



WORTHING BOROUGH  
C O U N C I L

Planning Committee  
23 January 2019

Agenda Item 5

Ward: ALL

Key Decision: ~~Yes~~ / No

Report by the Director for Economy

Planning Applications

1

Application Number:        **AWDM/0413/18**                                Recommendation – Refuse  
&

**AWDM/0414/18**

Site:                        **Coach And Horses, Arundel Road, Worthing**

Proposal:        **Retrospective application for previously approved AWDM/0803/16. Amendments to kitchen link extension and alterations to existing outbuilding plus siting of cold store compressor unit on west elevation of kitchen link extension.**

**AWDM/0414/18**

**Application for Listed Building Consent for retention of amendments to previously approved AWDM/0805/16. Amendments to kitchen link west wall re-siting of cold room compressor unit, raising of kitchen floor, removal of existing window to north elevation and replacement with door.**

2

Application Number:        **AWDM/1673/18**                                Recommendation – Approve

Site:                        **24 Wordsworth Road, Worthing**

Proposal:        **Change of use of House in Multiple Occupation for 6 persons (Use Class C4) to House in Multiple Occupation 8 rooms for 9 persons (Use Class Sui Generis).**

3

Application Number:        **AWDM/1593/18**                                Recommendation – Approve

Site:                        **Central Pavilion, Beach House Park, Lyndhurst Road, Worthing**

Proposal:        **Replace all steel Crittall windows and timber single glazed doors with aluminium double glazed units to all elevations including balconies.**

Application Number: AWDM/0413/18

Recommendation – REFUSE

Site: Coach And Horses Arundel Road Worthing West Sussex

Proposal: Retrospective application for previously approved AWDM/0803/16. Amendments to kitchen link extension and alterations to existing outbuilding plus siting of cold store compressor unit on west elevation of kitchen link extension.

Applicant: C & D Partnership  
Case Officer: Jo Morin

Ward: Northbrook

Application Number: AWDM/0414/18

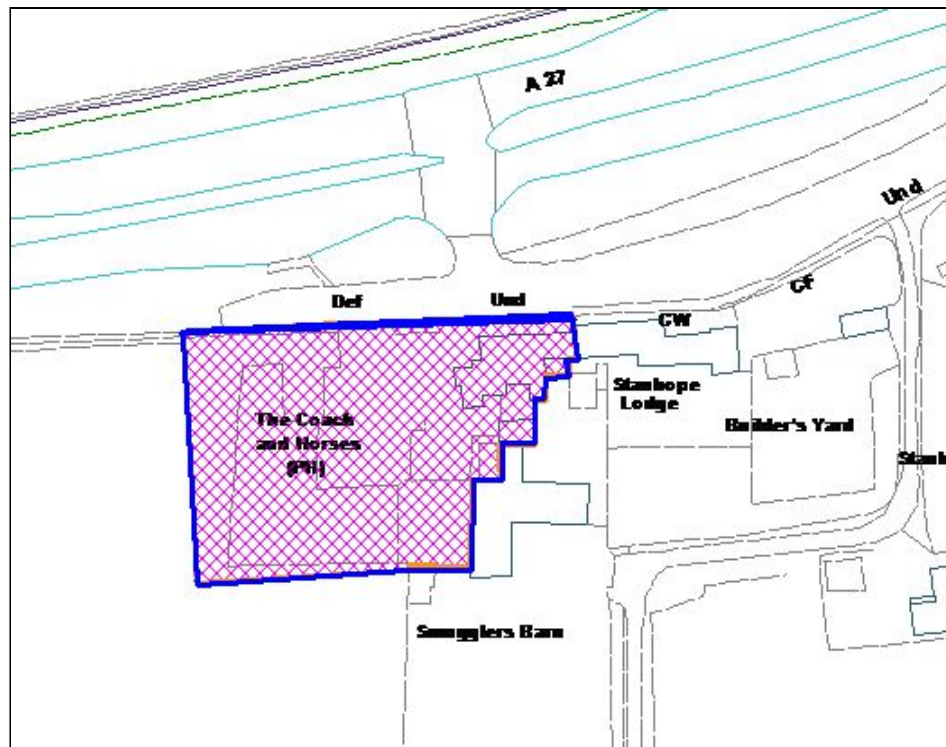
Recommendation – REFUSE

Site: Coach And Horses Arundel Road Worthing West Sussex

Proposal: Application for Listed Building Consent for retention of amendments to previously approved AWDM/0805/16. Amendments to kitchen link west wall re-siting of cold room compressor unit, raising of kitchen floor, removal of existing window to north elevation and replacement with door.

