on cooking and on the design of the rear external vent and extraction system for both the tea shop and hairdressers may be secured by condition.

Proposed trading hours are not unsocial either and may likewise be controlled by condition, including use of the outside eating area.

Other health and hygiene issues arising from such use are dealt with by other legislation and normally fall outside of planning's remit.

Impact on the listed building and Conservation Area

The finalised comments of the Conservation Officer are awaited but the works carried out already to the building are not considered to be generally harmful and the other allied physical conversion works are of generally minor consequence or of direct benefit such as removal of unsympathetic windows and signage. The enhancement of the curtilage space is a positive benefit and will improve the setting of the building and the Conservation Area. Above all, the proposal finds a positive use for this vacant listed building and helps secure its future. Details of works may be controlled by condition.

Impact on access and parking

The site is sustainably located, in a village centre with reasonable public transport.

Whilst no off street parking is provided, this is often the norm in such dense, historic centres and merely reproduces the situation when it was a post office /hairdressers. The Highway Authority does not consider that the parking levels generated compared to previous uses would be significant as to cause concern; existing parking controls should deter unsafe parking and there is no record of traffic safety incidents nearby.

Easements to allow access by adjacent properties across the site are outside of the remit of the planning system.

Inclusive access

The planning system promotes inclusive access but details of design and securing provision is now largely taken forward by other regulatory systems, not least, here, Part M of the Building Regulations; The Disability Discrimination Act and relevant Environmental Health legislation, as described by The Head of Building Control (Access Officer) in his comments. From these comments, it is evident that the test for inclusive provision is one of reasonableness rather than a blanket requirement.

Even so, any significant consequential physical works entailed to meet any such deemed requirements, would require listed building consent. The benefits of such works would still need to be balanced against the impact on the special qualities of the listed building.

In terms of facilities proposed at the property, pedestrian access is to be through an existing door onto the High Street with its slightly raised threshold. This appears too narrow for a wheelchair and a permanent ramp would be of limited value as well as obtrude onto the narrow pavement. Flush access through the entrance door is likely to be impractical because of the history of flooding here whilst widening the door could also be harmful to the listed building. The value of a moveable ramp here seems dubious. It is also noteworthy that the situation, although unsatisfactory, is not materially different to the previous arrangement when the property was used

as a post office. In any case, access by many ambulant disabled and people with buggies should still be possible with the present basic arrangement, subject to practicable improvements required by Building Regulations. Inclusive access to the outdoor seating area should be easier to physically achieve and may be secured by condition.

The proposal lacks a ground floor toilet, staff and customers having to rely on the new upper floor WC accessed internally by the stairs. This is not ideal in itself but, again, is not that unusual for such a small historic building and flexibility may be justified to secure a positive use and future for this listed building as well as avoiding direct harm to the special qualities' of the listed building .

By self limiting the covers to 24, the applicant complies with relevant environmental health standards governing scale of WC provision. This may be secured by condition.

It is noted that there may be potential to build an extension to the south to accommodate a wheelchair accessible ground floor WC and also provide wheelchair access to the tea rooms. However, it is not considered a proportionate response to the problem given the small size of the café; scale of the works and the visual impact on the listed building.

Flooding

The property and immediate vicinity have a history of shallow flooding due to the drainage system. The proposal would not place any greater demands on the system and the forecourt can be designed to help with drainage by condition.

Recommendations

AWDM/0646/15: Change of use from mixed use (A1 on ground floor with ancillary living accommodation on first floor) to Tea shop (A3) on ground floor and forecourt including outdoor seating area and hairdressers (A1) on first floor together with allied internal and external alterations including new boundary fencing.

Approve subject to the following conditions

1. 3 Years to implement
2. Build in accordance with approved drawings .No use of adjacent single storey storage building as tea room/hairdressers.
3. Trading hours limited to 8am to 6pm
4. No occupation until details of ventilation extraction systems agreed and so implemented.
5. No occupation until details of works to building and curtilage agreed and so implemented.
6. No primary cooking except for baking cakes, bread/scones for sale on premises and warmed up light snacks
7. No more than 24 covers.
8. No occupation until details of surface drainage agreed and so implemented.

