



**WORTHING BOROUGH  
COUNCIL**

**Planning Committee  
29 May 2019**

**Agenda Item 5**

**Ward: ALL**

**Key Decision: ~~Yes~~ / No**

**Report by the Director for Economy**

**Planning Applications**

**1**

**Application Number: AWDM/0317/19**

**Recommendation – Refuse**

**Site: Land West of 70 Parham Road, Worthing**

**Proposal: Erection of detached single-storey 2-bedroom dwelling on land to west of No.70 Parham Road with associated landscaping, 2no. car parking spaces and reinstatement of existing vehicular access on land to south. resubmission of AWDM/1377/18.**

**2**

**Application Number: AWDM/0269/19**

**Recommendation – Approve**

**Site: Worthing High School, South Farm Road, Worthing**

**Proposal: Demolition of existing caretaker's dwelling (No.103 South Farm Road) and replacement with two-storey performing arts centre and single-storey entrance. Two-storey classroom block to replace existing single-storey classroom block to rear of school.**

**3**

**Application Number: AWDM/0416/19**

**Recommendation – Approve**

**Site: 10 The Boulevard, Worthing**

**Proposal: Conversion of and rear extension to existing garage on side south elevation with revisions to roof design of permitted rear extension (re-submission of AWDM/1869/18).**

**4**

**Application Number: AWDM/0622/19**

**Recommendation – Approve**

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

**Proposal: Replace existing double timber front entrance doors with aluminium double-glazed double doors to south elevation.**

Application Number: AWDM/0317/19

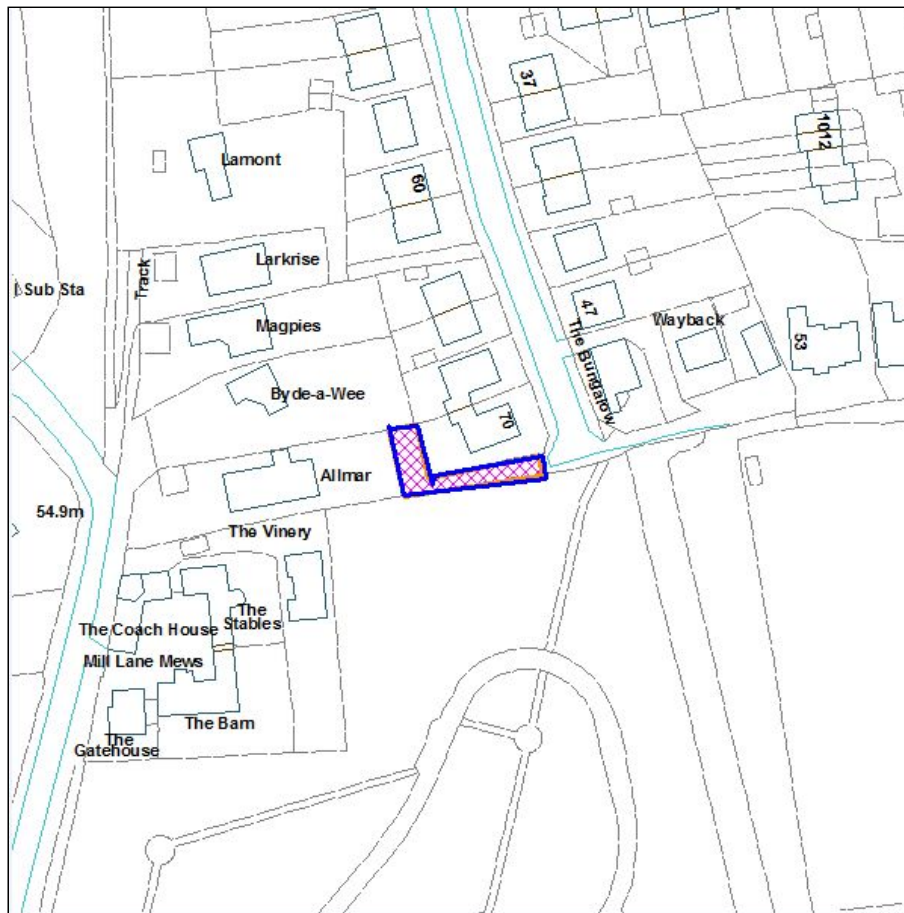
Recommendation – REFUSE

Site: Land West Of 70 Parham Road Worthing West Sussex

Proposal: Erection of detached single-storey 2-bedroom dwelling on land to west of No.70 Parham Road with associated landscaping, 2no. car parking spaces and reinstatement of existing vehicular access on land to south. resubmission of AWDM/1377/18

Applicant: Mr Neal Roberts  
Case Officer: Jackie Fox

Ward: Salvington



Not to Scale

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## Introduction

The application is brought to Committee following a Member call in by Cllr Atkins.

## Site and Surroundings

The site comprises an overgrown piece of land originally forming part of the garden/second access route for a property formally known as Byde A Wee (now re-developed ) which fronts onto Mill Lane.

The site is dog legged with access off the far end of Parham Road, the site then wraps round the rear of 70 Parham Road between this property and 'Allmar' off Mill Lane. To the south is the cemetery.

The site is heavily sloping ranging from its highest point at the western end of the site to where it meets Parham Road. The site is currently enclosed by fencing to the north, east and west. The route from Parham Road to the site comprises a mixture of shrubs and is fenced on the boundary to No 70 and with the cemetery to the south.

No 70 Parham Road which is not partly to the application comprises a detached bungalow with small tiered garden to the rear. It has habitable windows to the west facing the application site. Allmar is a two storey house to the west at a higher level.

## **Proposal**

The current application proposes the erection of single storey two-bedroom dwelling with access from Parham Road. The dwelling would be sited on the western portion of the site. It would measure approx. 14.8 x 5.4m including the covered decking. It is proposed to have a pitched roof with approx. 2.1m to eaves and 4m to the ridge. It would be sited approx. 1.1m off the north, east and west boundaries and 1.2m from the southern boundary. The site would be levelled for the dwelling at approx. 45.3. The dwelling would have a door and fully glazed window to the east elevation, a long length window to the second bedroom on the west elevation. To the north would be a full length glazed door. To the south the elevation would be fully glazed. The proposed dwelling would be designed as a barn like structure.

Access to the plot would be via an existing access point at the end of Parham Road. Two tandem parking spaces are shown plus cycle store, bin storage and vehicle charging point. Closest to the proposed dwelling along this access drive is a lawned area.

The agent has indicated that the house will be an eco-house with features including 26 PV panels, battery storage capacity, vehicle charging point, rainwater recycling, energy efficient lighting and appliances, MVHR system (allowing a greater degree of air tightness and insulation), glazing quality and orientation to promote solar gain.

The applicant has provided a Design and Access Statement and provided further comment on the consultations and the representations

## **Relevant Planning History:**

AWDM/1442/13- New bungalow in rear garden with vehicular access off Parham Road: Application refused for the following reasons:

*The proposal is piecemeal, tandem, backland development which is surrounded by residential development and sits tight in the plot and is on elevated ground. By reason of its inherent form, siting and location, it is a discordant, contrived and awkward form of building that relates poorly to the urban grain, plot pattern and street character, lacking any meaningful sense of place or sympathy with local*

*distinctiveness and would be visible as such from Parham Road. As such it is contrary to Core Strategy policy 16: Worthing Supplementary Planning Document: Guide to Residential Development; By Design: Urban design in the planning system: towards better practice- DCLG and the National Planning Policy Framework paragraphs 12, 17, 53, 56, 58, 59, 60, 64 and 65 and does not qualify as sustainable development.*

*The proposal by reason of its siting, bulk, form and design and the topography would unacceptably harm the amenity of the neighbouring residents in terms of general noise and disturbance from domestic activities, perception of overlooking to gardens and loss of outlook, in particular the bungalows at 68 and 70 Parham Road. As such it is contrary to saved Worthing Local Plan Policy H18 and Supplementary Planning Document: Guide to Residential Development and the National Planning Policy Framework paragraph 17 and does not qualify as sustainable development.*