Applicant: C & D Partnership  
Case Officer: Jo Morin

Ward: Northbrook



Not to Scale

## **Site and Surroundings**

The application relates to the Grade II Listed Coach & Horses Public House and associated car park and pub garden located just to the south of the A27 (Arundel Road). It forms part of a group of buildings located outside of the designated 'built-up' area of Worthing accessed from a vestigial section of the old Arundel Road.

Adjoining to the east is Stanhope Lodge, a C18, 2-storey, Listed, brick-built dwelling attached to the public house by a flint-built former outbuilding. At its eastern end, the private road adjoins an unmade track (a Public Right of Way) which provides vehicle access to a number of the dwellings in the group including Smuggler's Barn, (formerly Stanhope Barn) a converted farm building enlarged by extensions carried out in a rustic style. Beyond Smuggler's Barn, the track narrows to a footpath and traverses southwards across fields to link with the new development taking place at West Durrington.

The site lies on the very edge of the Borough boundary. The South Downs National Park adjoins the north side of the A27.

The site lies to the north of the West Durrington Urban Extension where 700 dwellings (and associated infrastructure and facilities) are under-construction in accordance with the West Durrington Strategic Allocation. Planning Committee has resolved to grant outline planning permission for up to a further 240 dwellings (AWDM/1882/16 refers) on the agricultural land directly adjoining the site to the south and west (identified on the Proposals Map as the West Durrington Potential Future Development Area).

## **Background and Proposal**

Conditional planning and listed building consent was granted under AWDM/0803/16 and AWDM//0805/16 for various additions, extensions and alterations to the public house and development within its curtilage comprising:-

- i) a detached two-storey hotel annex building containing 14 guest bedrooms located to the south-west of main public house;
- ii) demolition of the existing toilet block attached to the west side of the pub and development of a replacement toilet block and dining room extension adjoining the west and south elevations of the pub;
- iii) erection of a single-storey link extension between the existing kitchen and detached rear storage barn/outbuilding; and
- iv) extension of the car park to south and west side of the site.

A single-storey extension has been built between the rear (south) of the main public house building linking the kitchen to the detached storage barn/outbuilding across the small yard to the south. The extension is larger, with a different footprint to that approved under AWDM/0803/16 and AWDM/0805/16 and different detailed design. Retrospective planning permission and listed building consent is sought to retain the

single-storey extension as built together with associated alterations to the detached barn/outbuilding to form a cold store and wine/spirit store.

The above-mentioned hotel annex building is currently under construction and nearing completion. This is despite the fact that a number of the conditions of the planning permission AWDM/0803/16 have not been approved owing to the submission of either inadequate or insufficient information. In due course consideration will need to be given to the expediency of pursuing enforcement action in respect of a breach of conditions, but that is a separate matter to the retrospective applications under consideration here.

The applicant has indicated that there are no plans at present to carry out the replacement toilet block and restaurant extension approved under AWDM/0803/16 and AWDM/0805/16.

This report deals with the current applications for planning permission and listed building consent.

## **Consultations**

**Highways England:** No objection.

**West Sussex County Council:** The Local Highway Authority comments that in comparison to the approved application there are no modifications that would have any bearing on the previously submitted comments from WSCC.

**Sussex Police:** The Crime Prevention Design Advisor comments that the application does not meet the agreed criteria for consultation, draws the applicant's attention to general crime prevention advice and in particular the Secured By Design Commercial Development document (2015).

**South Downs National Park Authority:** No comments.

**Adur & Worthing Councils:**

**The Conservation and Design Officer** comments as follows:-

*“Permission was granted to construct a narrow corridor link through the rear yard of the Coach and Horses Public House to an existing outbuilding following negotiations between the Council and the building owners. The link was carefully detailed to have a minimal impact on both buildings, and would respect the main entrance door from the yard into the external store.*

*The external store is a curtilage building to the Listed Coach & Horses, and would have been part of a group of outbuildings probably used for stabling in the nineteenth century. Due to the width and form of the link as constructed, major alterations have been necessary to the external store and these have been detrimental to the store and the setting of the listed building.”*

**The Environmental Health Officer** comments as follows:-

*"I visited the site [September 2018] and met with the refrigeration engineer and Kestrel Design. We inspected the cold room. They confirmed that this is a stand-alone unit which is surrounded by 100mm of insulation and 100mm air gap. Inside the walk in fridge there is an internal unit containing two fans.*

*Standing within the wines and spirits store (with the internal door closed) the fan noise was only faintly audible. I am satisfied that with the additional solid brick party wall there should be no significant disturbance from the cold rooms internal fan noise within the adjoining property.*

*I raised concern about the potential noise disturbance caused by the door of the walk in fridge being slammed shut. The landlord advised me that this door could not be slammed as the lock does not engage so it needs to be pushed shut. This fridge is not used regularly, items required regularly are stored in the smaller fridges closer to the kitchen for easy access.*

*We went outside and viewed the external refrigeration plant which is currently on the external side of the wines and spirits store by the fence. I was advised that the land to the south of this fence is owned by the pub (currently an old garage). When operating the noise from the external unit was surprisingly low, the noise of the road was definitely the dominant noise source. The current position of this plant is acceptable from a noise perspective and I do not believe any neighbours would be disturbed by this plant in the current position."*

**Worthing Conservation Advisory Committee:** Strong objection to the amended enlarged footprint of the link and the resultant changes to the existing listed fabric of the buildings. Object to the air conditioning unit.