AWDM/1202/15: Internal and external alterations (part retrospective) to convert premises to Tea shop (A3) on ground floor and forecourt including outdoor seating area and hairdressers (A1) on first floor.

Approve subject to the following conditions

1. 3 Years to implement.
2. Build in accordance with approved drawings.
3. No occupation until details of works to building and curtilage agreed and so implemented.
4. Protect building during works

Background Papers

Observations by Highway Authority
Observations by Environmental Health Officer
Observations by Historic England
Observations by Drainage Officer
Observations by Head of Building Control (Access Officer)
Observations by Conservation Area Advisory Committee

23rd September 2015

Application Number: AWDM/0915/15

Recommendation – Approve

Site: 49B Bath Road, Worthing

Proposal: Single storey rear extension.

Applicant: Mr and Mrs Heath
Case Officer: M O'Keeffe

Ward: Marine



Not to Scale

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Site and Surroundings:

This application relates to a single storey cottage which was added to the rear of the two storey parent building in the last seven years and attached by a single storey glazed link. The existing 'cottage' is 2 bedrooms. The applicant would like to make the home three bedrooms by adding a large rear extension and rearranging the internal layout.

No. 47, to the east is a detached dwelling converted into two flats. The rear garden at 47 is divided lengthways with the nearest garden to the site belonging to the first floor flat and the furthest from it belonging to the ground floor. To the west are garages on the boundary inside the boundary of 51a Bath Road and the garage compound of Regis Court.

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

Proposal

The extension proposed is 6.2 metres deep, 5.2 metres wide and is proposed with a pitched roof height of 3.6 metres and an eaves height of 2.4 metres. The proposal extends from the rear of the house. A previously proposed side addition, taking development closer to eastern boundary with No. 47, has been removed.

Relevant Planning History

AWDM/1351/12 - loft conversion including side dormers to convert a 2 bedroom flat into a 3 bedroom flat to make a family home. Granted 18.12.12

AWDM/0508/12 - Proposed loft conversion with east and west side gable extension, east side flat roofed dormer and rear (south) open terrace window, to form lounge and study in roof space. Refused 16.8.12

08/1057/FULL - Construction of a single storey two bedroom cottage within rear garden. Granted 18.12.08

Consultation Responses:

None undertaken.

Representations

Letters of support received from the occupiers of both flats in the parent building at No. 49 and from the first floor flat at No. 47. Having initially objected to the proposal the occupiers of the ground floor flat at 47 have 'unconditionally withdrawn' their objections.

Planning Assessment

The principal issues raised by this proposal are:-

- Principle and form of extension
- Impact on the amenity of neighbours

The application should be considered against Core Strategy policy 16, Saved Local Plan policies RES7, H16 and H18, The National Planning Policy Framework 2012, Supplementary Planning Guidance – Extending and Altering Your Home and Supplementary Planning Document – Guide to Residential Development, November 2013

The principle of development can be supported as it upgrades an existing residential unit on a brownfield site. Development should not unacceptably affect neighbour amenity or the appearance of the building and wider area.

Residential amenity

The proposed extension is deep and would give the cottage a maximum overall depth of 15 metres. The entirety of the existing cottage, 8.1 metres, is beyond the rear wall of No. 47, to the east. It is not considered that this additional 6.2 metres will greatly reduce further the amount of afternoon sun received to the rear of No. 47. Daylight will be unaffected.

The proposal has been revised and a previously proposed flat roofed addition on the boundary with No. 47 has been removed from the application. The proposed extension is now the same distance off this shared boundary as the original dwelling. Consequently the extension will not be directly overbearing.

The extended cottage will extend the length of the first 15 metres depth of garden at No. 47. This nearest strip of garden belongs to the first floor flat. Beyond the extension remains a further 11 metres of garden. The occupiers of the first floor flat have written in support of the application. Consequently it is not considered that a significant impact on neighbour amenity will occur in this case.

