



**WORTHING BOROUGH  
COUNCIL**

**Planning Committee  
4 March 2020**

**Agenda Item 5**

**Ward: ALL**

**Key Decision: Yes / No**

**Report by the Director for Economy**

**Planning Applications**

**1**

**Application Number: AWDM/0325/19**

**Recommendation –**

**Site: Development Site At Former Teville Gate Car Park And Land To The West  
Teville Road, Worthing**

**Proposal: Redevelopment with a mixed use scheme comprising three blocks of 378 residential units, 83-bedroom hotel (3,684 sqm), a foodstore (Use Class A1) (1,852 sqm), a gym (Use Class D2) (1,426 sqm), in addition to retail, restaurant and cafe uses (Use Classes A1, A2, A3, A4 & A5) (999sqm) and associated infrastructure including 307 parking spaces, 352 cycle parking spaces, service areas, public realm with associated hard and soft landscaping and private amenity spaces. The application is accompanied by an Environmental Impact Assessment.**

**Application Number: AWDM/0325/19**

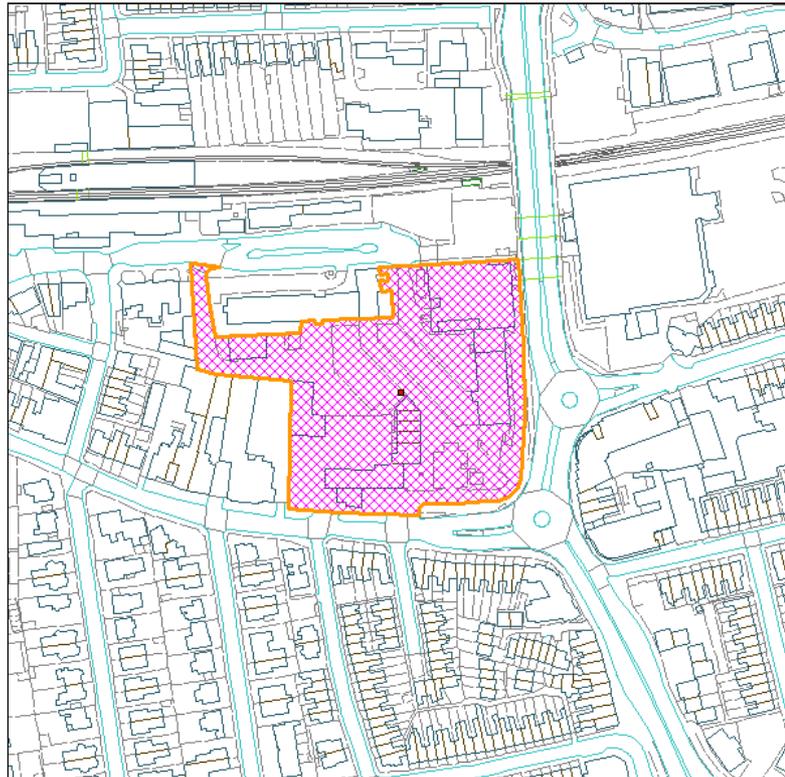
**Recommendation – APPROVE  
subject to a s106 agreement.**

**Site: Development Site at former Teville Gate Car Park and land to the West, Teville Road, Worthing,**

**Proposal: Redevelopment with a mixed use scheme comprising three blocks of 378 residential units, 83-bedroom hotel (3,684 sqm), a foodstore (Use Class A1) (1,852 sqm), a gym (Use Class D2) (1,426 sqm), in addition to retail, restaurant and cafe uses (Use Classes A1, A2, A3, A4 & A5) (999sqm) and associated infrastructure including 307 parking spaces, 352 cycle parking spaces, service areas, public realm with associated hard and soft landscaping and private amenity spaces. The application is accompanied by an EIA.**

**Applicant: Mosaic Global Investments Ltd  
Case Officer: Gary Peck**

**Ward: Central**



**Not to Scale**

## **Introduction**

The application, received in March 2019, proposes a complex high-density, mixed-use development on the former Teville Gate shopping centre site which has long been identified as a crucial redevelopment area in the town. As the history of the site demonstrates, the site is difficult and at the time of writing this report there are a number of matters still to be resolved in relation to highway matters, scheme viability, the provision of affordable housing and the likely completion of a detailed Section 106 agreement.

The scheme will have been with the Council for exactly a year at the time of the Committee meeting and given the necessity to look positively at key sites such as this, it is considered that a report should be brought before the Committee for consideration, notwithstanding the above matters which both Officers and the applicant are working hard to resolve.

## **Site and Surroundings**

The location of the proposed development site is centrally located within Worthing town centre, about 150 metres to the east of the railway station and just under 1km from the seafront. The site is bordered by three roads: Railway Approach to the north, Broadwater Road (A24) to the east and Teville Road (A2031) to the south. Immediately to the west of the site on the Teville Road frontage is an MOT and tyre/exhaust repair centre (Kwik Fit). The site has slopes lightly from north to south.

The area of the application site is given as approximately 1.46 hectares.

Previously the site contained a number of buildings including a former car wash, and car sales showroom, as well as offices and other retail and commercial uses, and a multi storey car park, with a maximum height of 6 levels and which contained spaces for over 300 vehicles in the north eastern corner of the site. All of these buildings were demolished in 2018.

The eastern boundary of the site, formed by Broadwater Road is dominated by the busy dual carriageway which is elevated from grade in the south to a height of approximately 4.5 metres above the level of the site as it rises to bridge over the railway which lies to the north of the site. There is a transition from the mainly residential development north of the railway line to the more mixed uses to the south.

To the south east of the site Norfolk House rises to 7 storeys in height adjacent to the roundabout junction with Newland Road.

To the north of the site there is the service yard which serves Morrison's foodstore to the east with a service access beneath the bridge via Railway Approach. Opposite to the site of the former Teville Gate House is Grade II listed building which used to be the original railway Station building. The former Station building is attached to Capella House, a modern three storey office building. Further to the north of the railway line, there are commercial uses and a three storey block of flats, Carlyle House.

To the west, currently under construction, is the 5 storey building which will house HMRC on the site of the former Teville Gate House. With its high floor to ceiling heights, this will become a prominent building beginning to inform the scale of development in the area. Further to the west is the Grand Victorian Hotel, also a Grade II listed building. The building has an unimplemented permission for the conversion of a former associated nightclub to 16 new hotel rooms.

To the south, in Teville Road, there are a mixture of two and three-storey traditional Victorian terraced cottages.

Following the demolition of the previous buildings on the site, it is currently used as a surface public car park with 66 car parking spaces. The site has one vehicular access from Railway Approach to the existing surface car park in the northeastern corner of the development site. The Planning Statement notes that previously, the site had four vehicular access points. The main access was located via Teville Road to the south, which provided access to a service road that ran along the southern and eastern perimeter of the site. There was another vehicular access from Teville Road to the previous commercial and retail units located to the south of the site. Two further vehicular accesses into the site were from Railway Approach to the north.

## **Proposal**

The development proposals comprise a 'residential-led' development featuring 378 residential units, across three blocks with a mix of studio, one bed and two bed units. Block A will be a maximum of 8 storeys high, Block B a maximum of 14 storeys high and Block C, located in the north eastern part of the site, 22 storeys high. The development will also provide an 83-bedroom hotel (3,384m<sup>2</sup> GIA), a gym (1,400m<sup>2</sup> GIA) and flexible retail units (989m<sup>2</sup> GIA), split across all blocks. In addition, the proposed development includes a discount food store of 1,814m<sup>2</sup> (GIA) which will be provided on the ground floor of Block B.

The proposed development will provide a total of 307 car parking spaces. This consists of 107 spaces for the discount foodstore, 100 unallocated residential spaces and 100 spaces for the public. The residential car parking will only be provided for the private sale residential (PSR) units. No parking is provided for the private rented sector (PRS) residential units.

The following aerial image of the development site helps to illustrate the scheme and assists with an understanding of the relationship between the 3 main blocks.



Subject to future indexation, the proposed development is estimated to attract a Community Infrastructure Levy (CIL) payment of £3.098 million assuming that affordable housing is provided that qualifies for mandatory payment relief. Should the affordable housing not be provided in such a way, then the payment required would increase to £4.226 million.

In respect of Section 106 payments, the viability assessment assumes a payment of £378,000. This is addressed under the Planning Assessment section of the report.

Further information is provided in the accompanying supporting information as detailed below:

- i) Archaeology
- ii) Daylight/Sunlight
- iii) Design and Access Statement
- iv) Design Review
- v) Energy Statement
- vi) Environmental Statement
- vii) Flood Risk Assessment
- viii) Landscape Statement
- ix) Overheating Assessment
- x) Planning Statement
- xi) Retail Planning Statement
- xii) Schedule of Accommodation
- xiii) Statement of Community Involvement

- xiv) Sustainability Statement
- xv) Transport Assessment
- xvi) Viability Report
- xvii) Wind Microclimate Assessment

## **i) Archaeology**

The submitted Archaeological and Geoarchaeological desk based assessment states that in terms of relevant local designations, the application site is not located within an Archaeological Notification Area.

The application site is considered likely to *have a medium archaeological potential for deposits associated with the Prehistoric periods within the application site, and a low potential for all other periods.* It further states: no significant effects on archaeological and geoarchaeological remains are anticipated at the application site as below-ground development impacts would be primarily focused within the modern made ground of low interest, and any impacts at depth in relation to archaeological deposits would be of negligible scale.

The report concludes that on the basis of the available information a phased programme in advance of any development is recommended and that as remains of national significance are not anticipated, any mitigation can be controlled by condition.

## **ii) Daylight/Sunlight**

In respect of daylight, the study shows that 351 of the 353 rooms meet or exceed Building Research Establishment (BRE) guidelines for average daylight factor. The study points out that the BRE produces guidelines which should be interpreted flexibly. The report suggests that *'isolated deviations from the suggested targets are not uncommon in large scale developments.'*

The study also finds that 8 rooms will receive less than the recommended sunlight hours. The report states that the rooms are principally east or west facing where the potential for adequate sunlight is reduced. Again, the study states:

*'...deviations are not unusual and this should be considered when applying the BRE targets. Given the small number of rooms indicating deviations, coupled with the high levels daylight amenity, the results should be considered in line with the overall intentions of the BRE criteria.'*

The report concludes:

*The quality of daylight amenity within the proposed accommodation has been assessed using the Average Daylight Factor (ADF) assessment as recommended within the BRE document 'Site layout planning for Daylight and Sunlight' and the British Standard document BS8206*

*The results show high levels of internal daylight, with 99% of rooms achieve ADF levels in line with the targets. The analysis indicates isolated marginal and technical breaches, which should be considered acceptable when considering the scheme as a whole.*

*As would be expected, the results of the Annual Probable Sunlight Hours sunlight assessment have shown that in some instances direct sunlight to the window face will be limited. These results are wholly expected given the orientation of the scheme and this should be considered when applying the BRE criteria.*

*The results of overshadowing assessment indicates isolated deviations to specific amenity areas, however confirms indicates good levels of overall amenity, especially during the summer months. The results therefore indicate direct sunlight levels in line with the intentions of the BRE criteria.*

*Overall the proposal aims and succeeds in delivering high levels of amenity to future occupants of the scheme. The proposal therefore accords with the intentions of the BRE guidance and relevant planning policy.*

The supporting information also suggests that 19-29 Teville Road, 34 Hertford Road and Norfolk and Suffolk House will all receive daylight and sunlight below the suggested recommended levels as a result of the development but states that changes of light are unavoidable if the site is to be developed and the results are not untypical of those found in the urban area.

### **iii) Design and Access Statement**

The Design and Access Statement (DAS) sets out the background to the scheme, its design development and then the detail of the proposal.

*It acknowledges that 'The site's location is both its strength and weakness. The design has been developed to optimise its strengths and to mitigate its weaknesses.'* It goes on to state that the proposal *'therefore provides a significant opportunity for high density mixed-use development in a highly sustainable location focussed on an enhanced transport interchange. The roads and railway that would form this transport interchange also create a poor environment on the North and East boundaries of the site. The masterplan has been developed with these constraints in mind.'*

The 'Urban Analysis' section of the DAS states:

*The site, prior to demolition, was a highly under-utilized land, with a lack of activity. There were issues with regards to safety and security and it offered poor pedestrian linkages. The area also suffered from an unattractive public realm with poor legibility and signage.*

*The Broadwater Road flyover creates a significant barrier to movement, and even before demolition, there was little activity or animation to draw people along Railway Approach to the pedestrian route through the site.*

*Equally the site, is at the confluence of various routes, thus affording the opportunity to create pedestrian routes through the site on existing desire lines to greatly improve the connectivity, permeability and legibility of this key site, making it the key driver for the proposed master plan creating a mixed use development that will inject activity into the area and provide a safe and attractive pedestrian route between the station and the town centre.*

*The site will provide a real opportunity to act as an early catalyst for further development of the area and to set high standards of design and development. The redevelopment of the site will help to transform the perception of the town and provides the opportunity to create a new and positive landmark.*

The DAS goes on to explain that the site was acquired by the applicant in 2015 and an initial scheme was developed by the then architects in consultation with the Design Panel for the area. Following the appointment of the current architects, the scheme was then further refined to improve its relationship with Broadwater Road, enhance the pedestrian and service route strategies (the former by making the ground floor more active and the latter by ensuring that refuse lorries can use only 1 road access) as well as further improve the proposed public realm.

During the development process, a hotel was introduced into the scheme which meant a further reanalysis of the scheme, especially in relation to Block C where the hotel would be located (closest to the railway line). The central space within the public realm was further increased and the design of blocks B and C simplified. The design of Block A was simplified and changed to reflect the Art Deco influence in Worthing.

A subsequent addition was the addition of a single storey link building between blocks A and C following the testing of the proposal at wind mitigation workshops which made apparent the necessity to funnel strong winds between blocks A and C. Full public access will be retained through this link building.

The DAS goes on to state the benefits of the proposal in regeneration terms:

*'A landmark development with a sense of arrival'*

*The new development will provide a much needed 'sense of arrival' from Worthing station. Three distinct building forms with a 'Feature' building on the southern corner.*

*A beautifully landscaped pedestrian route linking the station and the town centre. An enhanced pedestrian link under Broadwater Road to Morrisons and to the East*

*The proposals incorporate materials and colours which respond to the area's varied seaside character, creating a strong sense of place.*

*378 apartments designed for modern living with private residents-only roof gardens*

*Approximately 1,000sqm of restaurants and cafes from local and national brands*

*On-site supermarket and gym*

*New 83 bed hotel, a short distance from the Station*

In terms of appearance, the Das states:

*The development comprises several residential blocks over private residential podiums, with facilities such as retail, gym, food store, carpark and hotel on the lower floors.*

*The width of each of these blocks varies and is generated by the proportions of the unit types that sit within it.*

*Externally it gives the appearance of a group of several individual elements, some rising higher than others.*

*Block A, located at the south-east corner of the site, provides a visual contrast to the rest of the development, in terms of form and materiality.*

*Designed as the 'architectural focus' of the development, it offers a strong horizontal emphasis against the vertical elements of Block B & C that form its back drop.*

*Generous, landscaped public realms, podiums & terraces on various levels offer shared amenity space for residents & soften the buildings. Creating an inviting and welcoming environment for residents and visitors alike.*

With regard to materials, it is stated that the ground floor commercial units will have colour coated aluminium shopfronts to match the fenestration above with the surrounding cladding continued down from the blocks above forming the pillars and divisions to various retail units.

Block A, the art deco style building, would consist of white perforated metal panels and copper gold coloured panels to hide wall junctions. Polished aluminium frames would serve the high amount of glazing in the building.

The palette for Blocks B and C is being described as from the '*local influence*' with complementing tones of buff, red and grey brick. Brick detailing where there are no openings on the façade as well as bay and recess geometry seek the break down the vertical elements of the building. The façade for the car park, located in block C, would have a different material treatment utilising panels in 3 metallic colours. This would provide open ventilation as well as improving the appearance of the block. The hotel, also part of Block C, meanwhile, would be in a darker brick to differentiate it from the residential part of the block.

The DAS confirms that the units of accommodation meet the provisions for the Space Standards (because of the nature of Block A, the space standards tend to be exceeded, but Blocks B and C have some units that are equivalent to the minimum). The DAS states all current studies demonstrate the need to achieve higher densities in appropriate locations, and given the constraints of the town, the application site offers one of the few opportunities to achieve such densities.

The DAS states that the design of the development is based on modular construction:

*The proposal is for off-site construction, assembling individual steel-framed modules that are built in the factory under controlled conditions. The modules will be fully fitted with all electric, plumbing, heating and internal finishes before they leave the factory. They are delivered to site by road and craned into position ready for application of external cladding. 5-10 modules can be put in place every day with no additional structure beyond the stair core and lifts.*

*The modular construction will reduce the time on site, reduce the noise of operations and produce substantially less waste. In addition, deliveries to site can be timed to suit the local conditions.*

It is further stated that the use of steel for the modular construction has environmental benefits as over 50% of the steel is recycled and is very efficient as a structural material.

Finally, in terms of waste management, the DAS confirms that the storage and collection of waste will form part of an overall management regime operated by a dedicated Management company in conjunction with a private refuse collection company, details of which can be secured by planning condition.

#### **iv) Design Review**

The application includes details of a Design Review meeting with the Coastal Design Panel in May 2018. The Panel reviewed the pre-application proposals and stated:

*'The proposal includes what would be the tallest buildings in Worthing in a highly prominent location, therefore it is essential to set a positive example. The potential to create a direct pedestrian route to the station lined with active ground floor uses and high quality public spaces is positive, and we commend this ambition. However, the massing and elevational treatment remain problematic, and more needs to be done to reduce the bulk of the scheme. There is potential for the way heights are distributed across the site to address this to some extent, but the amount of accommodation to be provided continues to constrain the achievement of a development that is sensitive and appropriate to its local and wider setting. Generally, we feel the scheme would benefit from simplification, both in terms of building form and material palette. The way in which the proposed public spaces can positively relate to the surrounding area should also be explored.'*

The scheme has been subject to earlier design reviews as part of the pre-application process.

#### **v) Energy Statement**

The Executive summary states:

*The energy strategy for the Station Square development has been developed in line with the energy policies of the Worthing's Local Development Framework Core Strategy.*

*By means of passive and active energy efficiency measures, the utilisation of an 650m<sup>2</sup> roof mounted PV array and air source heat pumps (commercial units), the total regulated CO<sub>2</sub> emissions have been reduced by 26.1% over the equivalent Part L baseline. The scheme also meets the 10% requirement of predicted energy from decentralised and renewable or low carbon energy technologies, as stated in the South East Plan (2009).*

## **vi) Environmental Statement**

A full Environmental Statement was submitted with the application in accordance with the Environmental Impact Assessment (EIA) Regulations and comprises 3 volumes. Volume 1 is the Environmental Statement Main Report, Volume 2 is the Townscape, Visual and Built Heritage Assessment and Volume 3 comprise the Technical Appendices. A Non Technical Summary (NTS) has also been submitted.

The NTS presents a summary of the main findings as set out in the Environmental Statement and the most relevant parts are outlined below.

Section 2.3 of the NTS discusses the Environmental Sensitivities and Considerations relevant to the application site:

### **2.3.1 Ground Conditions**

- Geological maps for the area indicate that the geology beneath the application site is underlain by superficial deposits of Clay, Silt, Sand and Gravel and a bedrock of majority London Clay Formation (Clay, Silt and Sand) and part Lambeth Group (Clay, Silt and Sand) to the south of the application site;*
- The application site is underlain by two Secondary A Aquifers, with a Principal Aquifer immediately bordering the application site downgradient; and*
- Buried obstructions comprising of underground fuel tanks, the culverted Teville stream, an emergency water basin and old foundations are anticipated on-site.*

### **2.3.2 Water Resources**

- There are no surface water features on the application site. The nearest surface water features are an unnamed pond located in Amelia Park approximately 497 m south-west of the application site and Teville Stream, which is located approximately 1.7 km east of the application site. The coastline is approximately 960 m to the south; and*
- The entire application site is located within Flood Zone 1, which is defined as an area that has a very low probability of river and sea flooding in any given year (less than 0.1 %).*

### **2.3.3 Ecology**

- Ecological surveys of the application site were undertaken in 2017, prior to the demolition works. This included an extended Phase 1 survey completed on 31*

October 2017. These surveys confirmed that the application site consisted of the following pre-demolition habitats:

- Buildings;
  - Hardstanding;
  - Ornamental plant beds;
  - Five semi mature trees; and
  - Small areas of scrub/grassland.
- The habitats were considered to be of limited importance for wildlife; and
  - Subsequent to the demolition of the buildings on the application site, the application site now only consists of hardstanding, a substation and a stockpile of demolished materials.