AWDM/1377/18-Erection of detached single-storey 1-bedroom dwelling on land to west of No.70 Parham Road with associated landscaping, 2no. car parking spaces and reinstatement of existing vehicular access on land to south: Application refused for the following reasons:

*The proposal dwelling is a piecemeal, tandem, backland development which is surrounded by residential development and sits tight in the plot and is on elevated ground. By reason of its inherent form, size, siting and location, it is a discordant, contrived and awkward form of building that relates poorly to the urban grain, plot pattern and street character, lacking any meaningful sense of place or sympathy with local distinctiveness and would be visible as such from Parham Road. The proposal would therefore be contrary to saved policy H18 of the Worthing Local Plan, Policies 8 and 16 of the Worthing Core Strategy, the Guide to Residential Development SPD 2013 and the NPPF.*

*The proposal by reason of its siting, form and design and the topography would unacceptably harm the amenity of the neighbouring residents in terms of general noise and disturbance from domestic activities, perception of overlooking to gardens and loss of outlook, in particular 70 Parham Road. The proposal would therefore be contrary to saved policy H18 of the Worthing Local Plan, Policy 16 of the Worthing Core Strategy, the Guide to Residential Development SPD 2013 and the NPPF*

*By reason of the constrained site and the resulting cramped form of development with inadequate space around the dwelling is likely to lead to unsatisfactory living conditions for future occupiers. The site is also unsuitable to provide family accommodation. The site is therefore unsuitable to accommodate a dwelling and is therefore contrary to policy 8 of the Worthing Core Strategy, the 'Space Standards SPD' and the relevant paragraphs of the National Planning Policy Framework.*

*Taking into consideration the comments of Southern Water the LPA is not satisfied in the absence of evidence to the contrary that the proposed dwelling can be constructed as shown on the submitted site layout plan no. SP1(D) owing to its siting over a foul sewer.*

## **Consultations:**

### **WSCC Highways:**

This proposal is for the erection of a single storey detached one-bedroom dwelling on land to the west of 70 Parham Road. The site is situated on Parham Road, an unclassified no-through residential road subject to a speed limit of 30mph.

The proposed site will be accessed via a new vehicular crossover onto Parham Road, sited within the turning head of Parham Road. The applicant has stated that this has operated as a vehicular access in the past; however local mapping indicates that the proposed access has been overgrown for some time and has not operated as a vehicular access within the past five years. There is no evidence of a dropped kerb at the entrance to the site. A licence will be required for the proposed vehicular crossover and must be constructed to a specification agreed with the Local Highway Engineer.

Vehicular visibility splays have not been provided for the proposed access onto Parham Road, however WSCC mapping indicates that visibility appears sufficient for the anticipated road speeds. Due to the no-through nature of the road, the position of the proposed access within the turning head and the presence of on-street parking, vehicles are not anticipated to be travelling at the posted speed limit in this location.

The proposed plans demonstrate that two tandem parking spaces will be provided on site. These spaces meet the minimum specifications as set out in Manual for Streets of 2.4 x 4.8m wide. A turn on site would be preferred although clearly there is insufficient space to accommodate this. The lack of turn on site is not anticipated to cause a highway safety concern in this location.

The plans demonstrate a proposed vehicular and pedestrian gate situated midway along the proposed driveway. Gates should be positioned at least 5m from the back edge of the carriageway and open inwards to the site to avoid a vehicle overhanging the highway whilst the gates are operated. Whilst the proposed gates open outwards, they are not anticipated to cause a highway safety concern in this location due to the no-through nature of the road.

The site is located within walking distance of a small variety of local shops and services. The site is within walking distance of bus stops which provide access to Worthing town centre and further afield. The LHA anticipate that there will be reliance upon the private car for the majority of trips. Cycling is a viable option within the vicinity and the applicant has indicated on the application form that secure and covered cycle storage for 2 bikes will be provided on site, although this has not been demonstrated on the provided plans. Details of this can be secured via condition. The applicant also proposes to provide an electric vehicle charging point on site.

In conclusion, the LHA does not consider that the proposal for a single dwelling would have a 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, conditions in respect of access, car and cycle parking provision should be attached.

## **Southern Water**

It appears that applicant is proposing to divert public sewer. Southern Water requests a formal application for sewer diversion under S185 of Water Industry Act 1991 in order to divert any public sewer. For further advice, Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 3030119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)”.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example “The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development.”

Furthermore, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)”.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk). Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link  
<https://beta.southernwater.co.uk/infrastructurecharges>

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long-term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order:

- a Adequate soakaway or infiltration system
- b Water course
- c Where neither of the above is practicable sewer

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that appropriate means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

No surface water should be permitted to be discharged to the foul sewerage system, in order to protect properties downstream from flooding.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers

### **Representations:**

3 letters of objection have been received on the following grounds:

Impact on foul drainage to surrounding properties from any diversion.  
Increased traffic and on street parking

Increased noise, disturbance and pollution  
Impact of pedestrians using the footpath by the cemetery particularly children walking to and from school  
Overdevelopment of the site  
Additional noise and disturbance for visitors of the cemetery.

### **Relevant Planning Policies**

Saved Local Plan policies (WBC 2003): H16, H18, TR9, RES7  
Worthing Core Strategy (WBC 2011): Policy 7, 8, 16  
National Planning Policy Framework (HCLG 2018)  
National Planning Practice Guidance  
Space Standards SPD  
Guide for Residential development SPD 2013  
Developer Contributions SPD  
CIL

### **Relevant Legislation**

The Committee should consider the planning application in accordance with:  
Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and  
Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

### **Planning Assessment**

Policy context

The policy context comprises of the NPPF and the local development plan which consists of the saved policies of the Worthing Local Plan, Worthing Core Strategy Core and accompanying SPDs.

Policy CS8 seeks to deliver a wide choice of high quality homes to address the needs of the community with higher density housing (including homes suitable for family occupation) in and around the town centre with new development outside of the town centre predominantly consisting of family housing.

This policy was informed initially by the SHMA (2008), and the policy approach was subsequently supported by the SHMA Up-date (2012).

National planning policy contained in the NPPF post-dates the adoption of the Core Strategy. Paragraph 10/11 identifies at the heart of the NPPF a presumption in favour of sustainable development. For decision making this means making plans which positively seek opportunities for objectively assessed housing needs, approving development proposals that accords with an up-to-date development plan without delay and where there are no relevant policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the framework that protect areas or assets of particular



importance provides a clear reason for refusing the proposal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.

it is acknowledged that in response to the requirements of the Framework and informed by local evidence a 5 year supply of housing in relation to Objectively Assessed Needs (OAN) cannot currently be demonstrated. A housing study has been undertaken to address this requirement and to inform the forthcoming Worthing Local Plan.

Within this context the proposed dwelling would make a contribution – albeit very small – to meeting housing need in the Borough.

The 'Guide for Residential Development' (SPD) indicates that all new development will be expected to demonstrate good quality architectural and landscape design and use of materials. In particular, new development should display a good quality of architectural composition and detailing as well as responding positively to the important aspects of local character, exploiting all reason opportunities for enhancement. Where appropriate, innovative and contemporary design solutions will be encouraged.

Infill development is usually defined as development which fills a restricted gap in the continuity of existing buildings where the site has existing building curtilages, normally residential, adjoining on at least two sides. Infill development requires sensitive design and good landscaping if new buildings are to be fitted successfully into small sites in established residential areas Insensitive infilling that will negatively impact on areas character or amenity will be resisted

Backland development is usually defined as development on land that lies to the rear of an existing property that often, but not in all cases, fronts a road. Access can be from the road serving the original properties from the front, from the side or from the rear. Backland development may occur within the curtilages of existing buildings or closely adjacent to them. Backland development is often but not solely, land that is formally used as gardens, or is partially enclosed by gardens. Garden space has a number roles including the contribution to local character, green infrastructure, secure spaces for play, biodiversity flood risk and mitigating the effects of climate change

A backland or infill development should therefore, contribute to the character of the existing locality. In broad terms, a proposal that fails to complement the local area in terms of design, density levels and layout will be refused

The site would be considered as backland development. The key considerations are therefore:

1. Impact on the character visual amenity of the area and suitability of the dwelling,
2. Impact on residential amenities for existing and proposed residents
3. Car parking
4. Other technical matters.