The extension is positioned 3.5 metres off the boundary with 51a Bath Road and Regis Court. Garages belonging to both properties adjoin the common boundary. The applicant was asked to re-position the extension on this side of the rear elevation as this is considered to be less sensitive in terms neighbour impact. This would also give the repositioned kitchen a rear facing window. The applicant declined to do this but has removed the flat roofed element of the extension previously proposed on the boundary with No. 47.

Visual amenity

The proposed extension follows the scale and design of the existing cottage but it is not as wide. The combined depth of the existing cottage and extension is unusually deep for the back of what is otherwise a fairly standard two storey dwelling. However, the cottage benefits from planning permission and as such any impact upon visual amenity has already been established by the presence of this building. The current proposal must be considered on its own merits and to extend it in itself will be no more harmful to the general pattern of development in the area or visual amenity than the original building. Accordingly, therefore, it is not considered there are justifiable grounds to resist the application.

Recommendation

APPROVE subject to the following conditions:

1. 3 years
2. Approved Plans
3. Materials to Match
4. No new windows – east side

Application Number: AWDM/1152/15

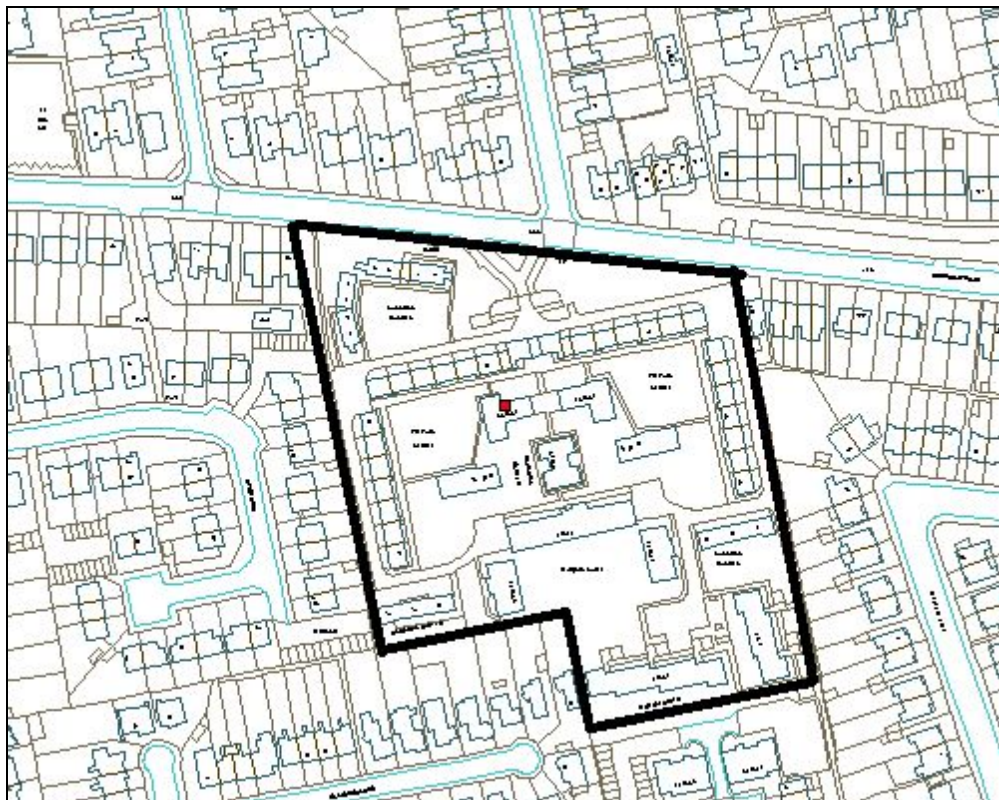
**Recommendation – APPROVE
subject to the expiry of the
consultation period on 25th
September 2015**

Site: 36 Coronation Homelets Brougham Road Worthing

Proposal: Disabled ramp and handrails to front entrance of No. 36

Applicant: Mrs Irene Talty
Case Officer: Matthew Porter

Ward: Selden



Not to Scale

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Proposal, Site and Surroundings

This proposal relates to an assisted-living housing complex built in the early 1950s, which includes Coronation Homelets, Pearson's Retreat and Brougham Court.