#### *2.3.4 Below and Above Ground Heritage*

- The application site is considered likely to have a medium archaeological potential for deposits associated with the Prehistoric periods within the application site, and a low potential for all other historic periods;
- The application site is not located within an Archaeological Notification Area (ANA) as designated by WBC, and no designated World Heritage Sites, Scheduled Monuments, Historic Wrecks or Historic Battlefields lie within 1 km of the application site;
- The application site does not contain any nationally designated (protected) heritage assets, such as Scheduled Monuments or Registered Parks and Gardens. There are also no statutory Listed Buildings on the application site. Within the immediate vicinity of the application site, The Grand Victorian Hotel (listed as Chapmans), the Original Worthing Railway Station and Ace House (all three Grade II) are located approximately 30 m to the west, 20 m north-west and 90 m north of the application site, respectively; and
- The application site is not located within or adjacent to a Conservation Area (CA). The following CAs are located within 500 m of the application site:
  - Little High Street;
  - Chapel Road;
  - Richmond Road; and
  - Park Crescent.

#### *2.3.5 Townscape and Views*

*The prevailing townscape character comprises:*

- predominantly Victorian terraced and early 20th century housing in the north with some later 20th century terraced housing in the west;
- linear industrial units, the Morrisons supermarket and extensive car park to the east; and
- Victorian terraced, detached and semi-detached housing arranged in a tight grid of streets to the south.

#### *2.3.6 Transport and Accessibility*

- The application site has good access to public transport. Worthing Railway Station is located 20m north-west of the application site, with Southern Trains and First

*Great Western services providing access to Portsmouth, Brighton, Gatwick Airport and London Victoria among others;*

- A number of bus stops are located near the application site. The stops along Railway Approach and the A2031 serve the following routes:
  - Durrington - Worthing (Route 5);*
  - Lancing - High Salvington (Route 7);*
  - Durrington - Worthing (Route 10); and*
  - Crawley - Worthing (Route 23).**
- In addition, the stops along the A2031 also serve Worthing - Worthing College (Route 11); and*
- Advisory cycle lanes are evident on the western end of Railway Approach.*

### *2.3.7 Noise and Air Quality*

- Due to the application site's urban location, noise sources affecting the application site include road traffic, as well as train movements associated with the Portsmouth to Brighton railway line; and*
- The application site is not located within an Air Quality Management Area (AQMA) declared under the Environment Act 1995.*

### *2.3.8 Socio-Economics*

- The local area (Central Ward) has a population of 9,890;*
- The housing stock in the local area is primarily comprised of flats, maisonettes and apartments and is well served by community facilities such as schools, primary healthcare and open space;*
- There are eight primary schools within 1.6 km of the application site and five secondary schools within 3.2 km of the application site. Based on the latest available data (2016/2017 academic year) the identified primary schools have a combined surplus of 614 places and the secondary schools a surplus of 1,000 places. Forecasts identify that by 2022, there will still be a surplus at primary level in the relevant primary planning areas and a slight deficit at secondary level for those schools in close proximity to the application site.*
- There are six GP surgeries within 1.6 km of the application site all of which are currently accepting new patients, although there is a significant deficit in patient places.*
- The application site is considered to be located within an area which has sufficient access to open space and playspace facilities; and*
- The application site is within the 11 % most deprived areas nationally. In particular, the application site ranks within the 10 % most deprived areas for health, deprivation and disability, crime and living environment, with the rank for crime particularly low at within the most deprived 3 % of areas.*

At Section 5.4, details are given of the material palette and façade detailing:

*The proposed façade designs have considered the architecture of the surrounding area in order to ensure the proposed development would sit sympathetically within Worthing, whilst delivering a distinctive character.*

*Block A would comprise of white metal panels to form continuous horizontal banding, with copper gold coloured panels and aluminium frames. Blocks B and C would comprise of tones of buff, red and grey brick with slate grey aluminium*

*framing clear glass, colour coated glass and colour coated metal panels. The façade of the proposed car park in Block C would comprise of metallic panels complimenting the brick colours of Block C, seemingly placed in a random fashion on concrete walls.*

*The Hotel would comprise black brick to differentiate it from the residential parts of the building, with metallic panels in soft shades of amber to help brighten the streetscape.*

*The ground floor commercial units in all three blocks would have colour coated aluminium shop fronts to match the fenestration above them. The surrounding cladding would continue down from the blocks above, forming the pillars and divisions to various retail units.*

*The choice of materials would be matched by appropriate best practice detailing to bring all elements together in a high quality, robust, low maintenance and sustainable design solution.*

*This facade construction would provide strong resistance to water penetration and provide high levels of thermal insulation with thermally broken window sections and sealed double glazed units.*

*All facades would be well sealed for air-tightness to prevent leakage from the building, as well as limiting the effects of wind and noise penetration into room spaces.*

*In terms of timescale, it is anticipated that construction works would start around 6 months after permission is granted and take around 2 years to complete. It is further stated that: The proposed development would not be constructed in distinct separate phases. Works would be undertaken sequentially across the application site; however, there would be a programme of early occupation for the internal fit out of the food store (Block B), gymnasium (Block B), hotel (Block C) and retail elements (Blocks A and C). It is also likely that the Block B residential units may be occupied prior to the completion of the proposed development as a whole. Residential occupation of Block B would only commence after private amenity and public realm works have been completed by which time there would be no heavy plant in operation and craneage removed.*

*With regard to noise affecting the proposed amenity areas, set out in Section 8 of the NTS, it is stated:*

*In respect of external communal and private amenity noise, the majority of the proposed development's terraces are predicted to comply with the required amenity noise standards. However, the following external amenity spaces are predicted to experience a significant adverse effect:*

- At Block A: 80 % of terrace level 3, 60 % of terrace level 5 and 30 % of terrace level 7;*
- At Block B: 10 % of terrace level; and*
- At Block C: 100 % of the eastern terrace.*

*Notwithstanding the significant adverse effect, the proposed development is deemed suitable in terms of external amenity space as amenity space, which meets the required amenity noise standards would be accessible to all occupants.*

Section 8.5 deals with wind and notes in respect of the development:

*The proposed development has been subject to wind tunnel modelling to ensure that wind comfort levels at proposed pedestrian areas are suitable for their intended use (sitting, standing, walking) and comply with strong wind safety criteria. As part of this process a number of mitigation measures have been incorporated within the design.*

*With the proposed development and mitigation measures (such as landscaping, screens, sculptural elements and canopies) in place, there would be 20 locations in and around the proposed development where the pedestrian comfort levels would be exceeded and there would be six locations where strong winds would prevail for more than 2.2 hours per year.*

*Predicted effects at these locations are considered significant adverse and would require additional mitigation. The additional mitigation measures will be determined during further detailed design and will be wind tunnel tested.*

*All of the wind mitigation that have been subject to wind tunnel testing as part of the EIA have been embedded within the proposed development with the exception of:*

*- eight screens, approximately 2 m wide and 3 m tall, added along the off-site central reservation to the west of Block C. This will be secured by means of an appropriately worded planning condition and could be delivered as part of the highway (S278) works; and*

*• a 3-storey link building between Blocks A and C. The height of this link was reduced to 1 storey following consultation with the WBC. This reduction will also be wind tunnel tested to ensure that no additional significant effects arise.*

An important aspect of the Environmental Statement is an assessment of the impact of the development on daylight, sunlight, overshadowing and solar glare. This states that:

*Overall, in terms of daylight and sunlight, significant adverse effects are likely to occur at 19, 21, 23, 25, 27, 29 Teville Road, 34 Hertford Road and Norfolk and Suffolk House. No other significant effects are likely to occur at other residential receptors.*

The report does on go to say that the site has been cleared and therefore the current baseline scenario, which bases its assessment on a flat, undeveloped site presents the worst case and hence an unrealistic amount of daylight and sunlight at present. The report suggests *the retained daylight levels remain generally in line with those found in a town centre location and would thus be considered acceptable.*

In terms of overshadowing, 12 private amenity and one public amenity area surrounding the application site to the north and east were assessed. The results show compliance with the recommendations of the assessment guidance and solar glare that the façade design of the proposed development would serve to break up glare to a certain extent, thus mitigating significant effects. As a result, there would be no significant solar glare effects at the four receptor viewpoints identified for the assessment.

The NTS notes that the proposed development would introduce new built form and tall buildings and there would be 'significant likely adverse effects' to the character and amenity of views from Victoria Recreation Ground, Amelia Park and Homefield Park.

The report goes on to state:

*For the majority of residents in Worthing, beyond those identified in close proximity to the application site, the effects would not be significant as the proposed development would be seen as a new addition to the urban fabric within an area of change and is likely to be perceived as landmark building, re-establishing the location of the station.*

*The assessment indicates that transport receptors in close proximity of the proposed development are likely to experience significant adverse effects due to the short distance from the proposed development. Beyond the immediate local area, proposed development would be a less noticeable feature or would be a minor feature in more distant views.*

*Overall, the most significant effects would occur on the townscape and visual resources identified within a limited geographical area in close proximity to the application site and within the urban area of Worthing. The proposed development would transform the application site to a high quality mixed use development with localised beneficial effects on townscape.*

*The proposed development would lead to the complete regeneration and enhancement of the application site and the surrounding area. This would have beneficial effects on the importance of The Grand Victorian Hotel, The Original Worthing Railway Station and Ace House. However, the proposed development includes blocks that would range from three to 22 storeys in height. The highest block would be Block C at 22 storeys. These tall elements would be prominent in the local streetscape, particularly the streetscape along Railway Approach and Broadwater Road. As such, the proposed development would appear as a relatively prominent feature within the setting of these three built heritage receptors.*

*The completed development is likely to have a significant adverse effect upon the importance of The Grand Victorian Hotel, The Original Worthing Railway Station and Ace House, as well as a nonsignificant adverse effect on The Church of St Paul, Worthing Town Hall and Chapel Road Conservation Area. The adverse effect would be caused by an alteration in the setting of these listed buildings.*

*There would be no effect on the other built heritage receptors during the completed development stage of the proposed development.*

In respect of socio-economics, the report considers the following cumulative effects are likely to arise:

- *Combined additional residential units resulting in a significant beneficial cumulative effect in regard to housing delivery;*
- *Beneficial, but not significant, cumulative effects in regard to primary school places, secondary school places and GP services on the assumption that appropriate financial contributions towards school places and GP services would have been secured for the cumulative schemes as part of the planning process;*
- *Combined additional jobs resulting in a significant beneficial cumulative effect in regard to operational employment generation;*
- *Significant beneficial cumulative effects in regard to crime and safety on the assumption that it is considered that crime would be dealt with appropriately within each cumulative scheme through the integration of 'Secure by Design' principles in response to WBC requirements; and*
- *Beneficial, but not significant, cumulative effects in respect of open space and playspace respectively, on the assumption that each of the cumulative schemes would deliver open space and playspace in accordance with WBC requirements. These effects are considered significant for playspace but not for open space.*

The NTS offers the following conclusion:

*The iterative nature of the design process has enabled the design of an appropriate development response at the application site. Overall, the proposed development would deliver a high quality residential-led, mixed use scheme.*

The EIA process has concluded the following:

- *For the construction stage there would be the following likely significant adverse effects:*
  - *Landscape and townscape character change at the application site, and character areas HUCA 01 High Street, HUCA 07 Town Hall, HUCA 08 Richmond Road, HUCA 11 Station, TCA B Ivy Arch and TCA C Newland;*
  - *Character and amenity change in views from surrounding residents as illustrated in viewpoints 1, 2, 4, 7 and 11;*
  - *Character and amenity change in views from Victoria Recreation Ground, Amelia Park and Homefield Park;*
  - *Character and amenity change in views from the public right of way between Broadwater Street and Station Road;*
  - *Character and amenity change in views from transport routes in close proximity to the application site and within 100 m radius (i.e. Broadwater Road, Railway Approach, Teville Road, Newland Road and the Portsmouth to Brighton railway line); and*
  - *Amenity change in views of key representative viewpoints 1, 2, 4, 6, 7, 8, 9 and 13.*
- *For the construction stage there would be no significant beneficial effects;*

- *For the completed development stage there would be the following likely significant adverse effects:*

- *High external amenity noise at Block A (80 % of terrace level 3, 60 % of terrace level 5 and 30 % of terrace level 7), at Block B (10 % of terrace level), and at Block C (100 % of the eastern terrace);*
- *Windy conditions at two existing off-site thoroughfares; at one existing off-site entrance; at the existing off-site amenity space to the east of the application site (at four locations);*
- *Windy conditions at three proposed on-site thoroughfares; at three proposed on-site Block A entrances, at one Block B entrance and two Block C entrances; at proposed Block A balconies (two locations) and terraces (two locations);*
- *Unsafe wind conditions at three off-site and three on-site locations;*
- *Change to daylight at 19, 21, 23, 25, 27, 29 Teville Road, 34 Hertford Road and Norfolk and Suffolk House;*
- *Change to the setting and therefore the heritage significance of The Grand Victorian Hotel, The Original Worthing Railway Station and Ace House;*
- *Change to the character and amenity of views from surrounding residents (viewpoints 1, 2, 5, 6, 7, 8, 9, and 11);*
- *Change to the character and amenity of views from Victoria Recreation Ground, Amelia Park and Homefield Park;*
- *Amenity change in views from key representative viewpoints 1, 2, and 5 to 13;*

- *For the completed development stage there would be the following significant beneficial effects:*

- *Provision of new housing;*
- *Generation of resident and employee expenditure;*
- *Improvements in site safety;*
- *Provision of new playspace;*
- *Change in townscape character at the application site, and character areas HUCA 08 Richmond Road, HUCA 11 Station, and TCA C Newland;*
- *Change in character and amenity in views from the public right of way between Ivy Arch Road and Station Road;*
- *Change in character and amenity in views from transport routes in close proximity to the proposed development and within 100 m radius (i.e. Broadwater Road, Railway Approach, Teville Road, Newland Road and the Portsmouth to Brighton railway line);*
- *Amenity change in views from key representative viewpoint 4.*

## **vii) Flood Risk Assessment**

The Flood Risk Assessment (FRA) has been undertaken in accordance with standing advice of the Environment Agency.

The assessment has therefore

- Investigated all potential risks of current or future flooding to the application site.
- Considered the impact the development may have elsewhere with regards to flooding.
- Considered design proposals to mitigate any potential risk of flooding determined to be present.

- Reviewed proposals within the scope outlined by the site wide Master Plan FRA.
- Considered outline design proposals for foul and storm water drainage of the application site.

There is a culverted stream crossing the application site as well as 2 surface water sewers and 3 foul water systems which bisect the site. The application site is within Flood Zone 1, a classification which, according to the NPPF, has a less than 1 in 1000 probability of any river or sea flooding in any given year. There is no historical recorded flooding of the site. However, the site is at risk of surface water flooding as overland flows from higher levels are directed towards the site.

From the above, the FRA concludes:

*The online EA flood map and SFRA for the Borough of Worthing show the application site in Flood Zone 1, with an annual probability of flooding of 0.1% from rivers or sea.*

*While there is no historic flooding recorded at the application site, there is a risk of flooding from groundwater and surface water which requires mitigation both before and after construction. Some mitigation measures are as follows:*

- *Existing flow paths to be maintained.*
  - *Groundwater levels to be monitored within the site investigation. Appropriate measures to be followed during construction by the contractor.*
  - *Restricting the surface water runoff to greenfield rates would reduce flood risk from surface water and groundwater.*
- *The surface water drainage network would be designed to accommodate all storm events up to the 1 in 100 year event (plus climate change).*
  - *Therefore, if the principles set out within the previous sections of this report are followed and developed at detailed design stage by the design engineer, the site can be considered:*
    - *To have a suitably managed risk of suffering from any form of flooding; and*
    - *To be proved as not increasing the probability of flood risk to the local catchment area.*

### **viii) Landscape Statement**

The submitted Landscape Statement set outs the landscape strategy for the area and states:

*The landscape proposals respond to the opportunity created by the architecture; to create an attractive environment for a new mixed use quarter in Worthing, to provide a new gateway for visitors which enhances this section of the route from the station to the sea.*

*The public realm sets the quality standard for the area, providing a positive contribution and offering an environment which benefits the needs and aspirations of the community.*

*The landscape seeks to provide a flexible environment which uses a robust palette of hard and soft elements to suit the setting, at the gateway to Worthing. Soft landscape is a key feature of the scheme, with generous areas of lawn and shrub planting, is complemented by a strong framework of new tree planting.*

*The new landscape will provide a softer character to the site as a whole and the frontage to Teville Road and the A24 in particular.*

The Statement goes on to say that the proposals draw upon the site's history as the former route of the Teville Stream and its setting close to the sea. There is a language to the landscape which *'echoes the fluidity of the former stream, with organic sinuous shapes, encapsulating 'pebbles' of planting and lawn.'* The paving palette is proposed to use tones similar to the pebbles and sand found along the shore.

The statement also advises that soft landscape is at the heart of the concept. There are green facings at ground upper floor levels as well as on vertical faces of the building.

The statement then defines the site into character areas, the first of which is the Main Street. This states:

*The Boulevard acts as the main spine route through the site, connecting the station to the north west with the rest of Worthing to the south east. It will be a dynamic space with active retail frontages and cafe spill out anticipated at the southern end and the residential blocks will have their main entrances off this route.*

*Legibility of routes is key to the success of this space. The aspiration is to create the sense of unified space, where pedestrians can move as freely as possible, but are aware that vehicles also share this area. The use of different coloured and sized paving materials is used to define vehicular and pedestrian zones and the use of carefully positioned planting beds, tree planting and other street furniture have been positioned to reinforce this, whilst being mindful not to add too much clutter to the street scene. A low and wide kerb edge will divide the pedestrian and vehicular routes.*

*The soft landscape elements have been positioned to create a green environment, whilst allowing for the easy flow of pedestrians along the length of the space and between buildings.*

*Screening greenery to the Aldi East Car Park entrance creates a welcoming green gateway with the proposed coffee stall. People can stop on the way to the station and enjoy a coffee, whilst still allowing for easy flow of pedestrians along the main route.*

*'Pebbles' of planting are echoed as well at the south of the site with larger areas of soft landscaping, forming a planted southern Gateway.*

*The design minimises clutter to keep circulation free. Seating is integrated into the raised planters, with other street furniture set between the planting.*

The statement also refers to a Landscaped Plaza which is stated to be at the centre of the site with a central planted island space around which vehicles can turn. Central planters, seating and a feature sculpture are proposed (the latter to help mitigate the impacts of the wind).

The Southern Gateway is stated to offer an inviting and green entrance from the south, allowing for the free flow of pedestrians who will be using the pedestrian crossing to reach the town centre. The landscaping is stated to have been designed to provide a degree of protection, both visual and physical, from the main roads and roundabout. It is anticipated that as one of the sunnier parts of the site, cafe spill-out will be encouraged here, which will further animate this space.

Shrub and tree planting along the western side of Broadwater Road will help to soften streetscape and improve the outlook for visitors and residents alike.

Lastly, are the Podium Gardens. Each of the proposed buildings has communal amenity space. A mixture of raised planters, artificial lawns and simple play elements provide space that residents can enjoy with their families.