The application site has also been subject to a previous refusal as set out in the grounds above, it should also be evaluated as part of the assessment if the current proposal would overcome these reasons for refusal.

### ***Character, appearance and suitability***

The application site is situated to the rear of both 70 Parham Road and Allmar Mill Lane on the former garden land of 14 Mill Lane. The area of land although partly overgrown gives the character of green garden land providing both scenic importance and wildlife value.

The pattern of development in the area is frontage development along Parham Road and frontage development on Mill Lane. There is therefore a strong pattern of frontage development with the properties either have back to back gardens between the two roads or in Parham Road long back gardens running up the Gallops. The proposed development of the site for a dwelling set behind this distinctive frontage development is considered to be anomalous and contrived out of character with the pattern of frontage development.

Development of this land would impact on the integrity of this strip of land due to the resultant coalescence of built form and the effect would be piecemeal, tandem backland development. The proposed dwelling although now a two bedroom is effectively the same size and siting to the previously refused dwelling. Although the applicant has attempted to design a building which is set into the slope and small in scale it still introduces independent residential development that would relate poorly to the urban grain and street character with no meaningful sense of place.

The NPPF states at para 130 that Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents para 131 states that: In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings

Although the application has sought to design an eco-dwelling with sustainable design features The Councils SPD "Guide to Residential Development" is clear that whilst some infill development can provide a welcome addition to the Boroughs housing stock, backland garden development is generally regarded as an inappropriate form of development in the Borough and will be resisted in most cases.

The SPD at para 4.27 indicates that backland development is often but not solely, land that is formally used as gardens, or is partially enclosed by gardens. Garden space has a number roles including the contribution to local character, green infrastructure, secure spaces for play, biodiversity flood risk and mitigating the effects of climate change and such matters will need to be considered when assessing any application that would involve the loss of such space. An important consideration when considering the appropriateness of any proposal for backland development will therefore be whether the garden land in question is considered to

be of significant importance in the urban structure, is of scenic importance, or provides wildlife value. If one or more of these apply and the value of the green infrastructure is significantly eroded without adequate mitigation / compensation then its loss will normally be resisted

Finally in para 4.29 it goes on to state that a particular form of backland development that occurs in Worthing is Tandem Development. This is a form of backland development where a new dwelling is placed immediately behind an existing dwelling and served by the same vehicular access. It is often located at the rear of a long garden associated with one dwelling. Whilst this form of development may often make an efficient use of a large back garden associated with the primary dwelling, it is more often than not an anomalous and contrived form of development that makes little contribution to local distinctiveness. Dwellings often sit deep in the site and are adjacent to the quiet private gardens of the neighbouring dwellings. It is generally unacceptable because of the impact on the amenity of the dwelling(s) at the front of the site.

The site is virtually surrounded by existing dwellings and close to their boundaries within 1.1m. The application site itself is dog leg shaped with the area set aside for the dwelling squeezed between the rear boundaries of 70 Parham Road and Allmar Mill lane on a site 7.8m wide, the new dwelling appears particularly, contrived and cramped and awkward in its plot and in relation to the pattern of development, aggravated here by its elevated position in relation to the bungalows in Parham Rd. It would be glimpsed in views from the Parham Road and the Cemetery increasing the intensity of development at the end of Parham Road.

The proposed dwelling has amended since the previous refusal and now provides a two bedroom dwelling, this has been partly amended to satisfy the aspirations of Core Strategy Policy 8 which lend support for provision of additional dwelling(s) in the plots of existing houses where they result in a net increase in family houses by predominantly family housing within suburban areas such as proposed.

The determination of whether a dwelling is suitable for family occupation is not solely based on number of bedrooms and access to private amenity space. The SPD produced to support would be expected that the unit concerned would have 2 larger bedrooms and would accommodate at least 3 people, have adequate internal and external storage areas to meet the needs of a family. It should normally have direct ground floor access to a suitable area of private amenity space suitable for children to play safely and for the sole use of the occupants.'

The application is now for a two bedroom dwelling: its suitability will be assessed in the following section.

### ***Residential Amenity***

#### **Future residents**

Core Strategy policies 16 Built Environment and Design and Policy 8 Mix of Homes. Paragraph 7.13 refers to the adaptability enabled by Lifetime Homes and to the internal size and layout of homes which are both essential factors to consider if new

homes are to be built to a standard which enables people to have a reasonable standard of living accommodation.

All new development including extensions need to comply with the 'Space Standards' SPD. The proposed two bedroom dwelling at approx. 65sqm would not comply with the minimum space standards for a two bedroom house which indicates that 77sqm is the total minimum internal floor area. It is also important to look at the national space standards for a two bedroom dwelling which would be 61sqm or a 3 person unit and 70sqm for a 4 person unit. The scheme would therefore comply with the National Space Standards for a 3 person unit. The layout is acceptable and there is access to outside space. Notwithstanding the compliance with the National Space Standards, the dwelling is squeezed into the plot with minimal distance to the north, east and west boundaries, even the southern boundary with the open aspect would be approx. 3m from the boundary fence with the cemetery. The dwelling is likely to give any future occupants a confined feeling with limited outlook. This would add to conclusion that the site is not suitable for residential development

### ***Neighbouring amenity***

The 'Guide to Residential Development' SPD also provides guidance on siting and relationship of proposed development on neighbouring properties.

The most affected property is 70 Parham Road although the proposed dwelling would be close up to the boundaries and gardens of 68 Parham Road, 14 and 'Allham' Mill Lane.

In terms of the impact on 70 Parham Road, this property is situated to the east of the proposed plot, the dwelling itself is a bungalow and at a lower level, it has a tiered garden up to the east side of the plot. The proposed bungalow would be set into the site and although the proposed eaves are only approx. 0.4m above the boundary fence line the ridge would rise up to 2.5m above the fence. The proposed dwelling would have a door, a full length window and rooflight windows along the east side facing No 70 plus a decked area are proposed at the southern side. The development would be sited within 1.1m of the boundary. Although due to the layout of the development is it not considered that there would be direct overlooking, there would due to the siting be perceived overlooked, visual impact and increased noise and disturbance which is likely to have a detrimental impact on the amenity of residents of this property.

The introduction of a bungalow into a backland situation, as here, subverts the traditional pattern of suburban housing characterised by private and secluded rear gardens backing onto similar and the public face of the house and its neighbours, including main vehicular and pedestrian access, at the front, facing the street and corresponding expectations.

The very presence of a building sitting tight in its plot and particularly close to and on appreciably higher ground than the gardens and bungalows themselves at 68 and 70 Parham Road; the dwellings vehicular access wrapping around the side of No 70 Parham Road, together with the activities inevitably generated by residents

and visitors to a dwelling, would create a material increase in noise and disturbance and perceived loss of privacy, outlook and openness for neighbouring occupiers.

The backland dwelling's impact would accordingly be invasive and un-neighbourly.

### **Quality of design and impact on appearance and character of the area including setting of the South Downs National Park**

The adverse impact of a new backland tandem style dwelling on local character has already been discussed above.

The design of the eco bungalow is proposed to be barn like with sustainable materials. It would be seen from the back gardens of its neighbour but also glimpsed between the bungalows in Parham Road and the cemetery due to its elevated position up the hillside.

No harm to the Gallops or setting of the South Downs National Park would result due to the distances involved and size of the new dwelling.

### **Accessibility and parking**

Access would be from Parham Road, adjacent to No 70. This entails removal of the vegetation from the strip. The tandem form would involve the need to reverse into the highway at the end of a cul de sac.