**Arun District Council:** No comments received.

## **Representations**

An objection has been received from the occupiers of Smugglers Barn commenting as follows:-

- i) Cold Store Compressor: The addition of the cold store compressor unit on the west elevation is a significant concern. The completed building works has led to our property being attached to the main building (rather than just the outside store as before). The compressor unit has the potential to cause noise and vibration issues within our property. This will likely increase as time goes by and the unit degrades with use. Consideration should be given to siting the unit elsewhere giving proper consideration to the impact of its placement.
- ii) It is frustrating that additional and unapproved doors have been added without consultation. We hope that some consideration will be given to how these doors are opened and closed. In a busy business environment it is tempting to walk to stores quickly and may lead to slamming doors. Soft-closing doors should be considered.
- iii) The increased kitchen size should increase productivity and could encourage more noisy appliances and more staff. The smells that get extracted from the kitchen are already very strong and regularly smelled from our property.

- iv) The wine and spirits store is another addition that was not part of the original plan and has the potential to cause noise disturbance just the other side of our dividing wall. Delivery operative stocking the room may be less considerate in keeping noise to a minimum.
- v) It is completely unacceptable that the owner and/or project managers and contractors have disrespected the planning process, local residents and the heritage of the building by carrying out works which do not accord with the approved plans. We are increasingly distrusting of the project and its outcomes.
- vi) We thought it was agreed the car park would not be loose gravel due to the noise.
- vii) There is little detail to show how sewage waste will be dealt with.

### **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.

The Committee should consider the application for Listed Building Consent in accordance with:

Section 16 Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. 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.

### **Relevant Planning Policies and Guidance**

Worthing Core Strategy 2006-2026 (WBC 2011): Policy SO3, 5, 13, 11, 16  
Worthing Local Plan (WBC 2003) (saved policies): RES7, H18, TR9  
Supplementary Planning Document 'Sustainable Economy' (WBC 2012)  
'Infrastructure Delivery Plan' (WBC 2010)  
Supplementary Planning Guidance 'WSCC Parking Standards and Transport Contributions' (WBC 2005)  
National Planning Policy Framework (2018)  
National Planning Practice Guidance

### **Planning Assessment**

#### ***Principle***

The application site is located outside of the existing built-up area boundary where new development is normally resisted. However, the previously approved

applications for the development of new and expanded facilities at the public house were supported in the context of national planning policy within the NPPF and Development Plan policies (including Strategic Objective 3 and CS Policy 5) that seek to promote sustainable economic growth by supporting local businesses and (amongst other things) upgrading of the existing cultural, leisure and tourism 'offer' of the town in order to attract more visitors and to help create new jobs and prosperity.

Thus, as before, there is no objection in principle to the rear extension and associated alterations as built, the key considerations are the effects on the historic significance of the listed building and on the amenities of nearby residential occupiers.

### ***The Historic Environment***

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. It goes on to state that any harm, or loss of significance should require clear and convincing justification.

Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefit of the proposal including, where appropriate, securing its optimum viable use.

A Historical Report commissioned by the applicant in respect of the former applications AWDM/0803/16 and AWDM/0805/16 investigated the former ownerships and history of the pub building and concluded that it started life in the mid-C17 as an agricultural building – probably a barn – that was converted to an inn c.1741 known as The Rose and Crown Inn. Elements of the earlier barn were found to be still evident in the roof structure of the pub. Adjoining to the east, Stanhope Lodge, and the outbuildings behind (south) of the pub form a dense group of a similar age. The Heritage Statement accompanying the applications states that examination of historic Ordnance Survey maps suggests that the physical generality of this group has changed little since 1875, although the converted barns further beyond to the south are difficult to reconcile with earlier maps. [Smugglers Barn, in any event, is not listed.] The submitted Heritage Statement goes on to explain that the pub has been extended in a variety of phases, with a C19 wing to the south-west, and a more modern C20 2-storey infill extension with a flat roof to the rear. The parapet flat-roofed toilet block on the west side is also a C20 addition.