Block B has two podium level communal amenity spaces - a split level space at Level 1 and 2. Block A has three levels. Block C has one big open amenity space and smaller terrace on the east side of the block, overlooking Broadwater Rd. Each amenity space is designed to have a slightly different character, using a similar language of raised metal planters, timber pergola, resin bound gravel and open artificial lawns. Private 1500mm deep terrace space is provided where residential units front onto the communal roof terraces, with buffer planting and a 1100mm high railing, to provide a degree of privacy.

On all roof terraces a 1.1m high architectural parapet edge is proposed to surround the terrace to help mitigate the effects of wind. To further alleviate the effects of the wind, timber pergolas are proposed.

## **ix) Overheating Assessment**

The Executive Summary states:

*An overheating analysis has been conducted for the proposed mixed-use residential-led three block development at Station Square, located in Worthing. The purpose of this analysis is to test the existing design and ensure the mitigation of any overheating risk within the occupied zones across the development; to ensure the comfort of the occupants.*

*To assess the thermal performance of the development, models were constructed within thermal simulation software. The internal temperature, lighting and ventilation conditions were estimated for all the habitable internal spaces.*

*With the aim of giving the most robust consideration, performance of the various occupied rooms was compared with CIBSE Technical Memorandum 52*

*performance recommendations. These are rigorous targets that determine the acceptability of overheating based on the temperature differential between the internal and the external environment ( $\Delta T$ ), considering the frequency of high temperature difference, the severity, and an absolute peak difference beyond which the level of overheating is considered unacceptable.*

*A sample of representative habitable room types across the lower and top floor levels of the three blocks were selected for the dynamic thermal model, including the following:*

- 15 combined living/kitchen/dining room spaces (LKDs); and,*
- 25 bedrooms.*

*Rooms were selected based on type, size, location in the buildings, solar exposure, glazing areas and shading elements to provide a representative sample of the scheme.*

*The thermal simulations indicate that all assessed rooms satisfy the overheating risk criteria for the probabilistic Design Summer Year through a combination of energy efficient lighting, natural ventilation and solar control glazing (or equivalent).*

## **x) Planning Statement**

The Planning Statement summarises many of the other reports explained in more detail in this section of the report and so as such much of the information contained within it is referred to elsewhere. A summary of the proposed blocks is provided:

Block A (1-8 storeys) will be located in the south-east of the Site and will comprise of an irregular shaped building. This block has been designed to act as the 'landmark' for the proposed development and will contain retail units at ground floor (Classes A1-A5) and 58 residential units above, along with refuse stores, cycle stores, plant rooms and a concierge. Block A would also have communal terraces and private terraces.

Block B (4-14 storeys) will be located in the south-west of the Site and will comprise of an irregular shaped building. This block will contain a discount food store (Class A1), plant, warehouse and a gym (Class D2), and 180 residential units, along with refuse stores and cycle stores. Block B would also have a communal terrace. A separate surface car park to accommodate the discount food store visitors will be located directly to the west of Block B and will provide 107 spaces.

Block C (4-22 storeys) will be located in the north-east of the Site and will be the tallest block arranged in a square shaped building. This block will include an 83 bed hotel, ground floor retail uses (Classes A1-A5) and 140 residential units. It will also include a 200 space car park with 28 motorcycle spaces, cycle and refuse stores, plant room and substation, concierge and residential units. Block C would also have a communal terrace. It is stated this block will add interest to the skyline and provide a focus for regeneration.

The Planning Statement points out that the Site is allocated as 'Area of Change 5 Teville Gate' within the Council's Core Strategy. The accompanying text highlights

the challenges associated with the Site, noting that *“the current appearance of the site and its prominence on the main route into the town centre gives a poor impression to both visitors and residents”*. However, it states that *“The area presents a significant regeneration opportunity for high density mixed use development, which could not only add to the offer of the town centre but also secure some residential development. Its redevelopment could then act as a catalyst to encourage the regeneration of adjoining sites and secure significant improvements to the adjoining approach to the railway station.”*

This leads the Planning Statement to conclude that *‘the redevelopment of a brownfield site in an urban location is fully supported. In land use planning terms, the Proposed Development is therefore acceptable, as it is located within an area identified as part of both adopted and emerging planning policy for mixed use development’*.

The Planning Statement points out that the level of affordable housing is subject to the review of a viability assessment submitted with the application. It is further stated that *‘As tenure has not been a driving force of the development, the scheme has been designed as tenure blind with no way of identifying any affordable element in the future.’*

In respect of neighbouring residential properties, it is suggested that *‘Consideration has also been given to the impact of the Proposed Development on the amenities of the occupants of neighbouring properties outside of the application site. By virtue of their design and orientation, together with their relationship with the adjacent roads and railway line to the north, the impact of the proposed taller buildings upon the amenity of the occupants of surrounding residential properties would be minimised.’*

In respect of parking, the Planning Statement notes that the proposed development will provide a total of 307 car parking spaces, comprising of 107 surface parking spaces for the discount retail foodstore, and 100 residential spaces and 100 public parking spaces in Block C. It is suggested that the lower number of parking spaces is considered acceptable in this location, given the central location of the development, with excellent public transport links and access to the town centre and that all future residents of the Proposed Development will be restricted from obtaining residential parking permits to park within the local Controlled Parking Zones (CPZ) to ensure residents do not park in the surrounding area.

An important aspect of the development is identified at paragraph 7.149 of the Planning Statement:

*...by virtue of the height of the Proposed Development, with the highest element of the scheme at 22 storeys, assessment undertaken by CgMs finds that these tall elements would be a prominent feature in the local streetscape, particularly the streetscape along Railway Approach and Broadwater Road. As such, the assessment concludes that the Proposed Development would appear as a prominent feature within the setting of the three listed buildings which is likely to have an adverse effect on their heritage significance. It concludes that the Proposed Development is likely to have a moderate level of less than substantial harm on the heritage significance of all three listed buildings. Therefore, in accordance with*

*Paragraph 196 of the NPPF, this level of harm should be weighed against the public benefits of the Proposed Development.*

The Planning Statement addresses this issue by stating:

*In terms of public benefits, it is clear to see that the Proposed Development would lead to the complete regeneration and enhancement of a site which forms one of the Council's key identified sites for redevelopment in the Borough, helping to meet the Key Objectives and Vision laid out in its Core Strategy. The development would help the Council meet the main objectives for Area of Change 5, helping to improve entry into the town centre and providing a mix of uses to address Worthing's overall spatial vision. The inclusion of modern leisure, retail and residential development will add to the economic viability and regeneration of the town.*

*The proposed regeneration of the site will introduce 378 much needed new residential homes in a sustainable, town centre location, providing complementary retail, leisure and commercial uses which will ensure the vitality of this scheme. The tower and the remainder of the proposals will also deliver exceptional design quality in the architecture and public realm to create an identity and acknowledge the important role of this site between the railway station and Worthing town centre to the south. The tower will also provide a visual marker for Worthing, helping with legibility in views from both up close and from afar. The development will also bring with it residential and employee expenditure, provide new jobs during construction and once operational.*

*It is clear that the proposals submitted as part of this application will assist with the regeneration of this part of Worthing, bringing with it a multitude of economic, environmental and social benefits. Therefore, when weighed against the level of less than substantial harm that has been found with respect to the three Grade II listed buildings, it is considered that there are significant public benefits arising from the regeneration of the Teville Gate site through the Proposed Development which would outweigh this harm.*

The Planning Statement also points out that any residual impacts of the scheme will be mitigated through Section 106 agreements and CIL payment.

#### **xi) Retail Planning Statement**

The Retail Planning Statement (RPS) sets out an updated health check assessment of the key performance indicators for Worthing Town Centre. This draws on the key evidence underpinning the 2017 Retail Study, supplemented by the agent's own in-house datasets and market intelligence.

The RPS then provides our assessment of the availability and suitability of known opportunity sites and vacant buildings in the town centre to accommodate the proposed Class A1 foodstore and Class D2 gym in compliance with the sequential test set out in the NPPF (paragraphs 86-87) and the up-to-date development plan. It then goes on to assess the impact of the proposed Class A1 foodstore on the vitality and viability of Worthing Town Centre; including on in-centre trade, local consumer choice and existing/committed/planned public and private investment.

The impact of the proposed Class D2 gym, to be operated by Pure Gym, and the Class A1-A5 uses that are proposed as ancillary to the main residential are also assessed.

The retail statement concludes:

*The proposed residential-led Station Square mixed-use development represents a key part of the Council's overall vision, and regeneration and investment strategy for the Town Centre. The proposed scheme and the mix of uses proposed are in compliance with the Council's adopted and emerging Local Plan. Station Square will transform this significant northern gateway to the Town Centre. Its development will act as a catalyst for the wider regeneration of the Station Gateway area and the Town Centre as a whole. It will also generate significant economic, environmental and social benefits for the Town Centre, and for all those who live, work, shop and visit Worthing.*

The statement goes on to say that against the above background, the Retail Planning Statement (RPS) was prepared in support of the Class A1 foodstore to be operated by Aldi, the Class D2 gym to be operated by Pure Gym and a mix of ancillary Class A1-A5 uses. It reiterates that the applicant is seeking flexible consent for the proposed 999 sqm (GEA) of Class A1-A5 uses and states that the uses will most likely comprise a mix of smaller shops and kiosks, a café/coffee shop, a hairdressers, launderette/dry cleaners, restaurant, etc., that will be ancillary to the main residential and other uses (foodstore, gym and hotel) proposed for the Station Square scheme. These A1-A5 uses are principally proposed to meet the day-to-day needs of the new and existing local residential population and workforce, as well as the station users (e.g. commuters, visitors and tourists).

The applicant's agent has carried out a sequential and impact assessment of the proposed retail and commercial leisure uses in compliance with the Council's adopted Core Strategy and paragraphs 86-90 of the NPPF. It states that the assessment has also taken account of the evidence and advice set out in the Council's other core documents, including: the Worthing Retail and Main Town Centre Uses Study (2017 Retail Study); the 2006 Town Centre Masterplan; and the 2016 Investment Prospectus.

In summary, it is stated that the assessment has confirmed the findings of the 2017 Retail Study: namely that Worthing Town Centre is a vital and viable centre, which has benefitted from significant new public and private sector investment over recent years. In this context, the RPS has demonstrated that the proposed Class A1 foodstore, Class A1-A5 uses and Class D2 gym will not have a "significant adverse impact" on:

- Worthing Town Centre's total (convenience and comparison goods) trade/turnover;
- the town's overall vitality and viability, including local consumer choice; and
- existing, committed or planned investment.

The RPS also concludes that the wider economic, social and environmental benefits of the Station Square scheme will significantly outweigh any potential adverse impacts.

As required in a sequential test, it is also considered that there are no opportunity sites and/or vacant buildings that are available and suitable to accommodate the requirements of the planned retail and commercial leisure uses even after applying reasonable flexibility on issues such as format and scale and accordingly:

*In conclusion the application satisfies the sequential and impact tests as set out in the adopted Core Strategy and paragraphs 86-90 of the NPPF, and should be allowed.*

## **xii) Schedule of Accommodation**

The Gross External Floor Area (m<sup>2</sup>) of the various uses is given as:

Residential Block A – 5579  
 Residential Block B – 13926  
 Residential Block C – 11711  
 Hotel – 3684  
 Food Store – 1852  
 Retail Units – 999  
 Gym – 1426

The unit mix of the residential uses is given as:

Block A – 35 x 1b, 21 x 2b, 2 x 3b = 58  
 Block B – 90 x studio, 11 x 1b/DDA, 19 x 1b, 50 x 2b, 10 x 3b = 180  
 Block C – 1 x studio, 72 x 1b, 67 x 2b = 140

Total = 378 (91 x studio, 11 x 1b/DDA, 126 x 1b, 138 x 2b, 12 x 3b).

In terms of affordable housing the amount and mix has varied during determination of the application but the latest viability appraisal suggests that the scheme would incorporate 116 affordable dwellings with the following mix:

	No. Affordable Units	NIA (sq ft)
Studio	2	995
1 Bed Flat	63	34,062
2 Bed Flat	51	38,718

The affordable housing would have a tenure split of 70% shared ownership and 30% rented.

## **xiii) Statement of Community Involvement**

It is stated that the pre-application consultation with the community is in line with the Council's Statement of Community Involvement (SCI). The consultation with the community was sought to be comprehensive, transparent and inclusive. As such, a

wide range of engagement activities were undertaken to encourage the local community to take part in the consultation process, namely:

- Press Releases and Media engagement (through 2017 and 2018)
- Meetings with key stakeholders and Councillors (ward members and business leaders; youth council both in November 2017)
- Poster and Flyering (1500 posters distributed through the local area)
- Website (which was launched in October 2017) and email and
- Public Consultation events (held across 2 nights in November 2017, resulting in the completion of 239 questionnaires)

It is stated that as a result of the above:

*In particular, in line with comments received from the design panels, a wider pedestrian street has been provided which follows the desire line from the railway station to the town centre to the south, with commercial accommodation lining both sides in the form of flexible retail offering. The larger central space within the public realm has proposed landscaping to match its ambition, to act as a focal point for the development and for the town.*

*Streetscape along the adjoining roads has also been considered, with the massing and height of buildings responding to their proximity, stepping back the buildings where necessary and ensuring the tallest building is in the least sensitive location, towards the north eastern corner.*

*The design of Blocks B and C were simplified in form and in detail so as not to compete with Block A. In addition, the verticality of these blocks was emphasised, with each of the vertical elements terminating in a different height creating a varied silhouette on the more distant views.*

*A single storey link building has been provided between Blocks A and C to provide a more inviting public realm, particularly with Broadwater Road located directly to the east of the site. However, in response to the comments from the Council, pedestrian permeability has been retained through this element.*

*A hotel was also introduced to add to the mix of proposed uses, complementing the site's gateway location, on the edge of the town centre, adjacent to the railway station.*

*The aim was to create a contextually relevant new neighbourhood suited to this area of Worthing, which the proposed scheme has achieved through the extensive programme of pre-application consultation.*

#### **xiv) Sustainability Statement**

The Executive Summary states:

*The sustainability strategy for Station Square has been developed with the design team to comply with the relevant environmental policies from Worthing's Local Development Framework Core Strategy. Relevant energy policies have been addressed in the accompanying Energy Statement. The proposed development is*

*targeting the achievement of BREEAM 'Very Good' and is expected to reduce onsite regulated carbon emissions by 26.1%.*

The key sustainable design and construction measures incorporated in the proposals are summarised below:

#### Effective Resource Management

- Optimal land and resource use;
- Water and energy efficiency measures including the incorporation of renewable energy

#### Adaptation to Climate Change

- Increase in green coverage
- Flood risk management including SuDS;
- Incorporation of sustainable design measure – minimizing internal heat gain, passive ventilation, optimal daylight/sunlight levels

#### Pollution Management

- Measures to control of dust, emissions and noise from construction and demolition;
- Prevention of water pollution through increase in permeable ground and best practice policies to mitigate water pollution from construction activities

In summary, the proposed development at Station Square meets the targets set out by Worthing. The commercial areas and hotel could achieve a BREEAM Very Good rating.

The number of credits obtained in the BREEAM pre-assessment/sustainability measures incorporated reflects the client and design team's aspirations in integrating sustainability measures and demonstrates that the project is designed to exceed the planning policy sustainability requirements.

### **xv) Transport Assessment**

The Transport Assessment (TA) seeks to describe the future effects of the proposed development on the local transport network. Residential and Commercial Framework Travel Plans were also prepared alongside the TA.

The TA amongst other matters assesses the accessibility to the site, seeks to predict total travel demand, summarises the Travel Plans, discusses the existing traffic network, presents future baseline traffic, the proposed development traffic, trip distribution and impact upon the highway network. The findings of the TA are concluded at the end of the report.

The local highway network is set out in the TA:

*Railway Approach is formed of a single carriageway with lanes travelling in either direction. It is subject to a 30mph speed limit and is approximately seven metres in width. Worthing Railway Station is located on Railway Approach approximately 20m to the west of the application site.*

*At the eastern end of Railway Approach the road is one-way around a central island providing on-street car parking. The one-way section extends for approximately 90m along an east-west axis. Railway Approach then extends a further 200m west and south-west where it connects to Teville Road. Railway Approach leads into Victoria Road and Oxford Road and providing access to Teville Road.*

*There is a zebra crossing across Railway Approach, directly outside the Railway Station, immediately to the east of the priority junction with Oxford Road and is located approximately 40m to the west of the site. This features dropped kerbs and tactile paving.*

*There are two bus stops along Railway Approach, one is near to the junction with Teville Place and another is immediately outside Worthing Railway Station.*

*Parking for approximately 35 vehicles is provided along both sides of the carriageway adjacent to the site. The remainder of Railway Approach has car parking on the southern/eastern side of the carriageway and double yellow lines on the opposite side. The parking bays are subject to restrictions Monday to Saturday from 09:00 till 18:00 for a maximum of two hours parking.*

*Teville Place is one-way in the direction from Railway Approach to Oxford Road. Additionally, Oxford Road is one way southbound from Railway Approach to Teville Road*

The TA also outlines the proximity of Broadwater Road and Teville Road to the application site.

Existing parking restrictions are outlined with the TA noting:

*In Worthing there is a Controlled Parking Zone (CPZ) in place for the majority of the town. These are restricted to resident permit holders and pay & display bays. The town centre zones (A-C) restrict parking between Monday to Saturday, 9am till 6pm. Car parking zones D to N which cover the remainder of Worthing town, including the development site, restrict parking Monday to Saturday between 10am till 11am and 2pm till 3pm. Parking is restricted within zones D to N to permit holders only during the operation times, pay and display is not available.*

*The development site is within CPZ F.*

The proposed access arrangements are outlined:

*Two vehicular access/egress points will be provided to the proposed site. A new access/egress on Teville Road will provide access to the discount foodstore. The new access/egress will be positioned along the western edge of the proposed development on Teville Road.*

*A secondary vehicular access is provided at the northern edge of the site on Railway Approach. This will provide access/egress to the residential and public car*

*parking as well as servicing access/egress. This will link to the shared surface area within the site for service vehicles to access each block.*

*Pedestrian and cycle access to the site will be provided at both vehicular access points. Further pedestrian access to the site will be via a link under Broadwater Road at the north eastern corner of the site. In addition, significant public realm improvements within the application site are also proposed. This would allow a new north-south route through the application site on traffic-free to low traffic routes and substantially improve links between the town centre and the railway station.*

The TA states that the proposed development will provide a total of 307 car parking spaces. This consists of 107 spaces for the discount foodstore, 100 unallocated residential spaces and 100 spaces for the public. The residential car parking will only be provided for the private sale residential (PSR) units. No parking is provided for the private rented sector (PRS) residential units.

In respect of the non provision of parking for part of the development, the TA states:

*Car free developments are a direct and innovative response to the challenge of a sustainable transport future. When they are combined with other congestion reducing measures such as car clubs, car share schemes etc. they offer a real solution to reducing congestion and traffic generation.*

*There is significant potential for car free developments across the UK as the population shifts away from the reliance on private cars. The National Travel Survey in England details that in 2016, 23% of the population do not own a car (Potential for Carfree Development in the UK Institution of Civil Engineers 1-10). This demonstrates a market for car free developments within the UK which is not being utilised.*

*The relationship between car parking supply and car ownership is intrinsically linked. Studies have found that the amount of parking supply has a significant influence on decisions relating to car ownership (Does Residential Parking Supply Affect Household Car Ownership Journal of Transport Geography 18-28). The influence of car parking is more dominant than other influencers such as household income and demographic characteristics. It can be concluded that developments which do not provide any parking for residents, will have an influence and encourage residents to not own a car.*

*Public policies also have a significant role to play in relation to car ownership. It can be argued that car ownership is not deterministic and public policies can encourage car use and reliance. A shift away from the traditional car parking policies of the past, can have a positive influence in the reduction of car use and thus congestion.*

*A key factor to ensuring that car-free developments are successful and ensure a sustainable modal shift is proximity to public transport. Studies have found that although car-free residents walk and cycle more frequently, having access to public transport is a key requirement for them. This implies that close proximity to public transport encourages a successful car-free development. Station Square benefits from good public transport links. Worthing rail station provides connections to several large urban areas including but not limited to London, Brighton, Portsmouth*

*and Gatwick. Adjacent to the rail station there are bus stops served by frequent services 5 and 10 and the less frequent 7 and 23.*

*Close proximity to services is also an important factor for those who live in car-free developments and in order for them to be successful. The development site benefits from close proximity to several services due to its town centre location. This includes a wide array of shops and restaurants. Several local amenities are within walking distance including, Worthing Hospital (approximately 800m), the Leisure Centre (approximately 1km), Morrisons Supermarket (approximately 130m) amongst others. The Proposed Development will also include ancillary commercial units...*

*...All future residents of the proposed development will be restricted from obtaining residential parking permits to park within the local CPZs to further ensure residents do not park in the surrounding areas.*

*Due to the combination of restricted parking, CPZ permit restrictions, cycle parking in excess of the WSCC standards, comprehensive travel plans and the nature of the development, it is not expected that the development will result in any additional parking on the local highway network.*

352 cycle parking spaces are proposed – 294 cycle parking spaces for the residential units, eight spaces for the foodstore and 50 public cycle parking spaces to support the other land uses.