Neighbouring residential properties have raised concerns regarding additional traffic, safety and disturbance. The site is however at the end of a cul de sac and any traffic is likely to be slow moving, there also exists on street parking in the vicinity. It is not considered that this dwelling would be detrimental and the Highway Authority raises no objections to this proposal on safety terms.

The site provides the potential for two parking spaces, one within a gated area and one external to this. The parking shown for a dwelling of this size in this location is appropriate.

### **Other Environmental impacts**

The dwelling is shown constructed above a sewer which runs through the site. The applicant has indicated 2 possible sewer diversion plans with the application and has indicated that if permission were to be granted discussions would take place with Southern water and Building Control to establish the most cost effective and environmentally responsible method for the diversion.

Southern Water have requested that if consent is granted, a condition is attached to the planning permission to ensure details of measures which will be undertaken to divert the public sewers, prior to the commencement of the development are approved in consultation with Southern Water.

Furthermore any sewer found during construction works will require investigation of the sewer to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

## Recommendation

The proposed bungalow is sited and of a similar size to the application which was refused in 2018 although now proposes a two bedroom dwelling. The site is constrained and cramped inadequate to provide a dwelling without significant harm on the character of the area, the amenity of neighbouring residential properties and the impact on future residents. The application is therefore recommended for refusal on the following grounds:

1. The proposal dwelling is a piecemeal, tandem, backland development which is surrounded by residential development and sits tight in the plot and is on elevated ground. By reason of its inherent form, size, siting and location, it is a discordant, contrived and awkward form of building that relates poorly to the urban grain, plot pattern and street character, lacking any meaningful sense of place or sympathy with local distinctiveness and would be visible as such from Parham Road. The proposal would therefore be contrary to saved policy H18 of the Worthing Local Plan, Policies 8 and 16 of the Worthing Core Strategy, the Guide to Residential Development SPD 2013 and the NPPF.
2. The proposal by reason of its siting, form and design and the topography would unacceptably harm the amenity of the neighbouring residents in terms of general noise and disturbance from domestic activities, perception of overlooking to gardens and loss of outlook, in particular 70 Parham Road. The proposal would therefore be contrary to saved policy H18 of the Worthing Local Plan, Policy 16 of the Worthing Core Strategy, the Guide to Residential Development SPD 2013 and the NPPF
3. By reason of the constrained site and the resulting cramped form of development with inadequate space around the dwelling is likely to lead to unsatisfactory living conditions for future occupiers. The site is therefore unsuitable to accommodate a dwelling and is therefore contrary to policy 8 of the Worthing Core Strategy, the 'Space Standards SPD' and the relevant paragraphs of the National Planning Policy Framework.

29<sup>th</sup> May 2019

Application Number: AWDM/0269/19

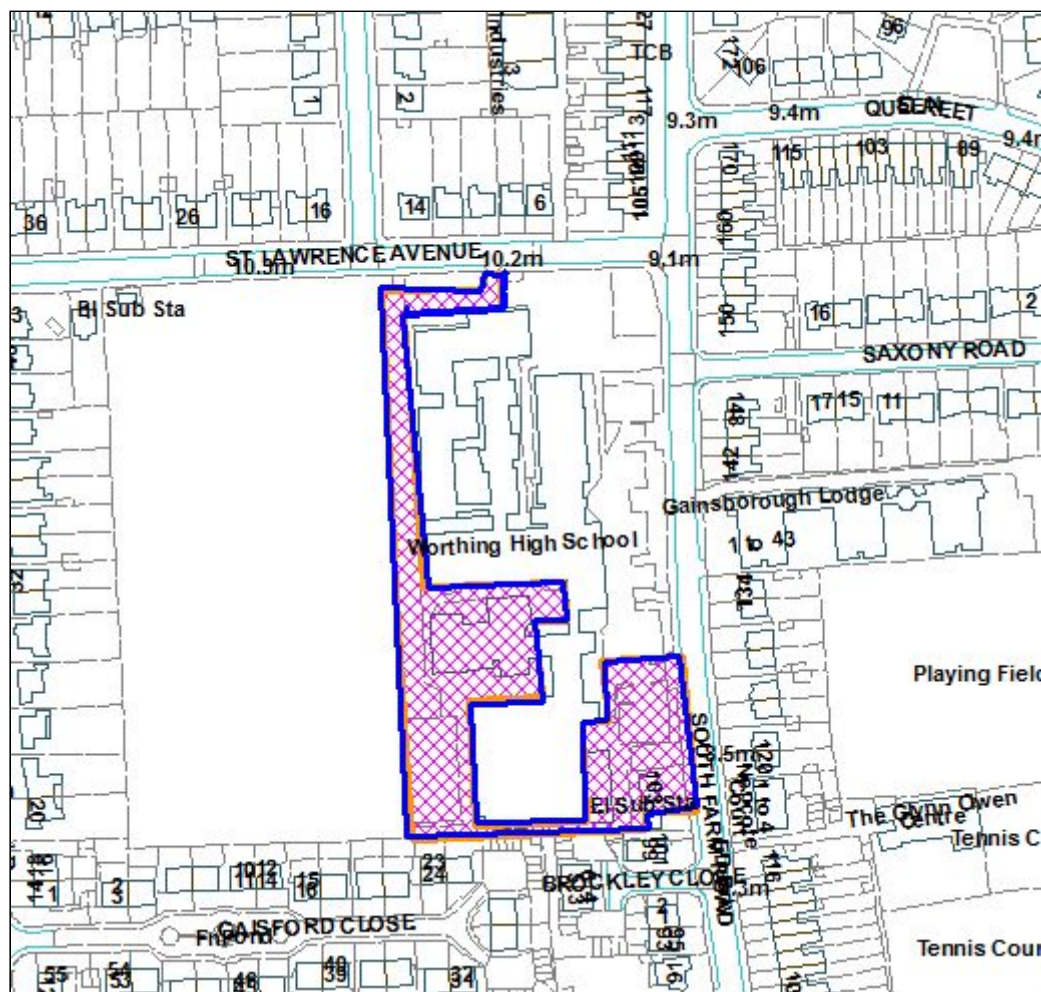
Recommendation – APPROVE

**Site:** Worthing High School South Farm Road Worthing West Sussex

**Proposal:** Demolition of existing caretaker's dwelling (No.103 South Farm Road) and replacement with two-storey performing arts centre and single-storey entrance. Two-storey classroom block to replace existing single-storey classroom block to rear of school.

Applicant: Ms Karen Hayler  
Case Officer: Jo Morin

Ward: Gaisford



**Not to scale**

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### Site and Surroundings

The application relates to an established secondary school situated on the corner of St Lawrence Avenue and South Farm Road. The school, now a multi-academy trust school under the governance of South Downs Education Trust, has undergone many extensions over the years, but largely has maintained its principal, original,

elevation which faces South Farm Road, having a 'mock Tudor' appearance. A frontage car park is accessed from South Farm Road by a separate entrance and exit. Mature trees and hedge-planting along the site perimeter create a distinctive sense of enclosure and largely screen views of the of the frontage buildings from South Farm Road. The trees are not subject to any TPO.

The north side is more open in character with a tarmac playground between the school buildings and the fenced boundary with St Lawrence Avenue. There is a large grassed playing field to the west of the main buildings adjoining the rear gardens of dwellings in Gaisford Road to the west and Gaisford Close to the south.

Adjoining the school buildings to the south is 99-101 South Farm Road, a detached dwelling sub-divided into 3 flats and a small garage compound serving flats in Brockley Close. An electricity sub-station adjoins the site frontage to the south, with vehicular access from South Farm Road,

## **Proposal**

Permission is sought to demolish a redundant caretaker's house (No.103) located in the school grounds (temporarily occupied by a staff member essentially for security purposes) and erect a new 'Performing Arts Centre' attached to the east side of the existing Millennium Hall and consisting of a 260 seat auditorium with stage, changing rooms and WC plus new entrance lobby and reception on the ground-floor, with 2 music rooms on the first-floor (Area A).