The historic significance of the existing building derives from its early origins and long history of use as an inn, having been altered and enlarged incrementally and evolving over time. Adjoining to the east, Stanhope Lodge is also of historic importance, forming part of the group. Built as a domestic building, the oldest part dates roughly from the time the inn was established c.1741.

As approved under AWDM/803/16 and AWDM/0805/16 the rear kitchen extension was designed as a narrow, flat-roofed link (gross internal floor area 11.5sqm), attaching the rear of the pub to the detached barn/outbuilding used as stores. It involved blocking up an existing ground-floor window opening in the C20 rear infill addition to the pub together with the creation of a new opening in the north side of the barn/outbuilding. It was considered that in view of its position on the less historically sensitive part of the building, in addition to its modest size and simple form, it would not result in any harm to the historic importance of the building.

The alignment of the north part of the single-storey extension where it is attached to the rear (south) of the public house accords with the approved plan, but the southern element dog-legs out extending further westward into the rear courtyard by between 0.9 to 1.3 metres. As built, the extension has a gross internal floor area of 16.5sqm. Its siting further westward where it attaches to the barn/outbuilding has necessitated blocking up an external door in the north elevation of the barn/outbuilding which opened into the courtyard. A former window opening positioned further west in the north elevation of the barn/outbuilding has been altered to form a new external door into the courtyard instead. At present, the new door is a plain, modern utilitarian-looking door. The submitted drawings show it would be replaced with a more traditional vertical-boarded door.

Other changes compared to the approved drawing include a slight difference to the proportions of the windows (consisting of small-paned, white-painted, timber casements), a change in the design to the 2 no. external timber doors and the addition of external steps to accommodate the difference in ground levels between the rear of the pub and the barn/outbuilding, which is on marginally lower ground. As approved, the layout shows an internal step down into the extension from the kitchen and a further internal step approximately midway along its length. The applicant has stated that raising the floor level within the extension as built was necessary to overcome a health and safety hazard for kitchen staff.

Although these differences seem relatively subtle in themselves, the Council's Conservation Architect is concerned that what was approved under AWDM/0803/16 and AWDFM/0805/16 as little more than a corridor linking the kitchen to existing external stores, is now a functioning kitchen extension. [Indeed, when initially inspected by Officers there was an oven within the built extension, although it is understood this has since been removed.] The impact of this in terms of the historic significance of the building is that the extension as built encroaches further into the rear yard and 'covers up' a greater proportion of the north elevation of the detached barn/outbuilding, weakening the historic distinction between the public house and the ancillary nature of the former barn/outbuilding. Notwithstanding that the harm can be considered, less than substantial, there is no clear or convincing justification for it.

### ***Visual Amenity***

The single-storey extension is located to the south of the public house building within the rear courtyard. The latter was previously enclosed on the east side by a tall brick wall forming the eastern site boundary with Smugglers Barn, and which now forms the side wall of the extension. The west side of the courtyard is enclosed by a dark-stained vertical-boarded timber panel with access gates, sited between



the rear south-west wing of the pub and the western end of the rear barn/outbuilding. The timber panel is approximately 3 metres high. Photographic records indicate that it has been in situ since at least the beginning of 2015 (and probably earlier). It effectively screens views of the rear extension from the external terrace and open parking area to the west side of the pub. The implementation of the restaurant and replacement toilet block extension at some point in the future (permission for which remains extant) would result in an even narrower angle of view of the rear extension from the west.

The compressor unit which serves the cold room (located within the barn/outbuilding) has been fixed to the west side gable wall of the latter building. It is visible from the external sitting-out terrace although partially screened (in the Summer at least) by the foliage of a tree growing close to the west side wall of the barn. Nevertheless it is an unsightly and utilitarian addition to the curtilage building. The submitted plans propose the compressor unit re-located to a position below the northernmost window on the west elevation of the single-storey extension, where it would be screened in views from outside the courtyard by the above-mentioned timber panel.

### ***Residential Amenity***

The main property affected by the proposals is 'Smugglers Barn' adjoining to the south and east.

Smugglers Barn is made up from a series of converted former farm buildings which have been altered and enlarged. The main aspect of the dwelling is south-facing over a large, landscaped garden. However, part of the accommodation of Smugglers Barn (a kitchen) is located within a former barn which is physically joined to the above-mentioned storage barn/outbuilding within the grounds of the Coach & Horses.

The extension as built has had no physical impact on the amenities of Smugglers Barn, being no taller than the pre-existing tall brick wall which forms the common boundary.

The drawings approved under AWDM/0803/16 and AWDM/0805/16 included the formation of a new cold store within the outbuilding adjacent to the internal party wall with Smugglers Barn. A condition of the planning permission required details of a scheme to protect the occupiers of Smugglers Barn from noise emissions from plant and equipment associated with the formation of the cold store to be agreed and implemented prior to occupation.