In respect of the proposed highway works, it is stated:

*The eastbound bus stop on Teville Road, adjacent to the Broadwater Road roundabout, is proposed to be relocated further west of the existing signalised pedestrian crossing. This will improve accessibility and traffic flow at the Teville Road stop line by the removal of the existing bus stop on the roundabout. The proposed location of the new bus stop will be offset from the carriageway in a bus stop layby.*

*The road markings along Teville Road will be realigned to create an approximately 54m long right-turn lane to access the proposed discount foodstore. A new right turn lane for eastbound traffic accessing Hertford Road will also be created.*

*In addition, the site access on Railway Approach will be improved to a priority junction and road markings/paving to distinguish routes for users.*

The TA considers that the site is near to key shopping, health, education, recreation and employment facilities

In terms of trip generation, the TA states that the proposed development is anticipated to generate up to 124 two-way vehicular trips in the AM peak and 205 two-way vehicular trips in the PM peak. 382 two-way total person trips will be generated in the AM peak and 571 two-way total person trips in the PM peak will be generated.

The TA also concludes in respect of highway impact that: *the development proposals do not increase the risk of adverse material harm occurring to the safe and efficient operation of the local highway network, both in terms of operation and junction capacity. Although analysis has shown a redistribution of traffic movements and a small increase in traffic on the highway network surrounding the site, junction capacity analysis has demonstrated that the junctions will still operate within safe and practical capacity for the 2023 with proposed development scenario. The only exception to this is at the A24 double roundabouts, which are operating at or very close to capacity in 2018 and are over capacity in the 2023 baseline scenario, without any of the proposed development trips. Therefore, the capacity issues cannot be attributed to the proposed development.*

In overall summary, the TA concludes in its Section 13:

*The proposed residential-led development is for 378 residential units, across three blocks with a mix of studio, one bed and two bed units.*

*13.1.3 The proposed development will also include an 83-bedroom hotel (3,384m<sup>2</sup> GIA), a gym (1,400m<sup>2</sup> GIA) and flexible retail units (989m<sup>2</sup> GIA), split across all blocks. All of the retail units will have street frontages at ground floor level.*

*13.1.4 In addition, the proposed development includes a discount food store of 1,814m<sup>2</sup> (GIA) which will be provided on the ground floor of Block B.*

*13.1.5 The proposed development will provide a total of 307 car parking spaces and a total of 352 cycle parking spaces.*

*13.1.6 The content of this Transport Assessment and other transport-related documents were subject to extensive pre-application discussions with WSCC. This included agreement on the extent of traffic modelling to be undertaken as well as detailed discussion and agreement on the trip generation methodology adopted.*

*13.1.7 The site is located in close proximity to bus stops and Worthing railway station, providing very good public transport accessibility.*

*13.1.8 The local pedestrian and cycle infrastructure in the vicinity of the site is considered good in the existing situation and this will be significantly improved by the proposed development. Substantial public realm improvements within the application site are to create a new north-south route through the application site on traffic-free to low traffic routes.*

*13.1.9 From the accident assessment carried out, no connections in the timing or location of the accidents were evident. This indicates that highway conditions or design are not a significant contributory factor to the accidents recorded.*

*13.1.10 This Transport Assessment concludes that the cumulative effect on the cycle and pedestrian environment and public transport services in the vicinity of the proposed development is not expected to have any significant effects. The results of the traffic modelling show that all junctions, except the A24 double roundabouts, in the study area operate within capacity in for both baseline and baseline with*

*development scenarios. The A24 double roundabouts are operating at or very close to capacity in 2018 and are over capacity in the 2023 baseline scenario, without any of the proposed development trips. Therefore, the capacity issues cannot be attributed to the proposed development.*

*13.1.11 It is anticipated that the construction of the proposed development will lead to some temporary minor adverse impacts on the highway network surrounding the site and as such mitigation measures will be proposed as part of the Construction Traffic Management Plan to be prepared and submitted prior to construction.*

### 13.2 Conclusion

*13.2.1 The proposed development has been planned in accordance with national, regional and local transport policies.*

*13.2.2 This Transport Assessment demonstrates that the proposed development will not have a significant adverse effect on the operation of the highway, public transport or pedestrian and cycle networks in the vicinity of the site or on road safety.*

*13.2.3 In conclusion, it is considered that the development proposals are reasonable and appropriate for the location and that there are no reasons why the development proposal should not be granted planning permission on traffic and transport grounds.*

### **xvi) Viability Report**

A detailed viability assessment has been submitted with the application and in line with guidance in the National Planning Policy Framework has been made publicly available during the determination of the application. The assessment is based on the provision of 31% affordable housing provision equating to 116 units. The report notes *'the applicant has identified an opportunity for grant funding to be provided by Homes England to assist with the delivery of the affordable units. This analysis therefore seeks to assess the viability of the scheme both with and without grant funding.'*

The report concludes that if a grant of £7.8 million can be secured from Homes England, the scheme can be considered as viable. However, if no such grant is received, and based on the applicant's intention to provide affordable housing at the level suggested above, then the scheme would be faced with a £9.4 million deficit which would place *'serious doubt upon the scheme proceeding at all.'*

The viability report has been independently assessed by the Council's consultants and is discussed further in the assessment section.

### **xvii) Wind Microclimate Assessment**

Executive Summary:

This report discusses further wind tunnel testing which was undertaken to develop the wind mitigation strategy for the proposed development.

The further wind tunnel testing was required to address remaining unsuitable and/or strong winds at the following pedestrian locations as reported in the Environmental Statement that accompanied the full planning application for the proposed development submitted in midFebruary 2019 (ES Chapter 10):

- Off-site thoroughfares (locations 58 and 71);
- On-site thoroughfares (locations 9, 85 and 123);
- Off-site entrance (location 59);
- Off-site amenity space to the east of the application site (locations 66, 67, 68 and 70);
- Block A entrances (locations 110, 112, 121), Block B entrance (location 99) and Block C entrances (locations 86, 98);
- Block A balconies (locations 160 and 163) and terraces (locations 156 and 157); and
- Locations 9, 28, 58, 59, 85 and 136 where the pedestrian safety threshold would be exceeded.

Accordingly, this report forms an Addendum to ES Chapter 10 and the February 2019 Environmental Statement.

The wind tunnel testing methodology and the positions of the locations remain the same as the February 2010 Environmental Statement. The assessment methodology and use of the Lawson Comfort Criteria remain the same as well. However, the usage plots were reviewed and updated in consultation with the design team. This does not affect the ES as a whole.

The further wind tunnel testing was conducted on 12 February 2019 taking into account the proposed development's updated massing between Blocks A and C and minor design amendments. Further mitigation measures were developed to address unsuitable usage and strong wind conditions identified within the February 2019 Environmental Statement.

With the addition of the further wind mitigation measures, wind conditions in and around the proposed development would be improved such that no strong winds would be present at the proposed development, and the vast majority of locations would be suitable for their intended usage. A suggested wind mitigation measure is the use of 8 x 3 metre high panels to be site along the central reservation of Broadwater Road.

An existing strong wind in the baseline scenario located off-site to the east (location 59) remains with all of the mitigation in situ. There would also be three entrances, which would remain one category windier than desired in terms of usage, but given the general windiness of the area, it is considered that these conditions would be tolerable, based on professional judgement and experience.

During the determination of the application, a further statement was received:

*Following additional iterative wind tunnel testing the Addendum Wind Mitigation report concluded with a remaining exceedance in wind speed at location 59 [see fig 3 of the Addendum Report], however the Executive Summary states:*

*“The further wind tunnel testing was conducted on 12 February 2019 taking into account the proposed development’s updated massing between Blocks A and C and minor design amendments. Further mitigation measures were developed to address unsuitable usage and strong wind conditions identified within the February 2019 Environmental Statement.*

*With the addition of the further wind mitigation measures, wind conditions in and around the proposed development would be improved such that no strong winds would be present at the proposed development and the vast majority of locations would be suitable for their intended usage.*

*An existing strong wind in the baseline scenario located off-site to the east (location 59) remains with all of the mitigation in situ. There would also be three entrances, which would remain one category windier than desired in terms of usage, but given the general windiness of the area, it is considered that these conditions would be tolerable, based on professional judgement and experience.”*

*Although an exceedance in terms of the design guidance, it should be noted that greater exceedances can be experienced in Worthing notably the coastal route and feeders therefrom into the town centre. It is evident that these routes are widely used without hindrance.*

*The Addendum report also states: “Strong winds at location 59 (off-site) occur in the baseline scenario. Although with the proposed development and mitigation measures in situ the occurrence of strong winds is noted to increase in hours per annum by 2.5 hours, the significance of the strong winds at this location remains the same. This is because the safety threshold is exceeded in both the baseline scenario and the scenario with the proposed development completed. As the significance of these wind conditions is unchanged, no further mitigation is required.”*

*Given the statements and conclusions within the report there is no requirement for further measures to be considered with regard to the application and there is no greater impact on the public highway than currently exists.*

### **Relevant Planning History**

In March 2018, planning permission was granted under application reference AWDM/0151/18 for the construction of a 66 space temporary public car park using the existing vehicular access from Railway Approach. The permission was subject to a condition requiring construction of the car park to begin within a year of the permission being granted and work commenced earlier this year.

Prior approval was granted in 2017 for the *proposed demolition of all buildings on the site of Teville Gate including the multi-storey car park, kiosk, Burfree House and*

*Fleet House* (NOTICE/0023/17). The buildings were subsequently demolished in accordance with the approval.

In 2014, planning permission was granted for the conversion of disused public toilet block within the car park area into temporary dog kennels to house stray dogs (AWDM/1016/14).

In 2010, an outline application was submitted *for the demolition of existing buildings and erection of a mixed use development comprising multi screen cinema, restaurants and cafes, foodstore, hotel, health and fitness centre, offices, multi-function conference and exhibition centre, two residential towers containing 229 apartments together with 19 apartments on a new residential frontage to Teville Road and 12 apartments on a new residential frontage to Broadwater Road, 967 car parking spaces together with a new partially covered pedestrian arcade, landscaping and urban realm and access arrangements* (10/0852/OUT). The Committee resolved to grant planning permission subject to the completion of a Section 106 agreement, but the agreement has never been completed and the application hence remains undetermined.

In 2006, an outline application (06/0549/OUT) was submitted *for the demolition of existing buildings and erection of a new public swimming complex with associated health and fitness centre, multi screen cinema, indoor bowling centre and bingo club, ancillary restaurants, shops and cafes, two residential towers (one at 18 levels and a second at 11 residential levels) containing 235 apartments together with 25 apartments on a new residential frontage to Teville Road, 635 basement car parking spaces, together with a new partially covered pedestrian arcade, landscaping and access from Teville Road*. The application was granted permission in September 2010 but was not implemented.

In 2001, outline permission was granted *for a two-storey leisure development comprising leisure unit and 4 restaurants on the ground floor, 8 screen cinema on the first floor, access and parking provision, including retention of rear part of existing multi-storey car park* (01/00410/OUT).

In 1999, planning permission was granted to demolish the multi-storey car park and redevelopment with a two storey leisure and retail complex including a nine screen multiplex (98/00788/FULL)

In 1996, permission was refused for a part redevelopment to provide 2 x A1 retail warehouse units (95/00855/OUT).

## **Consultations**

### External

## **West Sussex Highways**

### **Introduction**

This is the third WSCC Highway Authority (CHA) response to the planning

application for residential-led development featuring 378 residential units across three blocks with a mix of studio, one-bed and two-bed units and an 83-bedroom hotel (3,384sqm), a gym (1,400sqm) and flexible retail units (989sqm) split across all the blocks. Finally, a discount food store of 1,814sqm which is proposed on the ground floor of Block 'B'.

Given proximity to the A27, it is recommended that the planning case officer should also consult Highways England as Highways Authority for the Trunk Road.

Comments contained in this response respond to information contained in the original TA, Technical Note's dated 6<sup>th</sup> February and 14<sup>th</sup> February 2020, Stage 1 Road Safety Audit (RSA) dated 13<sup>th</sup> February 2020, updated Stage 1 RSA dated 17<sup>th</sup> February 2020 and the following drawings:

- 61376-CUR-00-XX-DR-D-95002-P05 – General arrangement Option 2 – ghost island
- 61376-CUR-00-XX-DR-D-95003-P02 – General arrangement Option 2a – NO ghost island
- 61376-00-XX-DR-TP-06003-P01 – Highway dedication plan
- 61376-CUR-00-XX-DR-TP-05001 – Swept-path analysis 16.5m HGV
- 61376-CUR-00-XX-DR-TP-05002 – Swept path analysis – large car

### **Site location.**

The site is located north of Worthing town centre at the junction of Teville Road (A2031) and Broadwater Road (A24). When originally re-developed in the late 1960's, the site comprised a shopping precinct, offices, car sales, car wash, surface car park and multi-story car park. Almost all of the retail was removed in the late 1990's/early 2000's with the final retail going circa 2017/18. The multi-storey car park and remaining buildings were demolished in 2018. A temporary car park (built circa September 2019) totalling 66 spaces now occupies the north-eastern corner of the site.

### **National, regional and local planning policies.**

Relevant planning policies are referenced in Section 3 of the Transport Assessment (TA). Namely:

#### *National:*

- National Planning Policy Framework 2 (NPPF2)

#### *Regional:*

- West Sussex Plan (2017-2022)
- West Sussex Transport Plan (2011-2026)
- West Sussex County Council Road Safety Audit Policy

### *Local:*

- Worthing Local Plan 2003
- Worthing Core Strategy 2011
- DRAFT Worthing Local Plan (2016-2033)

### **Proposal.**

The proposal comprises 378 residential units across three high-rise buildings with a mix of studio, one-bed and two-bed units, an 83-bedroom hotel (3,384sqm), a gym (1,400sqm) and flexible retail units (989sqm) split across all the blocks. Finally, a discount food store of 1,814sqm which is proposed on the ground floor of Block 'B'.

### **Access.**

Vehicular access is proposed off Teville Road (A2031) to the front of the site and Railway Approach to the rear. Provision for servicing is shown off both access points. Broadwater Road (A24) runs alongside the site to the north-east and Chapel Road (also A24) runs south-east of the site towards the town centre, connecting to the A259 coast road and eastwards towards Shoreham-on-Sea and, in-turn, Brighton. All routes are bus routes.

Teville Road runs between South Farm Road to the west (preceded by Tarring Road to Goring-on-Sea) and then to Broadwater Road (A24) to the east. It is classified as the A2031 and forms an important and well-used E-W distributor road within Worthing linking the aforementioned Goring-on-Sea to Worthing town centre. It is subject to a 30mph speed limit. The width of the road is generally 7m with footways either-side. However, this widens in-front of the site due to extra lanes either-side of the existing signal crossing on the road outside of the site. Hertford Road and Stanhope Road can be found opposite the site – the former being located approximately opposite the proposed point of access to the supermarket.

Broadwater Road (A24) runs N-S alongside the site and over the adjacent railway. It serves as one of the main N-S routes in and out of Worthing town centre to-and-from the A27 Trunk Road, joining it at 'Grove Lodge' roundabout found to the north. Two roundabouts are found on the road south of the bridge. Neither have pedestrian facilities immediately alongside them (other than the northern one where a signal controlled pedestrian crossing crosses Newland Road), requiring those on-foot to either use an existing underpass running from behind Morrison's under the bridge to Railway Approach and then, in turn, along the northern side of part of the application site. For those wishing to cross to reach Teville Road at-grade, a signal crossing exists on Chapel Road just south of Bunce Hardware and then to the existing signal crossing on Teville Road outside the site (so effectively a circuitous route should one be minded to use this method for crossing local roads).

Railway Approach provides access to the rear of the site and Worthing railway station. Configured as a one-way route, the section running to and past the station requires users to enter from Teville Road from its western arm and then continue east-bound to re-join Teville Road opposite its junction with Oxford Road. The section of the road running behind the site is a looped-alignment running right-to-left (so 'reverse' to standard) to cater for taxi boarding and alighting. Some short-stay (free) parking is found on-street here on the south-side of the 'loop' adjacent to Teville Gate House. Access to Morrison's supermarket service yard (found east of Chapel Road) is also provided off Railway Approach at its eastern-end adjacent to the site. Footways are available either side of the 'loop' and back to the railway station.

Further discussion about access by sustainable modes is covered in more detail later-on in this report.

### **Junction types considered.**

Two junction types have been considered for the Teville Road (budget supermarket) access in conjunction with design, safety and traffic capacity information. They are as follows:

1. Junction with right hand turning 'pocket' – This arrangement provides for a bespoke waiting area for vehicles wishing to turn into the site, providing defined lanes either-side for through-traffic already on Teville Road. As well as a turning pocket for the site entrance, another has been added for Hertford Road found opposite. However, given the proximity of both access points and the neighbouring access serving Kwik-Fit to the west, the design identified potential conflict points given that the pockets couldn't be located to provide the required spacing for turning vehicles. Therefore, the CHA does not recommend this option be pursued in its current guise.
2. Simple junction (no right hand turning lane) – In light of the aforementioned difficulties with locating suitably-spaced turning pockets for the site and Hertford Road and Kwik-Fit, the applicants have also produced a simple arrangement without right hand turning pocket which, in effect, is similar to the Teville Road access that previously provided access to the now demolished multi-storey car park. Plans demonstrate that the access works appropriately in design, safety and capacity terms and provides for sufficient space to permit all but the largest vehicles to pass a waiting vehicle on Teville Road. To further assist, the CHA recommends that 'KEEP CLEAR' markings be applied to the carriageway adjacent to the new access to further minimise potential for blockage for turning vehicles.

Therefore concluding this and for the reasons given, the CHA recommend that option 2 be provided for the access arrangement to Teville Road.

For Railway Approach (providing access to the residential dwellings, public car park and service access to these and the smaller retail units and gym), a simple junction arrangement is provided here which has again been considered alongside relevant

design and safety guidance. Appropriate signing, lining and visibility at this point must form part of the detailed plans to be provided at the S278 Road Agreement stage given the 'reverse' one-way system to which the access emerges to and adjacent access points.

### **Road Safety.**

In-line with WSCC policy and good practice, a Stage 1 Road Safety Audit (RSA) and Designer's Response (DR) covering all proposed highway works are required. These key documents have been provided in order that the CHA can consider these aspects of the proposal. Specifically with regard to the RSA, this has considered the two vehicular access routes to-and-from the site and the cycle route and signal crossing changes.

### **Access by sustainable modes.**

Section 4.0 of the TA describes how the applicant considers the site with regard to both existing and proposed infrastructure for the following non-car modes:

*Walking* – Footways can be found on Teville Road, Railway Approach and Chapel Road overbridge. An underpass and associated links thereto can be found along the northern boundary of the site. The current set of traffic signals on Teville Road and those further south on Chapel Road will be upgraded to provide shared-use for both pedestrians and cyclists.