In addition, it is proposed to replace an existing modern, single-storey teaching block on the west side of the school building complex with a 2-storey teaching block on a similar footprint (Area B). The proposed layout involves converting 3 no. existing classrooms and 8 no. storage rooms into 8 no. classrooms, 2 no. group rooms, 3 no. office areas, 2 no WC areas and a sensory room. This element will facilitate the re-location of the existing inclusion department, providing enhanced provision which is supported by WSCC.

The planning statement submitted with the application explains that Worthing High School has been oversubscribed each year since 2015 and has again been requested by the Local Education Authority to take additional students this September with a Year 7 intake of 240 against a formal Pupil Admission Number (PAN) of 210. The School is in consultation to formally increase pupil admission numbers from 210 to 240 per year group from 2020. A bid is being made for 'Condition Improvement Fund' [CIF] Expansion Funding of circa £4m to fund the development.

The Performing Arts Centre will be used for school performances, assemblies, meetings and community lettings/events.

## **Relevant Planning History:**

Pre-application enquiry made under PRE-APP/0770/18.



## **Consultations:**

**WSCC:** The County Highway Authority has raised no objection in principle, commenting:

*“The proposal above has been considered by WSCC as the County Highways Authority. No objection is raised in principle however; additional information is required and should be submitted to the LPA for approval.*

*Please can the applicant provide a full demolition and construction management plan, ensuring all points in the condition are addressed.*

*The applicant will also need to include the proposed route large vehicles will take and the anticipated number and frequency to ensure the site can accommodate the proposed use. The applicant should provide an area where large vehicles are able to turn on site to ensure entry and exit in forward gear.*

*It is noticeable from the plans that no changes will be made to the existing access arrangements for vehicles and pedestrians? The new performing arts block and new school entrance will attract more foot fall to this part of the site and a separate pedestrian entrance, and pedestrian routes from the new entrance into the site need to be considered to ensure pupil safety and good connectivity. There is an existing gated entrance, south of the main vehicle access, which would lead into Area A but it appears rather narrow. Will it be kept open? Guidance taken from inclusive mobility suggests a minimum width of 1.5m to allow a wheel chair user and ambulant person to use a footpath side by side, but preference is the wider the better and 2-2.5m is considered appropriate for highly trafficked areas. Consideration should be given to guard railing on the footway here as this is also provided at the pedestrian access to the north of the vehicle entrance. Will this access remain open? Desire lines should be considered. There is a pedestrian crossing just south of the main vehicle access into the school. If pupils are using this access already what improvements could be made here to ensure pedestrians are not forced into the access and directed into the new entrance.*

*If the school has an up to date travel plan with this information in it, preferably in the form of a plan, this can be submitted to demonstrate the existing pedestrian/cycle routes taken by pupils into the school.*

*In summary more information is requested to include:-*

- 1. A Demolition and CMP to include a method statement of practice during school drop off and pick up times*
- 2. Plan showing pedestrian/vehicle/cycle access points into site once new building is open, giving consideration to footpath widths;*
- 3. Cycle storage for visitors.”*

**UK Power Network:** No objection has been raised in principle, the following observations have been made:-

*“If the proposed works are located within 6m of the substation, then they are notifiable under the Party Wall etc. Act 1996. The Applicant should provide details*

*of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.*

*Our engineering guidelines state that the distance between a dwelling of two or more storeys with living or bedroom windows overlooking a distribution substation should be a minimum of ten metres if the transformer is outdoor, seven metres if the transformer has a GRP surround or one metre if the transformer is enclosed in a brick building. It is a recognised fact that transformers emit a low level hum which can cause annoyance to nearby properties. This noise is mainly airborne in origin and is more noticeable during the summer months when people tend to spend more time in their gardens and sleep with open windows.*

*A problem can also occur when footings of buildings are too close to substation structures. Vibration from the transformer can be transmitted through the ground and into the walls of adjacent buildings. This, as I am sure you can imagine, is very annoying. In practice there is little that can be done to alleviate these problems after the event. We therefore offer advice as follows:*

*1. The distance between buildings and substations should be greater than seven metres or as far as is practically possible.*

*2. Care should be taken to ensure that footings of new buildings are kept separated from substation structures.*

*3. Buildings should be designed so that rooms of high occupancy, i.e. bedrooms and living rooms, do not overlook or have windows opening out over the substation. If noise attenuation methods are found to be necessary we would expect to recover our costs from the developer.*

*Other points to note:*

*4. UK Power Networks require 24 hour vehicular access to their substations. Consideration for this should be taken during the design stage of the development.*

*5. The development may have a detrimental impact on our rights of access to and from the substation. If in doubt please seek advice from our Operational Property and Consents team at Barton Road, Bury St Edmunds, Suffolk, IP32 7BG.*

*6. No building materials should be left in a position where they might compromise the security of the substation or could be used as climbing aids to get over the substation surround.*

*There are underground cables on the site associated with the substation and these run in close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.*

7. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices.

*Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.”*

**Adur and Worthing Councils:**

The **EHO** has commented as follows:-

Noise

Due to the very close proximity of residential dwellings to the proposed performing arts centre the centre should be designed and constructed with an adequate level of insulation so that the music or noise from patrons does not materially impact on the amenity of those living in the surrounding properties. The volume of the amplified sound (especially low frequency or bass music) should be considered. The louder the proposed music, the more robust the structure will need to be. I would recommend the following conditions:

*“Construction work shall not commence until a scheme for controlling noise emissions from the development has been submitted to and approved by the local planning authority. The scheme shall be designed to achieve a noise level from the development of no more than 45dB(A) Leq, 1min at any boundary of the site.*

*Doors and windows should be kept closed to prevent the break out of noise from the premises and therefore, alternative forms of ventilation and air-conditioning may be required.”*

If external plant is proposed I would recommend the addition of the following condition:

*“Provide a scheme which shall be submitted to and approved by the local planning authority for attenuating all external fixed plant. The scheme shall have regard to the principles of BS4142: 2014 and ensure there is no detrimental impact to the amenity of the nearest residential dwellings. A test to demonstrate compliance with the scheme shall be undertaken within one month of the scheme being implemented. All plant shall be maintained in accordance with manufacturer’s guidance and any future plant shall also meet the specified levels within the approved scheme.”*

Construction Management Plan

Due to the close proximity of residential dwellings to the demolition/construction site a Construction Management Plan should be submitted I would recommend the following condition:

No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented

and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-

- the anticipated number, frequency and types of vehicles used during construction - HGV construction traffic routings shall be designed to minimise journey distance through the AQMA's.
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- a commitment to no burning on site,
- the provision of wheel washing facilities and other works required to mitigate
- the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.
- methods to control dust from the site.

### Ground Conditions

The proposed performing arts centre is located immediately adjacent to an electricity substation. As this is a potentially contaminative land use I would recommend the following condition:

*“Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:*

*(1) A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.*

*(2) A site investigation scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.*

*(3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.*

*(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the Local Planning Authority.*

*The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report*

*demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority."*

## Light

Details of the proposed lighting scheme for the development shall be provided and approved by the planning authority before installation.

The **Council's Engineer** has commented:-

The site lies in flood zone 1, Area A is unaffected by modelled surface water flooding however area B may be susceptible, to surface water flooding although I can find no historical flooding records..

The application states that the disposal of surface water will be by suitable SUDS techniques.

In my opinion Area B could be drained as "existing" as the footprint of the new building is insignificantly different to the existing, however the building footprint in Area A is increased considerably, and therefore requires a designed disposal method.

Therefore should this new build / alteration be granted approval could I have a drainage condition:-

*"The applicant has indicated the intention to use soakaways/ sustainable drainage for the disposal of surface water, in the absence of any ground investigation details or drainage details we request that should approval for this alteration /new build be granted it be conditional such that 'no development approved by this permission shall commence until full details for the disposal of surface water has been approved by the Planning Authority."*

## **Representations:**

An objection has been received from the occupier of 101 South Farm Road commenting that the new building will overlook their property and block receipt of natural light and affect privacy. The building will cause huge disturbance. Recent building work at the school caused problems not just with noise of the buildings works but the loudness and unpleasantness of the builders.