The works within the barn/outbuilding to form the cold store have been carried out without approval of the planning condition under AWDM/0803/16. As part of the current application, the applicant has confirmed that the cold store is a self-contained, fully insulated unit and is separated from the party wall by a stud wall comprising 100x50mm studding covered in plasterboard and plastered; insulation between the wall and the stud wall; and an insulated ceiling above the whole area. Having visited the premises, the Council's Environmental Health Officer is satisfied that the insulation of the self-contained cold store unit should not give rise to unacceptable noise nuisance for the occupiers Smugglers Barn.

The compressor unit currently fitted on the west side of the building is required to circulate the refrigerant within the cold store. The submitted drawing shows it re-sited on the west wall of the extension (fitted on anti-vibration mountings) in order to overcome concerns about its visual impact in its current location. Conflicting information has been submitted in respect of noise emissions from the compressor unit. On visiting the premises, the Council's Environmental Health Officer is satisfied that noise from compressor unit in its current location is barely audible above the all-pervasive road traffic noise from the A27, and would not have any adverse impacts on the amenities of neighbours. However, the information submitted to date is insufficiently clear to be able to ascertain whether noise emitted from the unit in its re-sited position would be satisfactory, given it would be closer to the eastern site boundary than at present. However, this matter could likely be addressed by requiring such technical clarification as necessary to be submitted as a condition of planning permission, if all other material considerations were found to be acceptable.

### ***Accessibility and parking***

The Highway Authority has confirmed that the alterations to the kitchen extension resulting in an increase in floor area of 5sqm has no implications for parking or highway safety matters compared to the previously approved scheme.

### ***Conclusion***

It is acknowledged that the wider investment currently taking place in the development of the Coach & Horses can broadly be recognised as supporting local economic growth and enhancing the range of tourism/leisure facilities in the town, particularly when viewed in the context of the large number of public houses in and around the town that have closed in recent years. The Coach and Horses was itself vacant for a period of time in 2014-15, before being purchased by the current owner.

This aside, notwithstanding the siting of the extension to the rear of the public house building, and consequent the limited public views of it; there is no clear and convincing justification for the resulting harm that has occurred to the historic significance of the listed building in terms of a weakening of the hierarchical relationship between the main public house building and the ancillary curtilage building, notwithstanding that such harm may be considered 'less than substantial'.

### **Recommendation**

#### **AWDM/0413/18**

#### **REFUSE on the ground:-**

1. By reason of its size, siting and design the single-storey kitchen extension attaching the rear of the public house to the curtilage barn/outbuilding is harmful to the historic significance and setting of the listed building having unacceptably detracted from the historic hierarchical relationship between the public house

and the curtilage outbuilding and is therefore contrary to policy 16 of the Worthing Core Strategy and the NPPF.

**AWDM/0414/18**

**REFUSE on the ground:-**

1. By reason of its size, siting and design the single-storey kitchen extension attaching the rear of the public house to the curtilage barn/outbuilding is harmful to the historic significance and setting of the listed building having unacceptably detracted from the historic hierarchical relationship between the public house and the curtilage outbuilding and is therefore contrary to policy 16 of the Worthing Core Strategy and the NPPF.

23rd January 2019

Application Number: AWDM/1673/18

Recommendation – APPROVE

Site: 24 Wordsworth Road Worthing West Sussex BN11 3NH

Proposal: Change of use of House in Multiple Occupation for 6 persons (Use Class C4) to House in Multiple Occupation 8 rooms for 9 persons (Use Class Sui Generis)

Applicant: Mr Karl Edwards  
Case Officer: Jackie Fox

Ward: Heene



Not to Scale

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### Introduction

Councillor Paul High has requested this application be determined by Committee.

## **Site and Surroundings**

Wordsworth Road comprises a primarily residential road of two storey dwellings leading from the sea front.

The properties have narrow walled area to the front and parking on street. The properties tend to have small courtyards to the rear

To the north and south of the property are terraced properties.

## **Proposal**

Permission is sought for a change of use from a house in multiple occupation for 6 persons (C4) to house in multiple occupation of 8 rooms for 9 persons (sui generis).

The proposal shows 3 bedrooms, a shower room and kitchen on the ground floor, 4 bedrooms and a bathroom on the first floor and one bedroom at second floor. There would be no external alterations.

## **Relevant Planning History:**

### **AWDM/0536/18**

Planning permission was granted in July 2018 for the Change of use of House in Multiple Occupation for 6 persons (Use Class C4) to House in Multiple Occupation 9 rooms for 10 persons (Use Class Sui Generis) and the erection of rear dormer. The permission is a material consideration in the determination of the application.