*Buses* – Bus service's No's. 5, 7 and 10 (operated by Stagecoach PLC) run along Teville Road between West Durrington and Worthing town centre. Two bus stops (and one shelter) can be found on the 'loop road' leading to Worthing railway station and two stops (but no shelters) can be found to the south of the site on Teville Road. A new bus stop location with real-time passenger information is proposed on the Teville Road frontage of the site – on the site-side and replacing the existing one currently found in close proximity to the Teville Road/Chapel Road roundabout.

*Train* – Worthing railway station is approximately 200m north-west of the site. Frequent trains along the coast and to other stations can be accessed here which, in-turn, provide links to London and other coastal towns.

*Taxi* – A taxi-rank is found immediately to the north of the site on Railway Approach.

*Bicycle* – Cycle connections to-and-from the site currently relies on cyclists using the existing public road network. Currently, no bespoke off-road routes are found close to the site. However, the development provides upgrades at both the Teville Road and Chapel Road crossings found outside and close to the site respectively. Both crossing improvements provide for shared pedestrian/cycle use (so 'Toucan' arrangements) including an upgrade to the existing footway in-between the two crossings, again to provide a shared-use pedestrian/cycle environment. Final details such as lining, signing and paving will need to be agreed at the detailed design/S278 stage.

The TA also makes reference to the space at ground floor between the buildings as being 'traffic-free to low-traffic'. From scrutiny of the drawings, the area provides for servicing and access by emergency vehicles and access on foot and by bicycle.

However, the final detail is not currently shown. The Design and Access Statement describes the function of this space in terms of a pedestrian/cyclist priority shared surface with periodic access for service and emergency vehicles. The CHA concludes that the applicant should provide more information about this at any reserved matters/discharge of condition stages to ensure that a high-quality environment is provided, thereby providing sustainable transport linkages to both the railway station and the town centre with a key focus on the needs of pedestrians and cyclists.

With regard to the County Council's emerging Sustainable Transport Strategy for the Worthing area, this has identified that a shared route to-and-from the town centre using Chapel Road and Broadwater Road would provide a useful N-S link. This is currently being examined although no firm proposals have been forthcoming at the present time and as such, the development site is not expected to provide this. However, to assist with this, the developer is providing some additional land to be taken-into the public highway. They have also demonstrated that subject to appropriate permissions, a route could physically be constructed along the eastern-side of the development. Part of this route has also been an aspiration alongside any redevelopment proposals of the former Teville Gate site and other key development sites and is referred to in local adopted planning policy.

With regard to cycle parking, 352 cycle spaces are provided. Therefore it is clear that the applicant wishes to cater for these users. However, please also see comments below about actual numbers offered under 'Travel Plan' response. The CHA recommends that additional spaces should be considered through the Travel Plan given the reduced car parking offer.

### **Travel Plan.**

Section 6 of the TA references the need for a Travel Plan for the site. A Framework Plan is provided and the following measures are recommended for inclusion in any final document. The final plan should be secured in a S106 Agreement:

1. A trip-rate reduction target of 15%. As this site is located in one of the County's main coastal towns the Travel Plan is required to achieve a 12-hour weekday vehicle trip rate that is 15% lower than would be expected in the 'no Travel Plan' scenario.
2. In-line with all other residential Travel Plans in West Sussex, WSCC require a £150 sustainable travel voucher(s) be offered to each residential unit occupation and funded by the developer.
3. Given the size of the completed development (386 residential units plus various commercial elements) a Car Club (which could also be utilised by those living in the established residential area). Such a Car Club should ideally consist of at least 2 vehicles. The presence of Car Club vehicles can also help to 'unlock' non-car modes, encouraging people to use these except for journeys when a car is absolutely necessary.
4. Additional cycle parking to be identified through Travel Plan reviews.

5. Provision of a cycle-hire facility on the site (e.g. Brompton Dock or funding and extension of Adur & Worthing's 'Donkey Bike' scheme) to help promote sustainable travel.
6. In-line with all other residential Travel Plans in West Sussex, a commitment to offer a second £150 sustainable travel voucher to each unit at year 5 if the 15% vehicle trip reduction target is not achieved.
7. As-per our Development Travel Plans Policy we require that monitoring is conducted in accordance with the TRICS UK Standard Assessment Methodology for Travel Plans (aka TRICS SAM). The applicant (or their appointed Travel Plan co-ordinator) should commission SAM surveys with the TRICS organisation, and these should be conducted by an approved independent enumerating company at years 1, 3, and 5 (year 1 being 12 months after 50% occupation).

**Also:**

1. In the event the 5-year vehicle trip target not be achieved, WSCC recommends that an intensification of measures outlined in any agreed TP coupled with a commitment to continue TRICS SAM monitoring for a further 5 years be included in the TP.
2. The Workplace Travel Plan(s) to include commitments to offering the 'Cycle2Work' Salary Sacrifice scheme.

It is recommended that the developer to fund membership of the nascent easit ADUR&WORTHING initiative - which offers members 15% off Southern rail services and a range of other sustainable travel discounts - for each of the commercial occupiers for a period of 2 years. Should the 5-year trip rate target not be achieved then the developer should continue to fund membership for a further 2 years. Additional information is available at <https://www.easit.org.uk/network> or by contacting francesca.iliffe@adur-worthing.gov.uk.

3. It is recommended that the developer to fund a six-monthly £150 prize draw to promote car sharing by employees for the lifetime of the Travel Plan. Where staff parking spaces are to be provided the developer should set aside a proportion of spaces as 'car share only'.
4. It is recommended that the developer or occupying businesses should fund cycle training for employees upon request. Information about WSCC's cycle training is available on [the County Council's website](#).

**Traffic generation.**

This is set-out in Section 5.0 of the Transport Assessment (TA) that accompanies the planning application and associated Appendices and further correspondence/Technical Notes etc.

*Existing trip generation* – The applicant explains that the site covers an area of approximately 1.46 hectares. As documented previously in this report, several vacant buildings and a multi-storey car park were demolished in 2018. The

applicant goes on to state that a surface-level car park was installed on the site. Although part of the site (when the aforementioned remaining buildings and multi-storey car park were in-situ) was in use as a surface-level car park, no surface level car parking has been available since the demolition began. The applicant confirms this in paragraph 5.2.2 of the TA.

Given that the site uses had effectively ceased when traffic surveys were undertaken by the applicant and that the site is now cleared of all previous buildings, the CHA has assumed that no existing/previous trip generation has been considered in the TA.

*Proposed development trip generation* – The applicant has used TRICS to establish trip generation for the various uses proposed for the Station Square scheme. They have attempted to select sites with similar characteristics to the development site using similar locations, parking ratios and public transport accessibility.

In the assessment the developer' Transport Consultant has stated that car-free residential sites are not well represented within the TRICS database. They have, therefore, used the following methodology:

- Total person residential trip rates calculated from the TRICS database; and
- 50% of total residential trips associated with the build-for-sale units (198) have been converted to vehicle trips to reflect the level of car parking for those units.
- Trips for PRS housing

For the non-food retail units, the applicant has stated that as they are ancillary to the proposed development, any trips associated with them would be linked-by-pass trips only.

For the hotel and gym, the total person trip rates have been obtained from TRICS.

Table 5.1 (taken from the TA) is found below. This sets-out what the applicant considers to be the proposed trip rates and resultant trip generation for the site in both the AM and PM peak-periods (see overleaf):

**Table 5.1 – Proposed Trip Rates and Trip Generation**

Land Use	Mode	AM Peak (08:00-09:00)				PM Peak (17:00-18:00)			
		Arrival		Departure		Arrival		Departure	
		Trip Rate	Trip	Trip Rate	Trip	Trip Rate	Trip	Trip Rate	Trip
Discount Food Store - Weekday	Vehicles	1.80	32	1.28	23	3.28	59	3.49	63
	All Trips	3.28	59	2.32	42	6.28	114	6.24	113
Private Rented Sector (PRS) Residential	Vehicles Passenger	0.01	2	0.04	8	0.04	7	0.02	3
	All Trips	0.12	22	0.42	76	0.38	68	0.19	34
Private Sale Residential (PSR)	Vehicles (50%)	0.06	12	0.21	42	0.19	38	0.10	20
	All Trips	0.12	24	0.42	83	0.38	75	0.19	38
Gym	Vehicles Passenger	0.10	1	0.06	1	0.61	8	0.25	3
	All Trips	1.06	14	1.39	19	4.02	54	1.86	25
Hotel	Vehicles Passenger	0.01	1	0.03	2	0.04	3	0.01	1
	All Trips	0.19	16	0.32	27	0.36	30	0.24	20
<b>Total Vehicle Trips</b>		<b>48</b>		<b>76</b>		<b>115</b>		<b>90</b>	
<b>Total Person Trips</b>		<b>135</b>		<b>247</b>		<b>341</b>		<b>230</b>	

Summarising the above, the applicant states that the site is anticipated to generate **vehicular** trips of up-to 124 two-way in the AM peak-period and 205 two-way in the PM peak. For **person** trips, the figures here are 382 two-way trips in the AM peak-period and 571 in the PM peak.

**Mode share.**

To establish mode shares for the proposed total person trips, the applicant has used ‘Method of Travel to Work’ from the 2011 Census (Worthing ‘zone’ 005). To reflect the limited parking and vehicular trip rate assumptions given in Table 5.1 above, the mode share proportions have been re-distributed by the applicant. They state that in the absence of any other local mode split data, the census method of travel to work has been applied to all land uses.

Table 5.2 below (again from the TA) shows this:

**Table 5.2 – Mode Split from Census (Worthing 005) and Redistributed Mode Split**

Residential User Mode	Census Mode Split	Adjusted Mode Split	Adjusted PSR Only Mode Split
Underground, metro, light rail or tram	0%	0%	0%
Train	9%	18%	9%
Bus, minibus or coach	4%	7%	4%
Taxi	0%	1%	0%
Motorcycle, scooter or moped	1%	2%	1%
Driving a car or van	49%	0%	50%
Passenger in a car or van	5%	10%	5%
Bicycle	6%	13%	6%
On foot	25%	49%	24%
Other method of travel to work	0%	0%	0%

Reading this alongside Table 5.1 of the TA, the applicant is stating that that the mode- share is applicable to area and, in turn, the site in an attempt to demonstrate likely trips by all modes.

Table 5.3 found in the TA represents the applicant's account of total multi-modal trip generation:

**Table 5.3 – Total Multi-Modal Trip Generation**

Residential User Mode	Total Person Trips			
	AM Peak (08:00-09:00)		PM Peak (17:00-18:00)	
	Arrival	Departure	Arrival	Departure
Underground, metro, light rail or tram	0	0	0	0
Train	16	32	41	25
Bus, minibus or coach	7	13	17	10
Taxi	0	1	1	1
Motorcycle, scooter or moped	1	4	5	2
Driving a car or van	48	76	115	89
Passenger in a car or van	9	17	23	14
Bicycle	10	21	29	17
On foot	43	84	111	69
Other method of travel to work	0	0	0	0
<b>Total</b>	<b>134</b>	<b>248</b>	<b>342</b>	<b>227</b>

*\*Slight numerical differences in totals due to rounding*

From the CHA's point of view and focusing on all trips by car or van (including passenger trips in the same), this gives the following figures:

- AM peak-period - Arrivals: 57; Departures: 93
- PM peak-period – Arrivals: 138; Departures: 103

Comparing this to that shown in Table 5.1 (for vehicle trips only), this amounts to 150 trips in the AM peak-period and 241 trips in the PM peak. Added to this are the applicant's account of servicing traffic for the residential component of the scheme – 14 – and assuming a split 50% - 50% for AM and PM peak-periods, this then totals 157 (AM) and 248 (PM) – higher than the applicant's TRICS-based assumption of 124 (AM) and 205 (PM). Using the higher figures, these amount to approximately 2.6 trips every minute in the AM; 4.1 trips every minute in the PM. However, the CHA considers that the numbers are not considered to result in severe impact as defined in the NPPF.

### **Junction capacity assessment.**

Section 8 of the TA sets-out the applicant's assessment of both existing and proposed traffic conditions at junctions and road links in proximity to the site.

*Existing highway conditions* – The following junctions were assessed by the applicant between the hours of 07:00-10:00am and 16:00-19:00pm (J/W means 'junction with'):

1. A24 Broadwater Road J/W Newland Road
2. A24 Broadwater Road J/W Teville Road J/W Chapel Road
3. Teville Road J/W Hertford Road
4. Teville Road J/W Christchurch Road
5. Teville Road J/W Oxford Road
6. Teville Road J/W Victoria Road
7. Teville Road J/W South Farm Road J/W Tarring Road J/W Clifton Road

8. Railway Approach J/W Oxford Road
9. Chapel Road J/W North Street J/W Wenborn Road

In addition, automatic traffic counts (ATC) were undertaken for 14 days for the following road links:

1. Broadwater Road between Newland Road and King Edward Avenue
2. Teville Road between Stanhope Road and Hertford Road; and
3. Railway Approach within one-way section

The future 2023 baseline flows and 2023 baseline flows + development found in the following table:

Junction	Arm	AM			PM		
		Queue (PCU)	Delay (s)	RFC	Queue (PCU)	Delay (s)	RFC
<b>2023 Future Baseline</b>							
1	A24 Broadwater N	32	74.14	1.01	13.8	39.51	0.95
	Newland Road	16	79.92	0.99	30.4	125.15	1.05
	A24 Broadwater Road S	7	20.47	0.89	7.6	18.7	0.89
2	A24 Broadwater N	5	14.62	0.84	3.7	10.69	0.79
	A24 Chapel Road	11	48.11	0.94	49.8	128.32	1.06
	A2031 Teville Road	15	67.98	0.97	11.3	64.74	0.95
<b>2023 Future Baseline + Development</b>							
1	A24 Broadwater N	35	79.46	1.02	16	43.74	0.96
	Newland Road	17	83.76	0.99	35	140.93	1.07
	A24 Broadwater Road S	8	21.32	0.89	7	16.78	0.88
2	A24 Broadwater N	5	15.54	0.85	4	12.13	0.81
	A24 Chapel Road	14	57.23	0.96	67	170.34	1.10
	A2031 Teville Road	24	100.84	1.02	16	80.31	0.98

Concluding traffic impact for purposes of this report comparing the delays and capacity assessments found in the table above between the two scenarios given, the CHA considers that it cannot be considered severe when assessed alongside the NPPF.

## Parking.

Car parking - 307 spaces are proposed across the development site. By way of a summary, the applicant proposes the following:

1. Residential (198 private *sale* residential units (PSR) – 100 total.
2. Residential (180 private *rented* sector units PRS) – NO ALLOCATED PARKING.
3. Hotel (83 bedrooms) – NO ALLOCATED PARKING PROPOSED.
4. Discount food store – 107.
5. Gym – NO ALLOCATED PARKING PROPOSED.
6. Retail units - NO ALLOCATED PARKING PROPOSED
7. Public car park – 100.

Cycle parking - In addition to the above, 352 spaces are to be provided. This is broken-down as follows:

1. Residential units – 294 spaces.
2. Discount food store – 8 spaces.
3. Other retail units – NONE.
4. Public cycle parking – 50 spaces.

*(Cycle hire is also to be secured as part of the Travel Plan which will also complement the offer set-out above).*

*Public car parking* - With regards to the public car parking offered on-site, the amount of parking shown appears to total 100 spaces, understood to replace the currently available 66 spaces at the temporary car park located in the north-eastern corner of the site. Details about whether it is short or long-term parking and how and how this will be managed (and by whom) will need to be concluded prior to it coming into use. A condition is recommended to secure this.

*Residential* – As the site is in a sustainable location, the principle of a lesser provision than guidance suggests is one that can be considered. In support of this, the applicant is providing a series of measures to promote alternatives to travelling by car, including an on-site car club, ability to draw on monies/fund to support additional or possible changes to existing Controlled Parking Zone (CPZ) areas (if identified and supported locally post-construction if problems arise associated with the scheme) - on-site cycle hire, walking, cycle and bus infrastructure improvements and a Travel Plan.

*Supermarket* – That proposed is less than current parking guidance recommends. However, as the turnover of customers at the type of supermarket proposed (budget) is generally quicker than a standard supermarket, this has a positive impact on the availability of parking as spaces will become available more frequently. In the event parking demand outstrips supply, the aforementioned 100 public spaces elsewhere on the site can assist. Also given the site's proximity to regular bus and train services and the town centre, the site would also prove attractive to those not choosing to travel there by car.

*Hotel* – Given the accessibility of the site to alternative modes of transport/travel, the applicant does not propose any parking for the hotel. It is not uncommon to find budget hotels in such developments so close to transport hubs and town centres like this. As such, the CHA would not insist it has its own parking provision.

*Gym* – This is going to be open to the public as far as can be seen from the information provided so far. Therefore it could be used by tenants/owners of the new flats but also by others. Given its location, it is likely that a number of customers might arrive on foot or by bike given where it is and given the surrounding on-street parking controls. However, some might choose to come by car and this again lends weight to ensuring that a suitable amount of public car parking is provided to cater for this. However in this location and like the hotel, the CHA would not insist it has its own parking provision.

*Non-food retail units* – Like the gym, these would be open to all and not restricted to just occupiers of the apartments. Also like the gym, it is likely that people on-foot etc. would choose this as their preferred mode of travel given the location of the units alongside the central shared-space area within the site – more-so given the location and design of the route between the tower blocks and the attraction to commuters and those travelling by train or bus. Concluding this, it would again be difficult to insist it has its own parking provision.

*Electric vehicle parking.*

EV parking should be provided in accordance with appropriate guidance and be secured by planning condition.

**Controlled Parking Zone (CPZ).**

The development site sits within a CPZ. As a consequence of the proposals, this might have an impact on the CPZ area and other roads/areas where CPZ is not in operation. As such, the applicant will be expected to pay towards reviews of these areas and, if identified and well-supported locally, possible implementation of any required changes and possible new CPZ areas to mitigate the impact of those driving to and from the development and choosing to park on-street.

With regard to the availability of CPZ parking permits to residents, this would have to be considered alongside CPZ policy which is currently as follows:

***Policy:***

***New Developments:***

*Residents living in new developments that are located in private roads may be exempted from the parking permit scheme. This means that they will not be able to apply for either resident permits or visitor vouchers to park on the surrounding roads outside their home and must make their own arrangements. In some cases, non-resident permits may be available subject to there being spare capacity.*

*The sale of permits to residents in any new development may be limited depending on the space available in nearby roads. If there is a waiting list for that zone or by supplying permits it will undermine the scheme, WSCC has the discretion to place the resident on a waiting list.*

**Strategic Transport Package (STP).**

The emerging STP has identified the need to provide sustainable transport links in the form of enhanced pedestrian and cycle access and associated connectivity to and from the site and N-S along Broadwater Road and Chapel Road. Work continues by the CHA but it is demonstrated by the applicant that there is the possibility of land being available to assist with this along the site's eastern boundary with Chapel Road and Broadwater Road. Furthermore and as part of the application, some land is shown dedicated by the applicant as public highway in this location.

### **Servicing and access by fire appliances.**

The applicant has provided tracking diagrams to show this on the application drawings. They have also confirmed that dry risers and additional hydrants are to be provided for all the blocks in accordance with Building Regulations. This and means of escape and access to a suitably-pressurised water supply/supplies should all be checked by the LPA alongside the County's Fire Officer prior to the buildings coming into use.

### **Structural considerations in relation to the adjacent overbridge on A24 Broadwater Road.**

Given the proximity of the proposal to Broadwater bridge and prior to any works commencing, details showing the foundations for the buildings + any other interactions with the highway structure (including provisions for maintenance access for the bridge and any special considerations that might be needed for the new buildings) should be submitted to both the LPA and CHA for assessment and approval at the S278 stage.

### **Construction management.**

Careful consideration will need to be given to this given the proximity of the adjacent roads, A24 overbridge (Broadwater Road) and busy the local road network. A detailed Construction Management Plan (CMP) will need to be submitted and approved prior to any works commencing. A planning condition to secure this must be attached to any planning permission granted.