## **Relevant Planning Policies**

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.

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

Worthing Core Strategy (WBC 2011): Policy 9, 11, 15, 16, 17

National Planning Policy Framework (HCLG 2019)

National Planning Practice Guidance

## **Planning Assessment**

The existing caretaker's dwelling consists of a detached, 2-storey, hipped-roof, brick-built 3-bedroom house dating from the early-mid C20. It has an attractive façade facing South Farm Road and is sited within its own soft landscaped garden behind a flint wall and hedging. It can be accessed from within the school grounds from the car park and by a separate pedestrian access from South Farm Road.

The revised NPPF (paragraph 94) requires local planning authorities to view applications to improve the needs of existing communities with a 'pro-active, positive and collaborative approach giving great weight to the need to create, expand or alter schools through the preparation of plans and decisions.

Core Strategy policy 9 seeks to resist the loss of existing housing provision unless (amongst other things) the loss would facilitate the delivery of a needed community use. CS Policy 11 seeks to retain and enhance existing community uses, including educational establishments. The supporting text states at paragraph 7.34 that: "*The Council will seek to improve educational attainment and workplace skills by working with key education providers and partners to address needs for educational provision in line with individual institutional aspirations and population growth.*" Although the current proposal would result in the loss of an existing dwelling, the caretaker's dwelling is in effect redundant as the premises manager lives off-site. The development can be supported in principle as enhancing an existing community provision. It is intended that the performing arts centre would be available for use by the wider community outside normal school hours (during evenings and weekends). The key considerations are therefore the effects on the character and appearance of the surrounding area, the effect on the amenities of neighbouring residential occupiers, and highway safety.

### ***Effect on the character and appearance of the surrounding area***

#### **Area A**

The Area A extension(s) located in the south-east corner of the site would have an irregular-shaped footprint having an overall width of 25.5 metres and an overall depth of 32 metres, set back approximately 7 metres from the site frontage onto South Farm Road. The Performing Arts Centre would be attached to east side of

the Millennium Hall by a single-storey flat-roofed link extension and consists of two main components comprising the main 2-storey volume of the 260-seat auditorium (14.4 metres wide by 17 metres deep) having a pitched roof on four sides with central area of flat roof maximum 7.3 metres high (5.2 metres high to eaves); plus a subsidiary flat-roofed element to the south side of the auditorium, accommodating the ground-floor changing rooms/WCs/stores and first-floor music classrooms. This flat-roof element would be lower in height at 5 metres, having an L-shaped footprint partially wrapping round the adjoining electricity sub-station site. Both elements would be brick-faced with the main north and east-facing elevation of the auditorium articulated by tall, small-paned, arch-top windows.

The single-storey flat-roofed link extension would extend 8 metres further north of the Performing Art Centre to wrap around the north-east corner of the Millennium Hall and infill the existing recess to create a predominantly glazed entrance lobby with reception and seating area. The proposals involve the introduction of rooflights and high-level clerestory lights to the north elevation of the Millennium Hall to maintain natural light levels within that building.

The Performing Arts Centre would be sited closer to the road frontage than the existing caretaker's dwelling, roughly aligning with the front of 99-101 South Farm Road to the south. Although not substantially taller in overall height than the existing dwelling it would have a considerably greater presence in the streetscene owing to its larger scale and massing and slightly forward position. The design of this element has evolved during the course of pre-application discussions and follows officer advice to set the building further back into the site and provide a good standard of architectural composition and detailed design that meets the requirements set by CS policy 16. The design approach complements the traditional style of the original school buildings fronting South Farm Road, with the tall, aluminium-framed, arched windows to the main north and east elevations harmonising with existing features in the main building. The windows are attractively detailed and proportioned with arched brick heads and keystones, having a small-paned design to harmonise with the existing Crittall-style windows. Other complementary design details on this element include expressed brick quoins and a brick soldier course at eaves level. The submitted plans show the retention of the existing tree and informal hedge planting along the South Farm Road frontage. The retention of this attractive landscape feature is considered important to 'soften' and filter views of the building from South Farm Road, helping to avoid an overly dominant visual impact. This can be secured as a condition of planning permission together with supplementary planting to infill some of the existing gaps.

### Area B

The Area B extension relates to a modern, single-storey, hipped-roof, teaching block (25.4 metres wide by 18.4 metres deep) located on the west side of the school building complex, roughly in the centre of the site adjoining the school playing field. The existing single-storey element is attached to a larger 2-storey block of a matching modern design to the east. It is proposed to demolish the existing block and replace it with a 2-storey block of a similar design on virtually the same footprint. It would have a pitched-roof on each side with a central flat area, having a maximum height of 7.8 metres (5.4 metres to eaves). Its overall height would be below that of the adjoining 2-storey block, which has a ridged roof, to

minimise the impact on daylighting to the south-facing windows of an adjoining 2-storey teaching block to the north. Given the resulting deep building span, a combination of rooflights and sun-pipes are proposed to enable daylight to penetrate the interior at first-floor.

The proposed brick-built building has been designed to complement the existing 2-storey 'host' building, with matching plinth and fenestration details. It will assimilate as part of the existing school complex and against a backdrop of similar-scaled buildings in angled views from St Lawrence Avenue to the north and from the rear of dwellings in Gaisford Road and Gaisford Close to the west and south, and will not have a prominent visual impact on the surrounding area.

### ***Residential Amenity***

The Area B extension is well-separated (by 50 metres) from the rear of the nearest residential properties in Gaisford Close. The properties most-affected by the Area A extensions are the flats within Nos 99-101 South Farm Road to the south, and residential properties on the opposite (east) side South Farm Road approximately 20 metres distant. The former property comprises a detached 2-storey building with rooms in the roof, sub-divided into 3 no. self-contained flats. It adjoins the south site boundary where it dog-legs around the electricity sub-station. The nearest part of the 2-storey, flat-roofed element of the Performing Arts Centre would be sited at a distance of 4 metres from the common boundary.

The ground-floor flat of Nos 99-101 is accessed from the main front entrance porch off South Farm Road. The upper floor flats are accessed from open stairs on the north side of the building which leads onto an enclosed first-floor landing. There is north-facing window in this projecting element serving the shared landing, and a larger north-facing window in the main flank wall of the building serving the first-floor flat. The window is split internally and planning records indicate it serves a bathroom and hallway. A north-facing window at ground-floor adjacent to the proposed development serves a kitchen and is clearly visible above the existing brick boundary wall. The nearest element of the proposed building will have some enclosing effect on the outlook from this window, which is already partly impacted by the overhanging element of the first-floor projection above. Owing to the height and proximity of the nearest part of the proposed building there will be some loss of daylight to the ground-floor kitchen which relies on this window for its main source of light. However, the effect on outlook would not be oppressively overbearing at a separation distance of 7 metres and bearing in mind the room in question is non-habitable accommodation would not justify refusal on this ground.

The EHO initially raised concern about the potential impact of noise escape from the proposed auditorium and music classrooms affecting the nearest neighbours, and clarification was sought regarding the anticipated hours of use of these parts of the building and that consideration had been given to the potential noise impacts of the development in terms of its design. The School initially responded to state that in addition to use by the School it is planned that the Performing Art Centre (including the music classrooms) would be made available for use by outside organisations up to 23.00hrs Mon-Sat and 22.00hrs on Sundays. To address concerns about 'noise leakage' an amendment has been received omitting the proposed first-floor south-facing windows in the music classrooms with fixed



skylights inserted into the flat roof instead. The School has further explained that ideally the first-floor music classrooms would have flexibility to be operational up to 22.00hrs to support the ground-floor performance space, but would consider further reducing these hours if considered essential to the success of the application. The EHO is satisfied of these hours subject to a condition requiring the other windows and doors in the building to be kept closed to prevent noise break-out and the submission and approval of a scheme to control noise emissions from the development designed to achieve a noise level of no more than 45dB(A) Leq 1min at any boundary of the site. It is likely that an alternative form of ventilation, such as air-conditioning, will be necessary as a result, and a condition is also recommended to control any external fixed plant on the building.