## **Consultations:**

**WSCC:** The Highway Authority has raised no objection on highway safety grounds commenting:-

*The site is located within Worthing Town Centre and is very sustainable with good pedestrian footways, cycle routes, and access to public transport. Located in a controlled parking zone and it is uncommon for residents of HMO properties to own a car.*

*As such the increase in the number of persons occupying the house from 6 to 9 is accepted by WSCC, as the site would not create any significant changes to the operation of the public highway.*

**Southern Water:** An informative is requested advising the applicant of the need for an application for a formal connection to the public foul and surface water sewer.

## **Adur and Worthing Councils:**

The EHO (Private Housing) comments: - confirms that 24 Wordsworth Road is already operated as a well-managed House in Multiple Occupation and that the current licence for the property allows the proposed level of occupation. We have

received no complaints from occupants or neighbours about the property to date. I therefore have no negative comments about the proposed reduced scheme.

The EHO (Environmental Protection) has no adverse comments

**Technical Services** comments: The proposals will not affect surface water disposal and therefore I have no comments to pass on this application.

### **Representations:**

None received

### **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

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 property is already being used as a HMO the principle has therefore already been established and has been operating for a number of years. Permission was also granted for a 9 room 10 person HMO in 2018

The relevant Core Strategy policies are Policy 7; Meeting the Housing Need; Policy 8: Getting the Right Mix of Homes; Policy 9: Existing Housing Stock; Policy 10: Affordable Housing; and Policy 16: Built Environment and design and Policy 15 Flood Risk and Sustainable Water Management. The relevant Saved Local Plan policies are H18: Reduction in amenity for local residents and TR9: Parking provision; Policy issues relating to Houses in Multiple Occupation report 19.10.16 and the National Planning Policy Framework and Planning Practice Guidance (HCLG 2018).

The main issues are:

- HMO policy and the Impacts on the local area
- The effects of the development on the residential amenities of existing and future occupiers;
- Highway safety and parking considerations.

### **Impacts on the Local Area**

There are no development plan policies directly governing the provision of HMO accommodation. Government planning policy is set out in the National Planning Policy Framework (NPPF). At the centre of the planning system is to contribute to

the achievement of sustainable development. Paragraph 8 sets out the overarching objectives of economic, social and environmental. It indicates that a social objective is to support strong, vibrant and healthy communities, by ensuring that sufficient number and range of homes can be provided to meet the needs of the present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities health, social and cultural wellbeing.

The Worthing Core Strategy does not include any specific policies relating to HMOs the following policies are of relevance: Policy 8 -Getting the right mix of homes -this policy seeks to ensure that a wide choice of high quality homes are delivered to meet the needs of the community and Policy 16 - Built Environment and Design - this policy seeks to ensure that new development is of high quality. These, and other policies in the Core Strategy, are also supported by the Guide to Residential Development Supplementary Planning Document (2013). However, it should again be noted that this SPD does not specifically address any issues relating to HMOs.

In October 2016 Planning Policy produced a report on the subject of HMO's which concluded that there was no need, at this time, to create a specific HMO policy. No over concentration of HMO's was identified in the borough as a whole, in any particular ward nor in and around Worthing Town Centre.

The policy report did identify that there is greater pressure for more HMO accommodation and that the planning system has an important role to play in meeting this growing need whilst protecting and enhancing the local area. Houses in Multiple Occupation (HMOs) are recognised as a valuable source of low cost accommodation for a number of sections of society including students, temporary workers, those on low incomes and/or benefit and young professionals. They play a particularly key role in the context of housing affordability, where open market housing is increasingly unaffordable and, following changes to the housing benefit system, this form of accommodation is often the only option available for specific parts of the housing market.

Whilst HMOs are an important type of housing, poorly designed and managed HMOs can lead to problems both for the occupants and for neighbours due to the large number of people living in high density housing. HMOs can have high concentrations of more vulnerable and transient young people and this can, in itself, raise concerns for existing communities.

The Environmental Health Officer has confirmed that there are 19 licenced and recorded HMOs in the area of Wordsworth Road, Byron Road, Milton Road, Montague Street, Queens Road, Rowland Road, Shelley Road and Western Place including the application site, although this would appear to be a large number in view of the number of houses in the area this is not considered to be a significant concentration. This form of housing also provides a much needed type of accommodation. A key issue is ensuring that the properties are well managed.