### **Public realm and off-site improvements.**

Worthing Borough Council's Core Strategy (Area of Change 5 – Teville gate), sets out its objectives for redevelopment of the site. It says:

*"The site is of strategic importance and its redevelopment provides a real opportunity to significantly improve the entry into the town centre and to set high standards of design and development. The mix of uses will address many of the aspects of Worthing's overall special vision. The provision of modern leisure, retail and residential development (approximately 260 dwellings) will add to the economic viability and regeneration of the town. Improved transport integration and pedestrian access will help form a strategic link between the railway station and the town centre."*

It follows this by stating the following Development Principles:

- Teville Gate will provide significant new mixed-use redevelopment incorporating leisure, residential and supporting retail uses; Redevelopment should maximise the site's proximity to Worthing Station and compliment the town centre offer;
- Development should be of high quality with the ability to accommodate a tall building ;
- Good pedestrian and cycling linkages to the town centre;

- Recognised constraints in the local sewerage system must be addressed; and
- The redevelopment of this site should not prejudice other regeneration sites coming forward on adjoining land.

Assessing the application as submitted, it is shown that a link for (largely) non-car access is made through the site (it's proposed status and what it will provide access to and for whom must be clarified and shown in detail as part of any DOC or RES application). Furthermore, the site also contributes to the wider area in providing necessary linkages and infrastructure between the site and the town centre by way of upgrades to both the Teville Road and Chapel Road signal crossings and shared ped/cycle links in-between. Additional to this is the requirement for suitable contributions towards Public Realm improvements using CIL and S106 monies.

Concluding this section of the report, the CHA recommends the applicant should provide suitable off-site works on Teville Road, Chapel Road and Broadwater Road in order to demonstrate high-quality connectivity to-and-from the site and town centre for non-car modes. Again, these should be secured by S106 Agreement.

With regard to improvements for Railway Approach in terms of public realm, contributions towards this should be secured from the development by way of a combination of CIL and S106 payments.

Bus stop/waiting areas and real-time passenger information should be secured from this development for infrastructure on Teville Road fronting the site – again by S106 Agreement.

### **Traffic Regulation Orders (TROs).**

As part of any redevelopment, existing TRO's will need to be considered for change, including some possible new ones to reflect the scheme and its impact on the public highway. As such, any changes identified (and costs thereto) would have to be provided by the applicant. Final details will be identified through the S38/278 Highway Agreement process.

### **Controlled Parking Zone/s (CPZ).**

A financial contribution of £60,000 is required in order to provide the CHA with the ability to review local CPZ areas before-and-after the development proposals are constructed. This is required in order to be able to identify whether any areas should be reviewed and/or extended. This financial amount should be secured by S106 Agreement.

### **Stopping-Up and Diversion of Highway.**

Public highway exists within the site. As this is shown altered as part of the proposals, this will need to be considered within the planning application and a formal Stopping-Up Procedure undertaken. Following application, the Government Office confirms the making of the stopping up Order. However, the local Highway Authority (CHA) only agrees to the Government Office making any Order conditional upon an alternative route being provided at the Applicant's expense and to the

satisfaction of the CHA. No works should commence on-site until the Stopping-Up process is successfully concluded and replacement route agreed.

### **Land Dedication.**

- As part of the aforementioned highway works, some land will be required to be provided by the applicant for construction purposes within any S38/278 Highway Works Agreement. Furthermore, a small section of land is offered alongside the A24 Broadwater/Chapel Road which might need to be included within any Highway Works Agreement and/or form of Land Dedication Agreement.

### **S106/CIL.**

Any highways infrastructure identified as being necessary to deliver the development should be secured by S106 Agreement or planning condition. CIL will also be applicable in-accordance with adopted A-Worthing Council(s) planning policy.

At the present time, the CHA considers the following highway-related infrastructure be secured as part of the development proposals as shown:

#### S106:

- Highways works to provide access to development on Teville Road, Railway Approach and A24 Broadwater Road/Chapel Road (including any associated changes to or new Traffic Regulation Orders); walking and cycling improvements – site to Chapel Road and Broadwater Road and to underpass and signal crossing upgrades to Toucan specification; bus stop and real-time infrastructure on Teville Road (a bus shelter is also recommended but only subject to agreement as to who will maintain it as WSCC does not maintain such structures). All to be delivered by S38/278 Agreement.
- Controlled Parking Zone (CPZ) - (financial contribution).
- Railway Approach Public Realm improvements - (financial contribution)
- Travel Plan and associated measures.

#### CIL:

- Railway Approach Public Realm improvements.

### **Wind mitigation.**

A row of trees are proposed along the eastern boundary of the site. Any final scheme should demonstrate that wind impact on public highway would be within acceptable limits to minimise risk to highway users on the surrounding highway network.

## **Non-highways infrastructure.**

Comments to follow separately.

### **Conclusion.**

The development site has been considered in highways and transportation terms alongside relevant national and local planning policies. Should the LPA be minded to approve the scheme, it should be subject to a suitable S106 Agreement and an appropriate level of CIL payment. Furthermore, the CHA recommends that the following highway-related conditions be attached to any planning consent issued:

### **ACCESS WORKS**

#### **Access and associated highways works (Access to be provided prior to first occupation)**

No part of the development shall be first occupied until such time as the vehicular accesses and associated highways works serving the development have been constructed generally in accordance with approved drawings including recommendations of the relevant Road Safety Audits and details specified in the accompanying S106 Agreement and any subsequent S38/278 Agreements.

Reason: In the interests of road safety.

#### **Access closure (Access Closure)**

- No part of the development shall be first occupied until such time as any existing (and no longer required) vehicular accesses to/from the site have been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety.

### **PARKING**

#### **Car parking spaces (details approved)**

- No part of the development shall be first occupied until the car parking has been provided in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the uses.

#### **EVC Parking Spaces**

- No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies.

### Cycle parking

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

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

## **INTERNAL ARRANGEMENTS**

### Shared-space access running through the development site

- No part of the development shall be first occupied until the shared-space area and associated access road, footways, and casual parking areas serving the development have been constructed, surfaced and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development.

### Turning space

- No part of the development shall be first occupied until the vehicle turning space has been constructed within the site in accordance with the approved site plan. This space shall thereafter be retained at all times for its designated use.

Reason: In the interests of road safety.

## **CONSTRUCTION**

### Construction Management Plan

- 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,
- the method of access to-and-from the development site,
- the routing of vehicles to-and-from the development site,
- 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,
- 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.

Reason: In the interests of highway safety and the amenities of the area.

### Servicing Management Plan

- No part of the retail elements of the proposal shall be first occupied until such time as until a Servicing Management Plan for has been submitted and approved in writing by the Local Planning Authority. This shall set out the arrangements for the loading and unloading of deliveries, in terms of location and frequency, and set out arrangements for the collection of refuse. Once occupied the use shall be carried out only in accordance with the approved Plan.

Reason – to safeguard the operation of the public highway.

## **INFORMATIVES**

- Section 59 of the 1980 Highways Act - Extra-ordinary Traffic
- The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process.
- Works within the Highway – Implementation Team
- The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
- Provision of Adoptable Highway
- The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover any proposed adoptable on-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.
- Private Roads
- The applicant is advised that for any estate roads/access paths that are to remain private/unadopted, the Highway Authority would require provisions in any s106 agreement to confirm that such estate roads/access paths would not be offered for adoption at a later date and wording included to ensure that the carriageways, footways and casual parking are properly constructed, surfaced and drained, and that the works are appropriately certified from a suitably qualified professional confirming how they have been constructed and that they would be fit-for-purpose.
- Temporary Works Required During Construction
- The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover

any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. Such works might include include the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway. The applicant is further advised that costs for such matters might be required.

- Temporary Developer Signage
- The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.
- Traffic Regulation Order
- The applicant is advised to contact the WSCC Traffic Regulation Order team (01243 642105) to obtain the necessary paperwork and commence the process associated with the proposed FILL IN AS NECESSARY (waiting restrictions, removal of parking bays, provision of loading bay, etc). The applicant would be responsible for meeting all costs associated with this process. The applicant should note that the outcome of this process cannot be guaranteed.
- Stopping Up Order (Town & Country Planning Act)
- The applicant is advised that the existing public highway to be incorporated into the development must be the subject of a Stopping-Up Order. This process must be successfully completed prior to works commencing on-site. The applicant should contact the Department for Transport's National Transport Casework Team in order to commence this process.
- Land Dedication
- The applicant is advised that any private land intended and/or required to be offered as public highway will be considered either by way of the S38/278 process (if required for highways access purposes etc.) or land dedication agreement route. The applicant should contact the Highway Authority in order to commence this process (and to establish which method is applicable).
- Structures Check
- The applicant is advised that any proposed structures are required to be subject to the Technical Approval process as specified within BD 2/12 of the Design Manual for Roads and Bridges. The applicant should contact the WSCC Structures team to commence this process. The applicant should note that the failure to obtain TA may prevent the future adoption of the structure as public highway or incur additional works to bring the works up to a suitable standard. Such approvals must be obtained before any works commence.
- Temporary directional signs to housing developments (Major apps only 10 units +)
- The applicant is advised that they must apply and obtain approval from West Sussex County Council as Highway Authority for all temporary directional signs to housing developments that are to be located on the highway. Further details of the process and how to apply are available here

<https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/temporary-development-signs/#overview>

## **West Sussex Lead Local Flood Authority**

Current mapping shows the part of the south and west of the site is at high risk from surface water flooding.

Any existing surface water flow paths across the site must be maintained.

Reason: NPPF paragraph 163 states – ‘When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere’

Therefore, a wholesale site level rise via the spreading of excavated material should be avoided. Any excavated material kept on site should be located in areas designed and designated for that purpose.

The majority of the proposed development site is shown to be at high risk from groundwater flooding.

This risk and appropriate mitigation should be considered in any future designs especially with regard to underground structures and utilities.

Ground water contamination and Source Protection Zones.

The potential for ground water contamination within a source protection zone has not been considered by the LLFA. The LPA should consult with the EA if this is considered as risk.

A culverted ordinary watercourse runs across the site.

We do not have any records of historic surface water flooding within the confines of the proposed site although locations within close proximity in Worthing Town centre have experienced historic surface water flooding. This should not be taken that this site itself has never suffered from flooding, only that it has never been reported to the LLFA.

The FRA/Drainage Strategy included with this application proposes that SuDS Planters, Permeable Paving, Attenuation tanks, and Permavoid with a restricted flow into the main sewer will be used to control the runoff from the development. This method would, in principle, meet the requirements of the NPPF, PPG and associated guidance documents.

Development should not commence until finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should demonstrate that the surface water runoff generated up to and including the 1 in 100 year, plus climate change, critical

storm will not exceed the run-off from the current site following the corresponding rainfall event.

Development shall not commence until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.

Please note that Schedule 3 of the Flood and Water Management Act 2010 has not yet been implemented and WSCC does not currently expect to act as the SuDS Approval Body (SAB) in this matter.

### **Highways England**

Offer no objection on the basis that we are satisfied that the proposal will not materially affect the safety, reliability and/or operation of the strategic road network (the tests set out in DfT Circular 02/2013, particularly paragraphs 9 & 10, and DCLG NPPF particularly paragraph 109) in this location and its vicinity.

Following the submission of further amendments, Highways England confirmed that they maintain the above position.

### **Historic England**

On the basis of the information available to date, in our view you do not need to notify or consult us on this application.

### **Metrobus**

There is no mention of the No. 23 bus from Worthing to Crawley. Are there plans for residents to use buses? It would be beneficial if residents received a travel pack with information as to what buses are available. A travel voucher should be funded to each household to allow them to purchase a bus or train ticket or put it towards a bicycle.

**Natural England** - no comments to make on the application.

### **Conservation Area Advisory Committee**

No objection in principle but concerns were aired concerning the scale of development and proposed parking numbers. It was hoped that the proposed design and appearance would have a positive influence on the adjacent proposals for Teville Gate House.

*Note: This application was submitted prior to the Teville Gate House application which has been subsequently submitted and approved.*

### **Design South East**

This proposal includes what would be the tallest buildings in Worthing in a highly prominent location and therefore it is essential to achieve high quality and set a positive example. The gateway status of the site and the long-term implications of development character on local and wider perceptions of Worthing make it important to achieve a scheme that creates a defined sense of place and is successful in urban design as well as commercial terms.

Massing and elevational treatment remain problematic, and more needs to be done to reduce the bulk of the scheme - the amount of accommodation to be provided continues to constrain the achievement of a development that is sensitive of and appropriate to its local and wider setting.

Overall, the development has not substantially changed, and our comments previously have not been adopted wholeheartedly, in instances not at all. It follows that some of our earlier comments still apply. The project process and evolution have not lived up to expectations.

The potential to create a direct pedestrian route to the station lined with active ground floor uses and high quality public spaces is positive, and we commend this ambition. However, the route is not yet clear and inviting.

That a scheme for Teville Gate House has come forward opens an opportunity to consider the two sites together, especially to find an effective route south from the Station and for the new offices to face the public realm on two fronts.

The Council may feel it is faced with the stark choice now of approving a scheme of questionable design quality, or rejecting a scheme which now has some investor/occupier interest on a site which has been empty for many years. Instead, we consider the Council should be proactive and engender a combined approach to the two sites. The Teville Gate scheme is too large to be entertained as one application and a masterplan and a phase approach should be insisted upon.

*Note: This application was submitted prior to the Teville Gate House application which has been subsequently submitted and approved.*

## **West Sussex County Archaeologist**

### **SUMMARY:**

- The outcomes of pre-application archaeological discussions between Adur and Worthing Councils' archaeological advisers (West Sussex County Council) and the applicant's archaeological consultants (CgMs Heritage)

have been taken into account in the *Archaeological and Geoarchaeological Desk Based Assessment* report, accompanying this planning application.

- The conclusions of the Assessment report are fair and well-reasoned. The variably thick layer of made ground below modern concrete overlies stream-related and other deposits probably of prehistoric date, of archaeological interest; the upper made ground will be modern, the lower made ground partly modern, but may possibly include some archaeological layers.
- The applicant has proposed a logical staged programme of archaeological mitigation, in order to address the impact of new deeper ground excavations for the development on archaeological deposits; which may reasonably be secured by a condition on any planning consent.
- West Sussex County Council recommend one amendment to this programme which should be included before the mitigation begins.

#### COMMENTS:

This consultation response concerns below-ground archaeological heritage assets only; it does not address any potential built heritage impacts.

Pre-application discussions concerning the archaeological and geoarchaeological interest of the site took place in September 2018 (West Sussex County Council on behalf of Adur and Worthing Councils and CgMs Heritage on behalf of the applicant. An earlier draft of the supporting *Archaeological and Geoarchaeological Desk Based Assessment* report was a subject of those discussions and the submitted version of this document (CgMs Heritage, November 2018), takes account of those discussions.

The geoarchaeological assessment included in the above report concluded from examination of past site investigation data that buried archaeological features and deposits of prehistoric date are the most likely to survive on the site, because of their depth below ground level and modern made ground.

The earliest of these features and deposits may date to the Palaeolithic period (locally 500,000 years Before Present (BP) – 10,500 BP), under a variable depth of made ground, the upper part of which will be modern. Some of the lower made ground itself may be of archaeological interest, but these levels will probably have seen much modern disturbance so archaeological survival there will also be variable.

Because of the potential for archaeological deposits of prehistoric date to survive on the site, beside the formerly open Teville Stream (now flowing west-east through the centre of the site in a buried culvert), an outline strategy for archaeological mitigation has been proposed (6.10 in the report).

The proposed mitigation is well thought out. One amendment should be made, to 6.10 (1), but otherwise the mitigation proposals are acceptable.

Because the last stage of site investigation in 2016 was not monitored by an archaeologist, detail of the depth below ground, date of preservation and dating of

the lower made ground and undisturbed deposits below them is yet lacking. In 6.10 (1) it is proposed that any new boreholes and/or trial holes should be monitored by a geoarchaeologist.

This proposal should stand, but in addition, provision should be made to allow excavation of test pits and/or boreholes by a geoarchaeologist, if no further geotechnical site investigation takes place.

The following proposed mitigation stages (6.10. (2) and 6.10. (3)), dependent on the findings of stage 6.10. (1) should also stand.

No amendment need be made to the existing *Archaeological and Geoarchaeological Desk Based Assessment*; the recommended amendment should be made to the method of archaeological mitigation in the event that this application is permitted.

Finally, West Sussex County Council agree that in view of the modern disturbance of the upper deposits of this site, mostly only deeper ground excavations for the new development will have an archaeological impact. It is agreed that the proposed archaeological mitigation may be secured by an appropriately worded planning condition, if planning permission is granted (6.10 of the report, last paragraph).

## **Southern Water**

The exact position of the water mains, foul and surface water sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

It might be possible to divert the foul and surface water sewer, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.

Please note:

- The 225 mm diameter foul sewer requires a clearance of 3 metres either side of the sewer to protect it from construction works and allow for future access for maintenance. No development or new tree planting should be located within 3 metres either side of the centreline of the 225 mm foul sewer.
  
- The 450 mm, 600 mm and 675 mm diameter foul sewer requires a clearance of 3.5 metres either side of the sewer to protect it from construction works and allow for future access for maintenance. No development or new tree planting should be located within 3.5 metres either side of the centreline of the 450 mm 600 mm and 675 mm foul sewer.
  
- The 300 mm diameter surface water sewer requires a clearance of 3 metres either side of the sewer to protect it from construction works and allow for future access for maintenance. No development or new tree planting should be located within 3 metres either side of the centreline of the surface water sewer.

- No development or new tree planting should be located within 5 metres either side of the centreline of the 1500 mm foul sewer.
- No development or new tree planting should be located within 6 metres either side of the centreline of the water mains.
- No new soakaways should be located within 5 metres of a water main, foul and surface water sewer.
- All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works

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.

Our initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

Southern Water has undertaken a desk study of the impact of the proposed development on the existing public surface water network. The results of this assessment indicate that with connection at the “practical point of connection” as defined in the New Connections Services implemented from 1<sup>st</sup> April 2018 that there is an increased risk of flooding if the proposed surface water run off rates are to be discharged at proposed connection points.

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

Alternatively, the developer can discharge surface water flow no greater than existing levels if proven to be connected and it is ensured that there is no overall increase in flows into the surface water system. You will be required to provide a topographical site survey and/or a CCTV survey showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed surface water flow will be no greater than the existing contributing flows.

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.

Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors. The design of drainage should ensure that no land drainage or groundwater is to enter public sewers network.

### **South Downs National Park**

The application site is approximately 2 kilometres south from the boundary of the South Downs National Park; it is set within the significant urban context of Worthing.

The highest element of the scheme, a 20 storey tower block, would be the most visually prominent building of the scheme. It is noted that the Environmental Statement Non-Technical Summary submitted with the scheme, refers to considering the overall scheme from three key points within the National Park. Notwithstanding this assessment, it would be appropriate to consider whether it would be necessary and helpful to undertake a further and wider landscape and visual impact assessment from other public areas within the National Park, including elevated locations from the South Downs National Park, to broaden the scope as to what degree the scheme may impact/affect views and wider enjoyment of the South Downs National Park by the public, looking across the Worthing townscape and skyline and from the wider assessment whether the scheme is considered to be acceptable on the wider setting of the South Downs National Park.

As the landscape, with its special qualities, is the main element of the nearby South Downs National Park and its setting, attention is drawn to the South Downs Integrated Landscape Character Assessment (Updated 2011) as a key document as part of the overall assessment of the impact of the development proposal, both individually and cumulatively, on the landscape character of the setting of the South Downs National Park.

Taking into account the above in the determination of this application, the SDNPA would also draw attention of Adur and Worthing Councils, as relevant authorities, to the Duty of Regard, as set out in the DEFRA guidance note. It may also be helpful to consider the development proposals in the context of National Park Circular 2010 for guidance on these issues

## **Sussex Police**

The location is close to the main railway station and within the parameter of the late night economy of the town centre and as such it may experience large amounts of footfall, noise, litter and acts of anti-social behaviour. It will provide a main pedestrian route to and from the town centre.

The application is divided into different areas, to provide Commercial and Retail buildings, Car Parking, a Hotel and Residential dwellings. It is important that the boundary between public space and private areas are clearly indicated.