### **Highway Safety**

As the School is already operating at its 'over-subscribed' level, it is not anticipated the proposals would significantly increase travel movements to or from the site. It is anticipated that going forward the planned pupil expansion (PAN) will require an additional 5 no. staff. There are currently 64 car parking spaces within the existing car park and proposed site layout plan shows provision of an additional 3 spaces within the existing car park.

The Highway Authority has not raised any objection to the existing vehicle access arrangements or level of car parking provision. An amendment has been received showing a 2 metre wide pedestrian entrance off South Farm Road (in a similar position to that serving the existing caretaker's house) serving the Performing Arts Centre and new student entrance.

### **Recommendation**

Delegate to the Head of Planning Services to **APPROVE** subject to no additional third party representations received by 6 June 2019 and subject to conditions:-

1. Drawing Numbers
2. Standard time limit
3. Agree materials (including windows) and architectural details
4. Construction of the Performing Arts Centre shall not commence on the site unless and until a scheme for controlling noise emissions from the building has been submitted to and approved by the local planning authority. The scheme shall be designed to achieve a noise level from the development of no more than 45dB(A) Leq<sub>1min</sub> at any boundary of the site.
5. Windows and doors in the auditorium and music rooms shall be kept closed at all time when these rooms/facilities are in use. No external plant shall be fixed to the Performing Art Centre unless and until an attenuation scheme has been submitted to and approved by the local planning authority. The scheme shall have regard to the principles of BS4142: 2014 and ensure there is no detrimental impact to the amenity of the nearest residential dwellings. A test to demonstrate compliance with the scheme shall be undertaken within one month of the scheme being implemented. All plant shall be maintained in accordance with manufacturer's guidance and any future plant shall also meet the specified levels within the approved scheme.
6. Full contamination condition (Performing Arts Centre)

7. Construction Method Statement and Plan
8. Hours of Construction
9. External lighting to be agreed prior to first occupation
10. Agree tree protection measures during construction (Performing Arts Centre)
11. Agree supplementary soft landscaping to South Farm Road frontage
12. Agree and implement details of new wall opening for pedestrian access.  
Block up existing pedestrian opening in matching materials
13. Agree and implement surface water drainage scheme

29<sup>th</sup> May 2019

Application Number: AWDM/0416/19

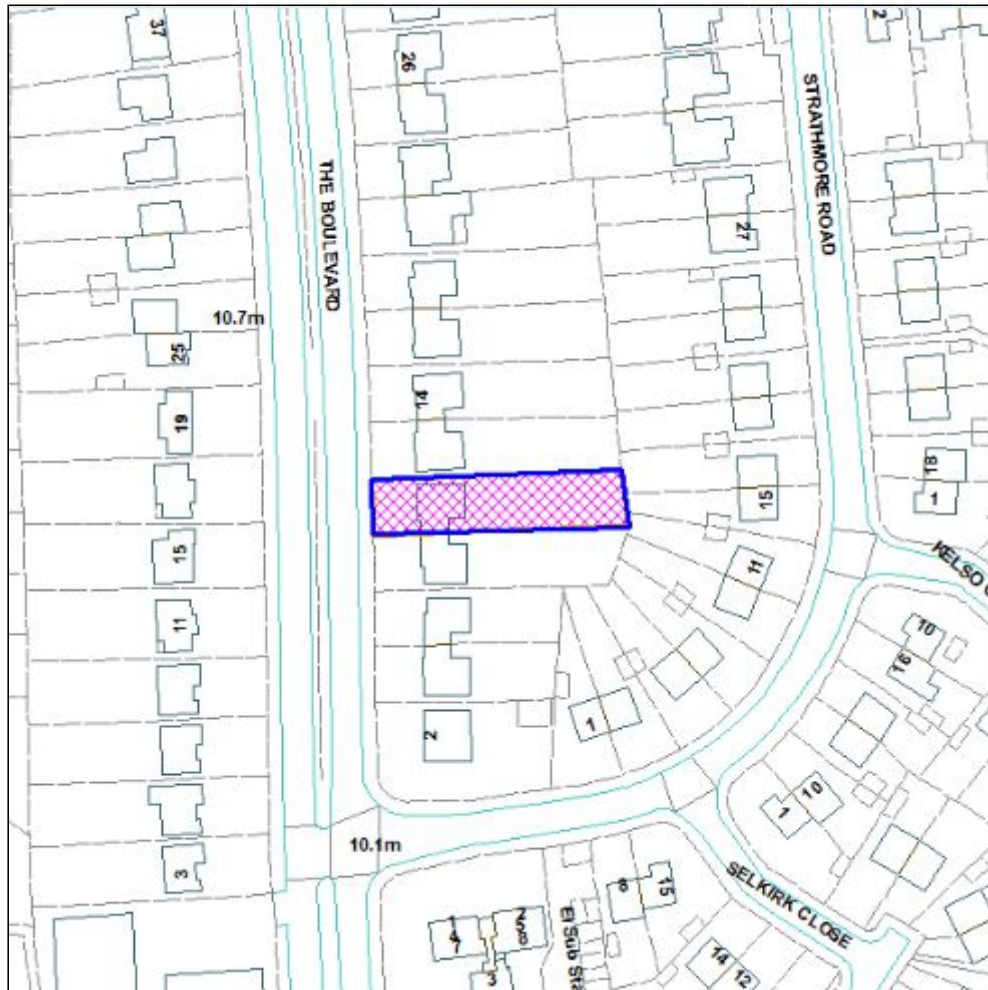
Recommendation – Approve

Site: 10 The Boulevard Worthing West Sussex BN13 1LB

Proposal: Conversion of and rear extension to existing garage on side south elevation with revisions to roof design of permitted rear extension (re-submission of AWDM/1869/18).

Applicant: Mr Sai Penugonda  
Case Officer: Linda Park

Ward: Castle



Not to Scale

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This application has been called in by Cllr Lionel Harman.

### Proposal, Site and Surroundings

The application site is a link-detached house located on the east side of The Boulevard, which adjoins No.8 to the south via the garages. There is a rear conservatory, and the attached garage has a storage area behind which comes in

line with the rear of the original house. The garage has a parapet roof to the front, which matches and mirrors the adjoining garage at the neighbouring property.

No.8 to the south has a single-storey rear extension. No.12 is to the north and has a flat roofed two-storey rear extension.

A single-storey extension to the rear elevation is currently under construction at the application property, which was approved under the larger home extensions legislation.

The application proposes minor changes to the design of a further recently approved scheme (AWDM/1869/18) for the conversion of the garage to a bedroom/bathroom and rear extension which would extend to the rear of this to provide a utility room, and would join onto the rear extension currently under construction. The plans now show the two rear extensions together, with a single door providing access internally from the rear extension currently under construction, into the proposed utility room extension.

The main change from the approved scheme relates to the treatment of the roof, which would now be 3m high to the top of the flat roof as opposed to 2.83m high as approved, with the addition of a false-pitched ridge of tiles to the east (rear) elevation only (to tie in with the roof of the rear extension currently under construction) which would be a total of 3.3m high to the top of the ridge. Roof lights within the flat roof of the converted garage and utility room extension are no longer shown on the plan.

The proposed raised parapet detail on the front elevation above the proposed converted garage has also been raised slightly (by approximately 0.1m) in comparison with the approval, as well as a change to the proposed window to the front of the proposed converted garage from a 2-pane window (as approved) to a 3-pane window, and on the rear elevation from a proposed door with side-light (as approved) to a pair of French doors. Otherwise the extension remains the same as the approved scheme (AWDM/1869/18).

### **Relevant Planning History**

*A 'householder application for permitted development for prior approval for single-storey extension to rear of property measuring 6m from rear wall of the original house, maximum height 4m and height of eaves of the extension 3m' was granted in 2019 under reference AWDM/1834/18. This is currently under construction.*

This would have a flat roof with a false-pitched ridge of tiles across the east and north elevations, and would join onto a further proposed extension to the rear of the garage/storage area to provide a utility room, which was approved in February 2019 along with the conversion of the garage into a bedroom and bathroom under AWDM/1869/18.