There has been a HMO on the application site since approximately 2008, Environmental Health have not received any complaints from occupants or neighbours. They have confirmed that the current HMO is well managed. It is considered appropriate to agree and implement a new management plan for the

larger facility to control tenancies for the safety, security and amenity of future tenants and the local residents

### **The effects of development on residential amenity**

The property currently has 6/7 bedrooms although the C4 use class only allows occupation by 6 residents. The proposal would involve an additional small bedroom at first floor dividing an existing front room and an additional bedroom in the roof space. The increase in occupants would rise by 3. The existing rooms would remain primarily the same; the lobby area to existing bedroom 4 would provide the additional bedroom at first floor. In the roof the new bedroom would be formed. No additional bathrooms are shown proposed. It is not considered that an additional 3 occupants would have an adverse impact on existing and future occupants.

The application does not involve any external alterations; it is not considered that the additional occupation would have an adverse impact on the occupants of neighbouring properties.

### **Highway safety and parking**

WSCC have raised no objections to the increase in numbers highlighting the sustainable location and the parking restrictions on the on street parking. They consider that the increase in the number of persons occupying the house from 6 to 9 is acceptable as the site would not create any significant changes to the operation of the public highway.

### **Recommendation**

The application involves a reduced scheme from the application which was approved in 2018. The site is in a sustainable location. The current application does not involve any external works. The site is currently well managed and a condition to ensure future management agreement is considered appropriate.

It is therefore recommended that the application be **APPROVED** subject to Conditions:-

1. Approved plans
2. Standard time limit
3. Agree and implement refuse storage provision
4. Agree and implement cycle storage provision
5. Agree and implement management plan for controlling tenancies
6. Hours of construction



Application Number: AWDM/1593/18

Recommendation – APPROVE

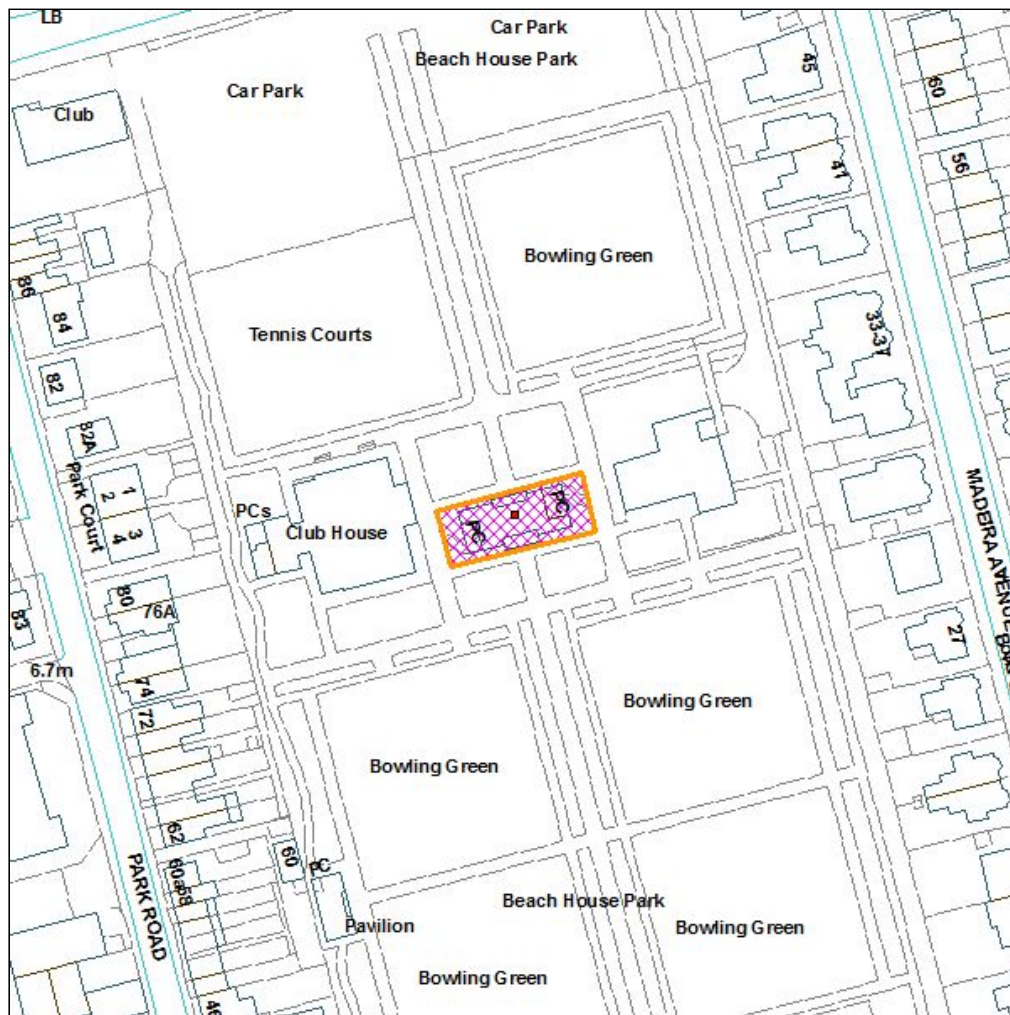
**Site:** Central Pavilion, Beach House Park, Lyndhurst Road, Worthing

**Proposal:** Replace all steel Crittall windows and timber single glazed doors with aluminium double glazed units to all elevations including balconies.