Coronation Homelets is a series of T-shaped 2 storey flat blocks located in the centre of the complex, fronted by an open area of lawn with borders of low level shrubbery. The flat blocks are only slightly visible outside of the estate through an archway in the principal building, which is set back from Brougham Road.

Permission is sought for the construction of improved access to the entrance of flat 36. There is an existing level concrete path to the flat block.

A communal ramp was previously permitted to serve the communal entrance of the flat block, for the benefit of the resident of flat 36 who has mobility issues (AWDM/1285/14 refers). Her preference is now to have her main access directly into her hallway via a new front door.

The new ramp and handrails would be laid out in an U-shape, and in its extremities would measure some 2.9 metres long, 7.6 metres wide, and 0.9 metre high. It will be served by a new door with side window, and connect with a new concrete path.

The ramp would be built in concrete with brick on edge capping to its walls. The hand rails would be of galvanised steel.

Consultations

Adur & Worthing Councils Environmental Health: *No comments*

Representations

None

Relevant Planning History

AWDM/1285/14

Construction of ramped approach with hand rails to communal front (serving 34, 36, 38 and 40 Coronation Homelets) to suit resident disabilities
Permitted with conditions 29.10.2014

AWDM/0182/14

Form new access path and disability ramp to communal entrance to flats
Permitted with conditions 18.03.2014

AWDM/0151/14

Construction of stepped approach with handrails to communal front door (Serving 34, 36, 38 and 40 Coronation Homelets) to suit resident disabilities
Permitted with conditions 14.03.2014

AWDM/0211/13

New front entrance to include replacement door and windows and disability and access ramp to ground floor flat
Permitted with conditions 11.04.2013

Relevant Legislation

The Committee should consider the planning applications 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.

Relevant Planning Policies and Guidance

Worthing Core Strategy 2006-2026 (WBC 2011) policies: 16, 19
Worthing Local Plan (WBC 2003) (saved policies): H16, H18
National Planning Policy Framework (DCLG March 2012)

Planning Assessment

Principle

The proposal would improve access to and from the buildings, and is supported in principle

Visual amenity

Visually the proposed ramp is utilitarian in design. However it is very similar to the other permitted ramps; the basic lightweight materials and finishes are suitable given the simplicity of the elevations of each flat block building, which have been deliberately designed with little external adornment.

The new door and windows would be similar in style and design to the existing fenestration on the building.

The modest scale of the proposal and the secluded nature of the location is such that it would not detract from the appearance of the building or wider area.

Residential amenity

The proposed ramp would be set against the windows of flat 36 and is for the private use by the resident alone, so neighbours would not experience greater loss of amenity as a result of this proposal.

Recommendation

APPROVE subject to the expiry of the consultation period on 25 September without any adverse comments being received.

Subject to Conditions:-

1. Standard time limit
2. Approved Plans

23rd September 2015

**Local Government Act 1972
Background Papers:**

As referred to in individual application reports

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Schedule of other matters

1.0 Council Priority

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

2.0 Specific Action Plans

- 2.1 As referred to in individual application reports.

3.0 Sustainability Issues

- 3.1 As referred to in individual application reports.

4.0 Equality Issues

- 4.1 As referred to in individual application reports.

5.0 Community Safety Issues (Section 17)

- 5.1 As referred to in individual application reports.

6.0 Human Rights Issues

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

7.0 Reputation

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

8.0 Consultations

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

9.0 Risk Assessment

9.1 As referred to in individual application reports.

10.0 Health & Safety Issues

10.1 As referred to in individual application reports.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership Working

12.1 Matter considered and no issues identified.

13.0 Legal

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

14.0 Financial implications

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