I direct the application or their agent to our website at [www.securedbydesign.com](http://www.securedbydesign.com) where SBD Homes 2019 document can be found. The Secured by Design scheme is a Police initiative to guide and encourage those engaged within the specification, design and build of new homes, and those undertaking major or minor property refurbishment, to adopt crime prevention measures. The advice given in this guide has been proven to reduce the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments.

Firstly, I draw the applicant's attention to (Section 1 of SBD Homes 2019) which provides recommendations for the layout of roads and footpaths, planting and seating areas, lighting, play spaces and street lighting in residential areas and also (Section 1 of SBD Commercial Developments 2015) which provides similar information but for Commercial and Retail developments.

Sussex Police have set out a number of recommendations for each of the different land use components of the scheme. These have been sent to the applicants to assist the detailed design of the scheme including details of door window design, use of CCTV and entry door systems.

## **Worthing Society**

*'The Worthing Society considers the development of the Station Square site is a high priority for the town. But it also considers the present proposal provides an unsatisfactory solution to the development of such a prominent site. The design also directly conflicts with local planning policies, and especially with the recommendations in the Tall Building Guidance SPD*

*The Society's opinion of this proposal closely resembles that of the South East Design Panel, The report of its Design Review Meeting of May 30<sup>th</sup> 2018 concluded that the bulk of the scheme needed to be reduced, and that the form of the buildings and the palette of materials used would both benefit from simplification. The Panel's objective, and that of the Society, is "a development that is sensitive to and appropriate to its local and wider setting". It urged that a review of the scheme should consider how it would look from key viewpoints in the town, and suggested that towers look best if they rise from domestic scale blocks.*

*The Society agrees that the development of this site should be to a high density, because the proximity of Worthing railway station and bus services makes the site*

*unusually accessible by public transport. The Society envisages a development that incorporates tall towers, like the submitted scheme, but towers which are slender and elegant, as advocated in the Tall Building Guidance SPD and by the Design Panel.*

### *Suitability of the Design*

*The site is the “Gateway to Worthing”, for visitors arriving by both rail and road. It will give them their initial impression of Worthing . The design should therefore be of the highest quality, and the theme of the new buildings should reflect the character and seaside location of the town. We consider the proposed design fails in the following respects:*

- *The towers are bulky and clumsy, and of a stepped design, though the Tall Buildings SPD states that towers should be slender and elegant, and formed of a single element.*
- *Brick is not an appropriate facing material for the towers; and it is not the predominant material in the surrounding area. Its use magnifies the oppressive effect created by the mass of the towers.*
- *The quality of materials is mediocre for such a landmark site*
- *There is no theme to give the site a distinctive quality.*
- *The Art Deco style building facing Broadwater Road has a more pleasing and distinctive design quality, which might be repeated in the other blocks.*
- *No effort appears to have been made to reflect the seaside location of Worthing, and the character of its existing buildings. There is an Art Deco theme in the Pier and Lido and seafront buildings which could be reflected in the design of Station Square*
- *The central garden is a welcome feature which should be retained*

### *Height of Tower and Tall Elements*

*The form rather than the height is the defect of the proposed towers. They are too bulky, and of stepped design. Combined with their brick facing, the effect would be oppressive. The design of the tower should follow the advice in the Tall Building Guidance SPD, and be formed of a single element, be slender and be elegant. Its details and materials might reflect the Art Deco style found in existing Worthing buildings. The reduction in the capacity of the towers caused by adopting a more slender design might be offset by increasing the height of Block B to create a two-tower scheme.*

- *There are two Grade II Listed buildings in close proximity. They are the Grand Victorian Hotel and Sandell’s Building. The towers should be positioned to minimise their impact on these heritage assets.*

### *Effect on the Setting of the South Downs National Park*

*The main tower element would be the tallest building in Worthing and would be visible from several points in the South Downs National Park. The views south from the Park to the sea are an important element of the park’s setting. However, the nearest viewpoint, on Cissbury Ring, is about 2.6 miles from the site, and the towers*

would therefore be a small feature of the view. A reduction in their bulk would make them less noticeable.

### Transport Assessment

*This aspect of the application contains major defects. It does not provide an accurate description of the road network near the development site – stating, for example, that all junctions on Teville Road are priority junctions, though those that would be used by traffic to or from the development are controlled by traffic lights – and gives a wholly unrealistic picture of current traffic congestion on these roads. It also fails to take account of the plan to replace the roundabouts in Broadwater Road with traffic lights. The applicant should provide an assessment that contains an accurate description of the roads around the site, and of current traffic on them, as the basis for forecasts of traffic levels after the development has been completed. The present Traffic Assessment is of no value.*

*The amount of parking space provided appears inadequate. It is desirable to discourage car ownership in the centre of Worthing, but it is undesirable to increase the number of car owners seeking parking places at the kerbside. The effect of providing only 100 parking spaces for 378 flats is likely to be socially undesirable, creating a nuisance for existing residents of the area by increasing the demand for kerbside parking. The adequacy of 100 parking spaces for an 83 room hotel, a gym and two restaurants also needs careful assessment. A surprising feature of the proposal is the absence of any basement car parking. If this space was exploited, more parking could be provided, and more space would become available for accommodation. We look forward to seeing WSCC's comments on these issues.*

### CONCLUSION

*The Station Square development is one of the most important sites for the regeneration of Worthing, and will give visitors their first impression of the town. It will be identified with the town for the foreseeable future. If we are to avoid the planning mistakes of the past, we must take care to ensure that the design and overall concept are of the highest quality. The Society considers the present proposal falls well short of this objective, and of the requirement within the NPPF that new developments should meet the highest standards of design. It is all too reminiscent of Soviet architecture of the 1950s.*

*A puzzling feature of this application is that the South East Design Panel submitted a detailed and constructive report to the applicant last summer, containing proposals which would have greatly improved the design of the scheme; but these proposals have been ignored. If the applicant is not concerned about the quality of this development, it is up to Worthing Borough Council to refuse planning permission and to recommend that the scheme is redesigned along the lines suggested by the Design Panel, by the Tall Building Guidance SPD, and by the comments submitted on the planning application.'*

## Internal Consultee Responses

### **Head of Housing**

It is good to see that the developer is keen to commit to the 30% affordable housing to ensure a policy compliant scheme, I note that this is subject to Homes England funding.

The proposed mix of studio, 1 and 2 bedroom apartments appears to be in line with the housing need we have identified.

Whilst, the level of rented accommodation is disappointingly low, given the housing need that exists in the town, it would be worth exploring the scope for a lower rental level based on Local Housing Allowance (LHA). This would help to meet the needs of those on Worthing's Housing List and those in greatest housing need.

### **Place and Economy**

The provision of a high quality public realm route through the site and the improvements to cycle connectivity to the south of the site, towards the town centre, is welcomed and will help to meet the long held aspiration to improve access from the railway centre to the town centre. In addition it would help in terms of wayfinding and enhance the visitor experience. The scheme would integrate with the Councils' emerging public realm strategy and the Councils' retained Consultants have worked with the applicants architects to start the design process to redesign Railway Approach and complete the enhanced route to the station.

From an economic perspective the development will provide a significant boost to the overall economy of the town centre. The job creation and vibrant mix of employment uses together with the provision of 378 new homes will act as a catalyst for the regeneration of the town. It is hoped that this development will happen quickly as it will greatly assist in encouraging greater investment into the town and act as an economic stimulant for the wider sub region.

### **Environmental Health**

I refer to the above application and make the following comments on behalf of Public Health & Regulation.

#### A. Noise

##### Residential Amenity

Technical Appendix 9.3 Section 1.8 advises that further noise mitigation is possible for the outside amenity spaces and can be considered in the detailed design stage. I would recommend that this is a condition of any permission.

Technical Appendix 9.3 Section 1.8 also advises that the ventilation and glazing strategy for the development will need further work at the detailed design stage and

suggests a planning condition. I would agree that this should be a condition of any permission.

### Construction Noise

The Environmental Statement, Volume 1 considers noise and vibration during the construction phase of the development. The applicant cannot formulate a Noise Management Plan/ Construction Environmental Management Plan until they have detailed method statements for the construction works. Therefore I would recommend a condition requiring a Construction Noise Management Plan/ Construction Environmental Management Plan should be agreed with the planning authority prior to commencement of any works.

I would also recommend the following condition:

Demolition and construction works shall not take place outside 08.00 hours to 18.00 hours Mondays to Fridays and 09.00 hours to 14.30 hours on Saturday. There will be no construction on Sundays or Bank Holidays. Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

### Operational Noise

We will have to consider operational noise from the supermarket, retail outlets and gym. You may want to agree opening times, delivery times, any new plant and machinery for these commercial properties once the detail is available. Michael Lavender, is happy to discuss this further and help with any proposed conditions when this aspect of the development is considered.

### *B. Contaminated Land*

Records show that the land at the former Teville Gate car park is potentially contaminated land. Petrol licencing records indicate six tanks installed prior to 1973 and were foam filled in 1996, however still believed to be on site. It is therefore recommended that prior to the commencement of development, 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 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 · potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) 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.

5. Prior to commencement of development of any part of the permitted development, 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.

Any changes to these components require the express consent of the local authority. The scheme shall be implemented as approved.

### C. Air Quality

The Environmental Statement, Volume 1 Chapter 8 considers Air Quality and includes an Air Quality Impact Assessment. This section needs to be read in conjunction with the transport assessment (Chapter 7).

Having considered Chapter 8, I make the following comments.

- Para 8.36 - a revised version of the Sussex Air Quality Planning Guidance was published earlier this summer. The procedures are updated, however they should not affect this assessment.
- Table 8.5 - this states the development will add approximately 1000 vehicles to the AADT on Broadwater Road and 650 to Teville Road, this is not an insignificant amount.
- Para 8.73 - raises concerns over the discharge points for the car park.
- Table 8.13 - data for 2018 has now been published (see <https://www.adurworthing.gov.uk/environmental-health/pollution/air-quality-and-pollution/local-airquality-management/#air-quality-reports>). Levels at sites N27, N42 and N52 have increased slightly and decreased at site N28. However the changes over 2017 levels are small and unlikely to significantly affect the modelling results.
- Para 8.95 - PM2.5 monitoring takes place at Grove Lodge. The annual mean for 2018 was 10ug/m3 . Again this is unlikely to significantly affect the modelling results.

- Para 1.101-104 - existing receptors must include some within the Worthing AQMA. It appears the impact on the AQMA has not been assessed.
- Para 8.120 - the designing out of residential units adjacent to Broadwater and Teville Roads is welcomed.
- Para 8.122 - if enhanced mechanical ventilation is installed, the air intakes must be on facades away from Teville Road and Broadwater Road, i.e. from the north and west facades.
- Para 8.125 - elevated levels from boilers could be mitigated by using low NOx boilers.
- Table 8.21 - the 'Max total annual mean concentration' needs defining as the level exceeds 40ug/m<sup>3</sup> .
- Para 8.142 - the emissions mitigation assessment calculates a value of £160,471.14. This can be secured by way of a condition or s.106 agreement.
- The assessment of construction impacts is accepted. Appropriate mitigation can be included within a Construction Management Plan, required by condition.

In summary the main points arising are

1. An assessment of the impact on receptors within the Worthing AQMA must be completed.
2. The 'Max total annual mean concentration' in Table 8.21 needs to be clarified.
3. Low Nox boilers should be used within the development. Suggested condition: *All gasfired boilers provided in relation to this development shall meet a minimum emissions standard of 40 mg NOx/kWh.*

Reason: To sustain compliance with and contribute towards EU limit values or national objectives for pollutants.

4. The emissions mitigation assessment value of £160,471.14 should be secured by a condition requiring that an air quality mitigation plan to this value is submitted to and agreed by the Local Planning Authority prior to development commencing. Alternatively this could be achieved via a s.106 agreement.
5. To minimise the effects of construction a Construction Management Plan shall be required. Suggested 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 distances through the Worthing AQMA.
- 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

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction.

## **Parks**

All though the design of this space is really dense, the maximization of Green Infrastructure within the location has really been thought through with utilizing the roof space for green roofs, the associated reduction in water run off and localized flooding that this will also bring to the area through the ecosystem services this aspect of the design will bring. This is an absolute must for this design and must not be removed or compromised on as part of the development of this project should it be successful. This is an important aspect of the design due to the sheer volume of hard landscaping within this small space

The paving design with tree pits integrated into the surrounding walkways and the landscaped areas also within these locations I would like to see these also being used as water storage/soakaway areas to capitalize on what little Green Infrastructure there is on site. Enabling every opportunity for ecosystem services to be provided to this space. This is a vital aspect for self watering and sustainability also and self care of these locations as we are in a water scarce location. It will also assist with the issues of localized flooding from the heavy rain spells that we get in the management of this excess water at these times.

I would like to see species that are selected for these areas are appropriate for this environment and are not just taken off the peg as it is a unique area and this needs to be taken into consideration to ensure that designs are fit for purpose. It would also be great to see species being selected on their ability to filter air pollutants due to the nature of the surrounding areas - eg silver birch trees. I can't see this being taken into consideration within the present documentation and I would like to see that reflected to assist with creating healthy, livable spaces.

As part of this project having housing as part of it, I would like to see some commitment to providing facilities within the local parks to this location to assist with the increase of services in these areas as they cannot be provided on site within this design.

*Further comments on possible Section 106 funding towards facilities in Victoria Recreation Ground and Homefield Park:*

For both sites (Parks) I would say that they have similar needs but would be slightly different to allow for the difference in surroundings and needs from the local communities. Both areas could do with additional seating within them.

Some additional landscaping works such as successional bulb planting / tree planting to diversify and future proof the landscapes and increase biodiversity levels - again species would be dependent on what stock is already present and the age of this stock.

Both sites would really benefit from some sort of art work within the parks as a whole - this could vary from aerial displays in the trees to wooden sculptures that double up as storytelling areas or seats - all aspects of this would be delivered with community engagement as part of creating these lasting features.

Victoria Park already has great play and exercise spaces however Homefield has scope for more exercise activities such as health walk routes/orienteering opportunities.

With this in mind, Homefield would need to have more of the funds allocated to it than Victoria Park to enable the additional aspects of this work.

## **Planning Policy**

The site is a 1.47ha site comprising the former Teville Gate Shopping Centre and multi storey car park. The shopping centre and multi storey have been demolished and part of the site is being used as a temporary surface car park ahead of redevelopment.

The application proposal seeks to provide for 378 homes, together with retail units (use classes A1 –A5 that could include restaurants, bars and takeaways) including a foodstore, a gym and a hotel. The proposal also includes car parking and public realm.

### Key Issues / Policies

The Core Strategy (CS) 2011 is the adopted local plan for Worthing. It is currently being reviewed and the latest published version of the newly emerging plan is the Draft Worthing Local Plan Regulation 18 version October 2018.

### *Historic Policy Context*

Worthing Local Plan 2003 (superseded by the CS apart from some saved policies) – had identified the Teville Gate Area as a key mixed-use development area allocation policy MS2. At that time the aspiration was for a development of leisure and /or non-food retail with some consideration of ancillary residential uses. The policy set out an expectation that the development would provide for a 'bold

architectural statement to the Teville Road/Broadwater Road frontage' and that it would maintain and improve upon its role as a key connection between the main station and Town Centre. Consideration was also to be given to the inclusion of a dedicated cycle route as part of the link. In order to improve the overall environment around the station, any scheme should include proposals for improvements to Railway Approach between the station building and the site.

At the time planning permission had been granted for two separate schemes on this site. One involved a multiplex cinema, associated leisure uses and non-food retail. The other an outline application for a similar mix of leisure uses and a cinema.

Worthing Core Strategy 2011 – the key policy for Teville Gate is CS policy 2 – Areas of change. Areas of Change are targeted areas for investment and change where development is expected to come forward during the plan period. This policy encourages the development of key areas of the Borough where proposals contribute to the delivery of the vision and strategic objectives, meets the requirements of the other policies and local development documents and addresses the identified site-specific development principles.

AOC 5 - Area of Change 5 relates specifically to Teville Gate. The site is recognised as a key gateway site whose redevelopment provides an opportunity for a high quality landmark building. The objectives and development principles for this area are set out below:

#### *Objectives*

*This site is of strategic importance and its redevelopment provides a real opportunity to significantly improve the entry into the town centre and to set high standards of design and development. The mix of uses will address many of the aspects of Worthing's overall spatial vision. The provision of modern leisure, retail and residential development (approximately 260 dwellings) will add to the economic viability and regeneration of the town. Improved transport integration and pedestrian access will help to form a strategic link between the railway station and the town centre.*

#### *Development Principles*

- *Teville Gate will provide significant new mixed use redevelopment incorporating leisure, residential and supporting retail uses*
- *Redevelopment should maximise the site's proximity to Worthing Station and compliment the town centre offer*
- *Development should be of high quality with the ability to accommodate a tall building*
- *Good pedestrian and cycling linkages to the town centre*
- *Recognised constraints in the local sewerage system must be addressed*
- *The redevelopment of this site should not prejudice other regeneration sites coming forward on adjoining land.*

The other key policies include:

Policy 3 - Providing for a diverse and sustainable economy

Policy 5 - The Visitor Economy

Policy 6 - Retail

Policy 7 - Meeting Housing Need

Policy 8 - Getting the right mix of homes

Policy 10 - Affordable Housing

Policy 12 - New infrastructure

Policy 14 - Green Infrastructure

Policy 15 - Flood risk and sustainable water management

Policy 16 - Built Environment and design

Policy 17 - Sustainable Construction

Policy 18 - Sustainable Energy

Policy 19 - Sustainable Travel

Saved Policies WLP03

H18 – Residential Amenity

TR9 – Parking requirements for development

Supplementary Planning Documents

Guide to Residential Development – Nov 2013

Tall Building Guidance – Nov 2013

Space standards – Feb 2012

Developer contributions – July 2015

*Emerging Policy DWLP Oct 2018* – this version of the plan is the second iteration and it has responded to comments raised at an earlier stage of consultation and changes of national policy together with changes as a result of updates in the local plan evidence base.

Policy A5 Teville Gate seeks to allocate this site for a mixed use scheme with 300 residential units. The proposed allocation covers an area of 1.80 ha and includes the former teville gate shopping centre, former multi storey car park and Teville Gate

house. It notes that this site is one of the most high profile sites within Worthing linking the railway station with the town centre.

The proposed site policy identifies a number of potential site constraints that any development proposal would need to address. This includes:

- *There are areas of potentially contaminated land within the site.*
- *The site is in an area with a high chance of surface water flooding and is at high risk of groundwater flooding.*
- *Grade II Listed Worthing Railway Station site and the Grand Victorian Hotel are in close proximity to the site.*
- *Teville Gate House (in the north-west corner of the site) is within the Railway Approach key office location.*
- *There are underground utilities services and a culverted watercourse running through the site.*
- *deliver a mixed use scheme with a minimum of 300 homes, retail and leisure uses, B1 commercial uses and at least 100 replacement public car parking spaces;*
- *ensure that any contaminated land issues are appropriately assessed and managed;*
- *ensure the development is made safe from surface and groundwater flooding taking climate change into account; and incorporate appropriate Sustainable Urban Drainage Systems to ensure flood risk is not increased elsewhere and where possible reduce flooding locally;*
- *protect and enhance nearby heritage assets and ensure no significant harm is caused to them or their settings;*
- *provide a high quality public realm with cycle and pedestrian links from the station to the town centre, and under the A24 to Morrisons, having regard to the Worthing Public Realm Study;*
- *protect the amenity of future occupants from unacceptable levels of rail and road noise;*
- *ensure no loss of employment Use Class B1(a) floorspace.*

The key issue that needs to be addressed is whether the proposed development as set out in the planning application accords with the local plan aspirations for this site and whether it accords with the relevant policies and planning guidance. The application site does not include the former Teville Gate House as this is subject to a separate application for a new larger office block for HMRC which has received approval. The impact of the permission of Teville Gate house needs to be carefully considered as part of this proposal in particular how this now impacts on the design of the link between station and town centre.