Applicant: Adur & Worthing Councils

Ward: Central

Case Officer: Jiyong Suh



**Not to Scale**

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This application is being brought before the Committee as the applicant is Adur & Worthing Councils.

## **Site and Surroundings**

The application site relates to the Pavilion in Beach House Park. Planning permission was granted in 2015 for the change of use from clubhouse to restaurant/café on the ground floor with associated function space at first floor (AWDM/0624/15). It is owned by Worthing Borough Council.

It is a two-storey building built in 1925 originally as a clubhouse for the Bowling Club. It is a half-timbered building with a brick plinth. It has decorative timber balconies at first floor level on both north and south elevations and a small clock tower. It is the focal point of the park and has a strong Arts and Crafts character. It has been formally identified as a building of Local Interest.

## **Proposal**

The application seeks to replace all existing windows with aluminium frames and double glazing. The windows will replace the existing single glazed, steel Crittall windows and will retain the outer timber frame. Timber doors on both balconies and the south facing ground floor door will also be replaced with Smart Wall aluminium doors. All window frames and first floor doors will be powder coated black. The ground floor south facing door will be powder coated in green to match the existing and north facing door. All glazing is fixed with 12mm leaded bars. One of the south facing windows and the north facing ground floor door have already been replaced in the proposed style without consent.

## **Relevant Planning History:**

**AWDM/0624/15** - Change of use from clubhouse to restaurant/cafe (Use Class A3) on the ground floor with associated function space at first floor. New raised decking for use as external seating area to front. Approved – 09.06.2015

## **Consultations:**

**Worthing Society:** We have examined the proposal to replace all steel Crittall windows and timber single glazed doors with aluminium double glazed units to all elevations including balconies. We have no objection to the proposal.

**Representations:** No representations received.

## **Relevant Planning Policies**

Worthing Core Strategy (WBC 2011): Policy 11 (Protecting and Enhancing Recreation and Community Uses), Policy 16 (Built Environment and Design)  
National Planning Policy Framework (CLG 2018)  
Planning Practice Guidance (CLG 2014)

The Core Strategy, including the saved policies of the Worthing Local Plan, comprises the Development Plan here but the Government has accorded the National Planning Policy Framework (NPPF) considerable status as a material consideration which can outweigh the Development Plan's provisions where there

are no relevant development plan policies or the policies which are most important for determining the application are out of date. In such circumstances paragraph 11 of the revised NPPF states that planning permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development; or any adverse impacts of doing so would demonstrably outweighs the benefits, when assessed against the policies of the NPPF taken as a whole.

### **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 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**

There would be no significant impact on residential amenity as a result of the proposals. The principal issue therefore relates to the design of the windows and the impact on the local interest building and visual amenity.

### ***Visual Amenity***

The balcony doors are currently the only openings without lead glazing bars. The proposed windows introduce this feature to match the rest of the building. The balcony doors sit within two dormers with windows between them. There is a wooden balustrade to the front that encloses the balcony. Whilst this would be a material difference it will be in keeping with the rest of the doors and windows on the building and is therefore considered to be acceptable.

The existing south facing ground floor door currently has two inward opening doors with a glazed panel set above; within the frame. The proposed door sits within the existing opening and will replace the entire timber frame. It has one door that spans the width and the glazed panel above is separated using the same proportions. The spacing between the lead bars is the same although there is more glazing in the proposed door. The proposed colour which can be seen on the northern ground floor door is a very good match for the existing painted timber. It is therefore considered to be acceptable.

All the windows on the building are to be replaced. The aluminium frames are to be installed within the timber frames and will be thicker than the existing Crittal frames by approximately 30mm. To maintain the proportions the spacing between the lead bars will be the same and lose some of the glazing to the edges. They will be powder coated black to match the existing frames. The proposed windows are sympathetic to the original design and they are considered to be acceptable.

## **Conclusion**

Whilst there will be a small impact on the building it is not considered that the proposals will detrimentally impact the visual amenity of the building. The pavilion will retain its character and the proposal will facilitate in improving the thermal efficiency.

## **Recommendation**

**APPROVE** subject to Conditions:-

1. Approved plans
2. Standard Time Limit

23<sup>rd</sup> January 2019

## **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.