The applicant has been advised that the approved utility room extension and garage conversion cannot be constructed together with the approved 'larger home

extensions' rear extension under AWDM/1834/18, as this would mean that the latter extension would not fall within 'permitted development' under the legislation.

## **Consultations**

None undertaken

## **Representations**

None received.

## **Relevant Planning Policies and Guidance**

Worthing Core Strategy 2006-2026 (WBC 2011): Policy 16  
Worthing Local Plan (WBC 2003) (saved policies): H16, H18  
Design Guide 'Extending or Altering Your Home' (WBC)  
National Planning Policy Framework (March 2012)

## **Relevant Legislation**

The Committee should consider the planning application in accordance with: Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

## **Planning Assessment**

### ***Principle***

There is no objection in principle to extensions and alterations to residential dwellings within the built-up area.

In this case, there is a recent approval for the conversion of the garage and extension of the garage to the rear, and the current application proposes minor changes to this approval, therefore, the key considerations are the effects of those changes upon the visual amenities of the area and upon the residential amenities of neighbouring properties.

### ***Visual amenity***

The only proposed changes which would be visible from the street are the slightly raised parapet detail above the converted garage, and the change to a slightly larger window on the front of the converted garage.

These changes would not be harmful to the appearance of the property or the street scene due to their minor nature and satisfactory design.

## ***Residential amenity***

The most affected neighbouring property is No.8 The Boulevard which sits to the south of the application property. The proposed rear extension would extend right up to the boundary with this property, as approved. The proposed slight increase in height of the flat roof from 2.83m to 3m however would not significantly harm the amenities of this property, due to the position of the proposed extension to the north of No.8 with their garage in between.

There is a side window in the rear extension at No.8 which faces the proposed extension; however, it is estimated that the 25 degree angle of view from this window would not be breached by the proposed extension (even with the slightly raised roof), due to its limited height and distance away. Of further consideration is the fact that this is a secondary window serving the living room extension at No.8, where the main outlook from this room is from patio doors and sidelights facing the rear garden. As such, the proposed slight increase in height of the flat roof and addition of a small false-pitched ridge of tiles to the rear would not have such a significant impact in comparison with the approved scheme to warrant a refusal of permission.

As per the approved scheme, a condition should be included to prevent any windows being placed in the south flank wall of the extension, in order to protect the privacy of No.8; and a condition to ensure that the proposed conversion/extension remain ancillary to the use of the main house and are not used as a separate unit of accommodation.

## **Recommendation**

### **APPROVE**

#### **Subject to Conditions:-**

1. Drawing Numbers
2. Standard time limit
3. Matching materials
4. No windows in south flank wall of extension
5. Extension and converted garage to be ancillary to main use of No.10 The Boulevard and not to be used as a separate dwelling

#### **Informatives:**

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. The extension approved under AWDM/1834/18 has to be completed before works are commenced on the extension approved under this permission, and

also before 30th May 2019 (unless this deadline is subsequently extended by the Department for Communities and Local Government).

3. Party Wall Act standard informative

29<sup>th</sup> May 2019

Application Number: AWDM/0622/19

Recommendation – APPROVE

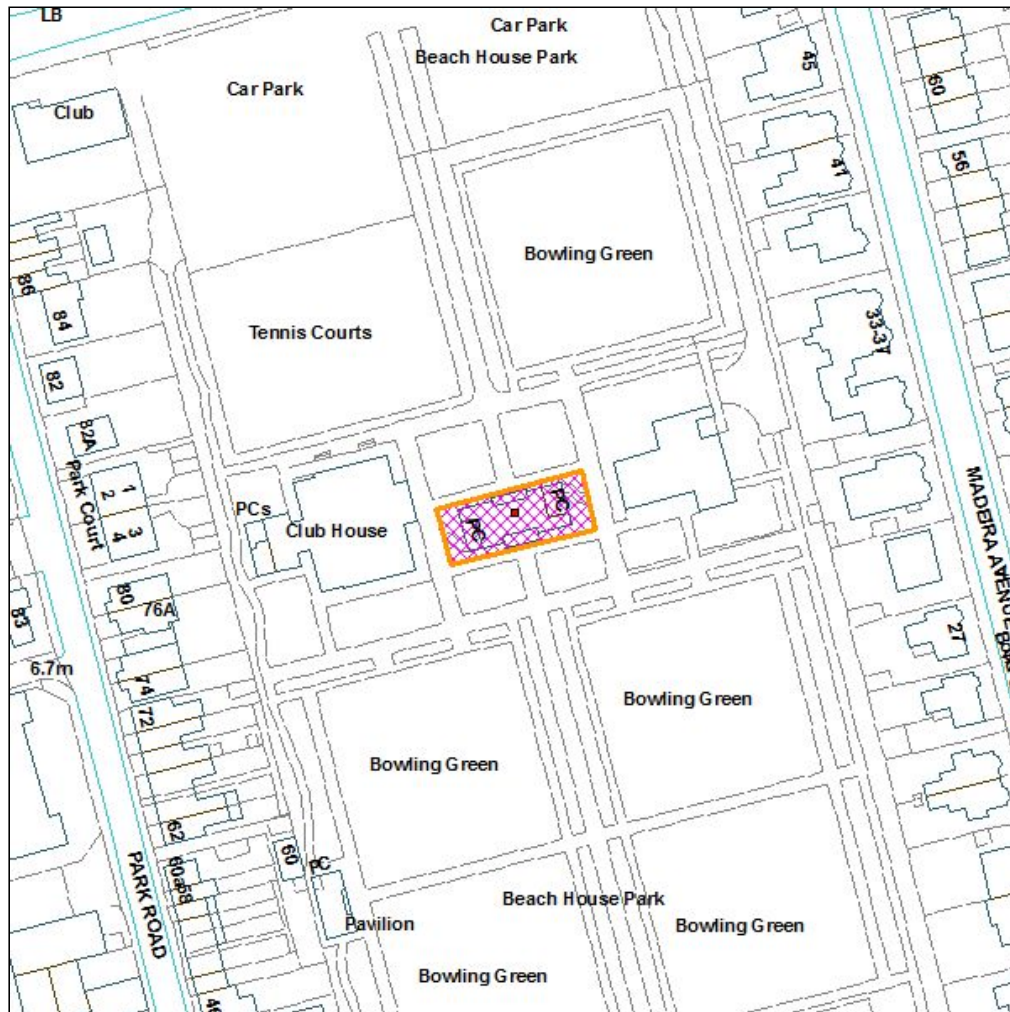
**Site:** Cafe Central Pavilion Beach House Park Lyndhurst Road Worthing

**Proposal:** Replace existing double timber front entrance doors with aluminium double-glazed double doors to south elevation.

Applicant: Adur &amp; 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 application has been submitted by the Council.

### 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 the main existing double timber door on the ground floor south elevation with Smart Wall aluminium frames and double glazing. It will be powder coated in green to match the existing and north facing door which has already been replaced. The glazing will be fixed with 12mm leaded bars to match the adjacent windows. Consent has already been granted for the replacement of this door with a wide single opening door to replace the existing double door (AWDM/1593/18). It has been requested that this be amended to be a narrower door with a separate slave leaf to match the approved door on the northern elevation. This is due to concerns that with the door open it will expose the customers too much to the outdoor conditions. The proposed door would allow for more control over this.

## **Relevant Planning History:**

**AWDM/1593/18** - Replace all steel Crittall windows and timber single glazed doors with aluminium double glazed units to all elevations including balconies. Approved – 25.01.19

**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:** None received.

**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 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 will have one door that spans two thirds of the opening with a slave leaf and a glazed panel above is separated using the same proportions. The use of the slave leaf is visually more in keeping than the previously approved door as it better mimics the double door opening. It will also match the approved door on the northern ground floor elevation.

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.

### **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

**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.