**Proposed mix of uses** – the proposal includes three blocks of 378 residential units, 83-bedroom hotel (3,684 sqm), a foodstore (Use Class A1) (1,852 sqm), a gym (Use Class D2) (1,426 sqm), in addition to retail, restaurant and cafe uses (Use Classes A1, A2, A3, A4 & A5) (999sqm). This proposed mix of uses accords with the CS policy and the emerging DWLP policy. It also includes associated infrastructure including 307 parking spaces, 352 cycle parking spaces, service areas, public realm with associated hard and soft landscaping and private amenity spaces.

### Housing

The housing policies in the CS sought to deliver a minimum of 200 units per year. This target was arrived at through the regional/structure plan process which took into account the constraints faced by Worthing and as such was strongly influenced by the capacity of the borough to accommodate new dwellings in terms of its physical and environmental characteristics. This is a target that has been met and surpassed over the plan period with an average of 285 dwellings since 2006 (which includes the boroughs largest development of 700 homes at West Durrington).

Local Planning Authorities are now required to meet their full identified need for both market and affordable housing as far as is consistent with other policies in the National Planning Policy Framework (NPPF). The most recently published up to date assessment of objectively assessed housing need (based on the standard methodology and the 2016 household projections published September 2016) is 12,801 dwellings over the plan period (to 2033) which currently equates to 753 dwellings per annum.

The Council have been proactive in looking for all potential residential development opportunities with an initial focus on brownfield sites and sites within the Built Up Area Boundary (BUAB). Teville Gate is one of those sites that has been identified as a key town centre opportunity to deliver high quality homes. However, whilst further work is still ongoing as part of the local plan review process to identify further development opportunities, it was clear at an early stage of review that these sites /opportunities identified would not meet the identified needs of the borough. Therefore, the council also positively assessed the potential of edge of town sites. The conclusion of that review was that the council is proposing the allocation of 3 edge of centre sites. A further 3 edge of town sites have been assessed as being potentially suitable for residential development but that there are a number of constraints that need to be overcome to provide the delivery certainty to justify allocation, this situation may change as further evidence/information is submitted to as we move towards submission.

The proposal that provides for 378 residential units which is above the indicative 300 dwelling level assessed at DWLP stage, is welcomed. However, it's important to ensure that the homes delivered are the right size, type, tenure and quality that meets the identified needs of the local community and the policies of the NPPF and Local Plan policies.

The CS Policy 8 indicates that (based on the Strategic Housing Market Assessment –SHMA 2009) there was a need to redress the balance between 1 and 2 bed

homes ( 40% of all homes)and flats ( a third of all stock)to deliver houses and family sized homes.

The policy approach is therefore, one that seeks to increase the number of family size homes. It also seeks to increase other housing types other than flats. However, it does recognise the valid role flats play and particularly in high density, town centre developments like the application site.

It should also be noted that there may be circumstances where a larger two bed dwelling (accommodating at least 3 people) could be considered to be providing for family accommodation. There are a number of criteria that will need to be considered when assessing whether a dwelling is suitable for family accommodation. This includes matters such as suitable internal space and layouts that meet the needs of families including appropriate storage space (for buggies etc) together with direct access to useable private amenity space or garden for the sole use of the household.

The DWLP refers to the Worthing Housing Study 2015, which recommends the following mix of market housing:

1 bed = 15%

2 bed = 40%

3 bed = 35%

4 bed = 10%

The Teville Gate proposal has the following split which is based on the units being 100% market:

Studios = 91 =24%

1 bed DDA =11 + 1 bed = 126 = 137 1 bed units 36.2%

2 bed (3person) = 1 ,2 bed (4 person) = 137 =138 2 bed units =36.5%

3 bed (5 person) = 9 + 3 bed (6 person) = 3 = 12 3 bed units = 3%

Total = 378 homes

Where 31% of units are affordable the proposed mix is as follows:

Private/market – Total = 262

Studio – 90

1 bed x 73

2 bed x 87

3 bed x 12

Emerging policy does acknowledge that mix of sizes of units will depend on the site in question and that the likelihood that sites in and around the town centre and located near to transport hubs will be most suited to delivering one and two bed units.

### Affordable Homes

Existing CS policy and emerging policy requires that on sites of 15 and above there should be 30% affordable housing delivered on site.

The applicants refer to the provision of affordable homes at 31% which would equate to the provision of 116 affordable units. It is understood that the delivery of this level of affordable housing is dependent on the successful grant of £7.2m from HE. It is not clear whether any affordable housing will be forthcoming on this site if the grant is not achieved?

Further to the recent draft policy comments further information has been submitted which indicates the following mix of affordable units:

Social Rent - Total = 35

Studio x 2

1 bed x 18

2 bed x 15

Shared Ownership – Total = 81

1 bed x 45

2 bed x 36

In terms of mix of tenure this should be determined in response to identified needs, funding priorities and housing strategy targets at the time of the development. Emerging policy indicates that as a guide the councils preferred tenure mix is 75 % social/affordable rent and 25% intermediate housing.

The applicants have stated that assuming the delivery of 116 units 35 are being proposed for social rent and 81 as shared ownership. This is clearly contrary to the current policy approach which is one that seeks to address the significant housing needs that exist within the borough.

The council is currently updating its housing evidence for the next iteration of the local plan however, current evidence in the Worthing Housing Study (2015) clearly identifies a significant shortfall in the provision of affordable housing and the indications are that demand for affordable housing in the borough is likely to increase significantly. The 2015 study indicated that a total of 435 affordable homes a year would need to be built throughout the plan period if all housing needs were to be met.

The views of the councils housing department will be essential in assessing the appropriate requirements for this site.

### Internal Space Standards

The applicant has indicated that all the units meet the requirements of the Nationally Described Space Standards for the size of units proposed. This would meet the local plan requirements. The Nationally Described Space Standards state that the minimum space standard for a one person unit should be 39m<sup>2</sup> ( or 37 m<sup>2</sup> where there is a shower room not a bath).

### DDA units

11 of the proposed 1 bed units are proposed as DDA units. Do these meet relevant standards ? If any of these are likely to be affordable units we will need the view of the housing department as to what size of units are needed.

Emerging policy indicates that all new dwellings meet Building Regulations requirement M4(2) accessible and adaptable dwellings. For major developments at least 10 % of new build dwellings meet Building Regs requirement M4(3) wheelchair user dwellings.

### External Space Standards

Current council external space standards require at least 20m<sup>2</sup> of private outdoor space per flat. This can be provided in the form of communal areas, for use by residents, however, with larger and taller blocks some form of private outdoor space to be provided for each flat in the form of a balcony (or roof terrace). Communal space should normally be provided to make up the balance of the 20m<sup>2</sup> but this may be influenced by the design and location of the development.

There are 378 units proposed for this development which would equate to a need for 7,560m<sup>2</sup> minimum private outdoor space for the potential residents.

The applicants have stated that they are providing the following in terms of private and communal space:

Communal amenity space via podiums/terrace space = 5,470m<sup>2</sup>

Private amenity space (via balconies or private terrace space) = 856m<sup>2</sup>

This provides for 6,326m<sup>2</sup> of communal/private space.

Further clarification is required in respect of private terrace space of 1.5m (depth) for those units that front onto the communal podium/terrace space to ensure there is not double counting.

Consideration also needs to be given to the provision of space for drying clothes and storage space.

Careful consideration needs to be given to the location of the balconies, terraces and podiums.

According to the submitted plans:

Block B – the majority of units in block B up to level 9 will have balconies. No balconies from 10-13 and a split level communal amenity space at levels 1 and 2.

Block A – at each residential level of this block the apartments furthest to the south of the block would have private roof terraces with the remainder sharing

A communal amenity space terraces on northern frontage of the blocks at levels 3,5 and 7.

Block C – no balconies but a communal amenity terrace at level 4 and a smaller communal terrace on the east side overlooking Broadwater road .

Given that Broadwater road is a heavily trafficked road being a key route into Worthing, there are likely to be issues of traffic noise and air pollution consideration should be given to relocating amenity areas away from this frontage. The views of the councils Environmental Health teams are required.

### Family Units

The development includes 12 x 3 bed units which could clearly be used for family occupation. Whilst the inclusion of family units in flatted high density development is not in principle contrary to the policy approach careful consideration will need to be given to the location of these family units..

The Guide to Residential Development SPD –indicates that for the purpose of policy a family home is one that has 3 bedrooms or more with a suitable layout and level of internal space together with accessible usable amenity space to meet family needs. In addition, some of the larger 2 bed units (particularly the 4 person units) could be occupied by families.

Where family units are included within flatted high-density development they should be ideally located at ground floor level and if not then at lower levels of a development. In this case the 3 bed units can be found at levels 4/5/7/8 and 9.

Family homes need to have direct access to useable private amenity space for the sole use of the household. The amenity area will need to provide for general amenity, a safe space for children to play, drying of clothes and storage. In this proposed development they should be located at the lower levels and have direct access to the amenity spaces provided at podium /terrace levels.

### Open Space

CS policies seek to enhance existing provision of recreational and open space in the borough. Policy 12 – where sufficient capacity does not exist to meet the need created by new residents or users of development, the development should contribute what is necessary, either on site or by making a financial contribution towards the provision or enhancement elsewhere.

The DWLP and the most recent study (Open Space Study 2014) identified the following standards for the different open space typologies:

	Parks and Gardens	Natural / Semi Natural	Amenity Greenspace	Provision for Children and Young People	Allotments
Standard (per 1,000 population)	0.20	2.57	0.78	0.05	0.15

Open space, which includes all open space of public value includes formal sports pitches to open areas within a development, linear corridors and country parks. The Open Space study 2014 indicated that across Worthing there is a deficiency of in the amount of natural/semi natural and amenity greenspace.

In assessing the need arising from the development the applicants have indicated that the expected population arising from the development = 805.

They state that this population would result in a demand for 5ha of formal and informal open space (excluding requirements of equipped/designated play areas based on Field In Trust (FIT) standards – Guidance for Outdoor Sport and Play – Beyond the six acre standard London 2015))

They have then calculated provision based on A&W open space study as follows:

Open Space - proposed development brings forward a total of approx. 1ha of accessible open space made up of

-- Area of public realm = 0.36ha

-- Communal Amenity Terraces =0.55 ha

-- Private amenity space terraces = 0.9ha

- they state that using parks and garden and amenity green space standards the requirement for openspace for the 805 population = 0.79ha of open space.

Total private residential amenity space and open space proposed by applicants on the development:

3,597m2 Public Realm Space

5,470m2 Communal Amenity Podium/Terrace Space

856m2 Private Amenity Space

920m2 Play Scape of which 351m2 would be within public realm and 579m2 would be within the communal amenity terrace space.

As set out above there are 378 units proposed for this development which would equate to a need for 7,560m<sup>2</sup> minimum private outdoor space for the potential residents.

The applicants assessment is unclear and there appears to be potential double counting of 'open space' requirements and private amenity space. As a starting point it needs to be clear what level of demand there is for each of the typologies the proposed development will give rise to and then compare it to the actual provision locally (within a reasonable distance from the site and different typologies will have different distances).

DWLP policy CP8 states that major development for residential use will be required to provide open space on site in accordance with the Council's adopted standards. Where it is not possible to provide open space on site, contributions will be required to provide or improve open space off site.

It would be good to get the views of the Council's Parks department regarding opportunities for enhancement/upgrading opportunities.

The applicants are not proposing any financial contribution for the provision of open space.

The proposed location of a play area at ground floor level appears to be close to the junction of Teville Road/Broadwater Road junction – potential concerns over safety and air quality?

#### Retail/Leisure/Hotel

The policies in both the CS and DWLP includes retail and leisure uses as part of the acceptable mix of uses on this site.

The proposal includes:

Food Store A1 retail = 1,852 m<sup>2</sup> GEA

Retail units A1-A5 =999m<sup>2</sup> GEA

Gym D2 1,426m<sup>2</sup> GEA

Hotel (80 beds) 3,520m<sup>2</sup> GIA

CS Policy 6 seeks to direct new retail, leisure and office development to the town centre. It states that the sequential test will be applied when considering proposals for new out of town uses. At the time of the CS the evidence indicated that there was limited capacity for new convenience floorspace.

The DWLP identifies the Teville Gate character area. Teville Gate is located beyond the Primary Shopping Area and the town centre boundary of Worthing town centre, but does form a key entrance point or 'gateway' to the town centre. Located just south east of Worthing main railway station, this underused area creates the first

impression for visitors to Worthing town centre. It was identified within the 2006 Worthing Town Centre and Seafront Masterplan as an opportunity site with the potential for redevelopment and to create an attractive entrance into and towards the town centre.

The most recent retail evidence (prepared to support the DWLP) indicated that up until 2026 indicated a need for 1,250sqm (net) of convenience floor space and 9,200sqms (net) of comparison floor space it also indicated that there is a need to continue to support leisure uses and identified potential for new or enhanced leisure uses.

The NPPF seeks to ensure that no 'likely significant adverse impacts on existing town centre uses as set out in para 90 of NPPF'. Which states - 90. Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 89, it should be refused.

NPPF ....'the sequential approach requires a thorough assessment of the suitability, viability and availability of locations for main town centre uses. It requires clearly explained reasoning if more central opportunities to locate main town centre uses are rejected.

The checklist below sets out the matters that need to be considered when using the sequential approach as part of plan-making:

- has the need for main town centre uses been assessed? The assessment should consider the current situation, recent up-take of land for main town centre uses, the supply of and demand for land for main town centre uses, forecast of future need and the type of land needed for main town centre uses;
- can the identified need for main town centre uses be accommodated on town centre sites? When identifying sites, the suitability, accessibility, availability and viability of the site should be considered, with particular regard to the nature of the need that is to be addressed;
- If the additional main town centre uses required cannot be accommodated on town centre sites, what are the next sequentially preferable sites that they can be accommodated on?'

It is for the applicant to demonstrate compliance with the sequential test (and failure to undertake a sequential assessment could in itself constitute a reason for refusing permission). I have not seen a sequential test in the submitted evidence. The applicants will need to submit this and then we can consider the justification for the proposed location.

What the applicants need to submit:

The checklist below sets out the considerations that should be taken into account in determining whether a proposal complies with the sequential test:

- with due regard to the requirement to demonstrate flexibility, has the suitability of more central sites to accommodate the proposal been considered? Where

the proposal would be located in an edge of centre or out of centre location, preference should be given to accessible sites that are well connected to the town centre. It is important to set out any associated reasoning clearly.

- is there scope for flexibility in the format and/or scale of the proposal? It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal.
- if there are no suitable sequentially preferable locations, the sequential test is passed.

## Impact Test

What the NPPF says - What is the impact test?

*'The purpose of the test is to consider the impact over time of certain out of centre and edge of centre proposals on town centre vitality/viability and investment. The test relates to retail and leisure developments (not all main town centre uses) which are not in accordance with up to date plan policies and which would be located outside existing town centres. It is important that the impact is assessed in relation to all town centres that may be affected, which are not necessarily just those closest to the proposal and may be in neighbouring authority areas.*

*When should the impact test be used? - The impact test only applies to proposals exceeding 2,500 square metres gross of floorspace\* unless a different locally appropriate threshold is set by the local planning authority. In setting a locally appropriate threshold it will be important to consider the:*

- *scale of proposals relative to town centres*
- *the existing viability and vitality of town centres*
- *cumulative effects of recent developments*
- *whether local town centres are vulnerable*
- *likely effects of development on any town centre strategy*
- *impact on any other planned investment*

*As a guiding principle impact should be assessed on a like-for-like basis in respect of that particular sector (e.g. it may not be appropriate to compare the impact of an out of centre DIY store with small scale town-centre stores as they would normally not compete directly). Retail uses tend to compete with their most comparable competitive facilities. Conditions may be attached to appropriately control the impact of a [particular use](#).*

*Where wider town centre developments or investments are in progress, it will also be appropriate to assess the impact of relevant applications on that investment. Key considerations will include:*

- *the policy status of the investment (i.e. whether it is outlined in the Development Plan)*
- *the progress made towards securing the investment (for example if contracts are established)*

- *the extent to which an application is likely to undermine planned developments or investments based on the effects on current/forecast turnovers, operator demand and investor confidence*

*If plan policies are based on meeting the assessed need for town centre uses in accordance with the sequential approach, issues of adverse impact should not arise. The impact test may however be useful in determining whether proposals in certain locations would impact on existing, committed and planned public and private investment, or on the role of particular centres.'*

It should be noted that there is currently no adopted local threshold and therefore the NPPF threshold is the default threshold. However, emerging policy and the evidence that underpins it does indicate that a 500 sqm (gross) impact test threshold should be applied for retail uses with leisure and office uses remaining at the NPPF threshold of 2,500sqms.

## Retail

At the time of the draft policy comments no sequential test and impact evidence had been submitted for consideration. However, the applicant has now recently submitted a Retail Planning Statement to justify the location of the proposed retail uses of Food Store A1 retail = 1,852 m2 GEA Retail units A1-A5 =999m2 GEA.

## The current 2017 Retail Study

The following extract from the latest study

'Some foodstores across the Borough are trading very well (Sainsbury's, Lidl, Co-Op Goring Road, Tesco Express Broadwater), but a number of others are showing signs of under-performance in quantitative terms. On balance, when combined, the current convenience goods floorspace in the borough is trading in equilibrium, leading to a relatively limited requirement for new convenience goods floorspace over the period to 2026 (1,256 sq.m net), as summarised in Table A.

We would recommend against planning for additional convenience goods growth beyond the period to 2026 given continuing uncertainties in the market and the need for future study updates in the short-medium terms. To put this convenience goods 'need' figure into context, we conclude that the borough plans for a foodstore of the scale somewhere in between the smaller edge-of-centre Lidl and larger Waitrose foodstores. Owing to changes in the convenience goods market, large food megastores are not being built anymore, and this level of need would seem to sit comfortably with market appetite.

Table A: Convenience Goods Need Worthing Borough 2021-2033

2021	2026	2031	2033
672 sq m net	1,256 sq m net	1,791 sq m net*	3,168 sq m net*

\*indicative only and should be subject to further review

Application proposal = the proposal is for a 1,852 m<sup>2</sup> GEA – 1,481 sq m Net ALDI supermarket comprising 1,185 sq m (net) convenience and 296 sq m (net) comparison floorspace.

In addition, a mix of small units including uses from A1 to A5 to with a total gross floor area of 999sqms.

Sequential Test – In Section 5 of the report the applicant has looked at a number of more centrally located sites to see whether they would be able to accommodate the proposed convenience retail floorspace (ALDI store only). In terms of the sequential test the applicants set out their consideration of town centre sites and have concluded that there are no opportunity sites and/or vacant buildings that are available and suitable to accommodate the requirements of the planned retail and commercial leisure uses even after applying reasonable flexibility on issues such as format and scale.

The applicants justify their focus on the ALDI rather than the 'other retail' uses proposed in the following way :

*'With regard to the 999 sqm (GEA) of flexible Class A1-A5 floorspace proposed for the Station Square application site and the 1,426 sqm Class D2 gym to be operated by Pure Gym, we do not consider that these uses and floorspace should be subject to the sequential test. In our view these ancillary uses and floorspace are integral to the overall commercial viability of the residential-led Station Square site, and can only be accommodated on the application site. For the reasons set out above these uses should be treated as being "locationally specific" in this case, as they are intended to serve the day-to-day needs of the new residential population and workforce at Station Square, as well as the significant footfall that will be generated through the application site by those travelling to and from the railway station. They should not therefore be arbitrarily "disaggregated" from the application proposal. It is on this basis that we have undertaken an assessment of alternative sites in terms of their availability and suitability to accommodate the proposed Aldi store.'*

Impact Test – In Section 6 of the report the applicants argue that they have demonstrated that the proposed Class A1 foodstore, Class A1-A5 uses and Class D2 gym will not have a "significant adverse impact" on:

- Worthing Town Centre"s total (convenience and comparison goods) trade/turnover;
- the town"s overall vitality and viability, including local consumer choice; and
- existing, committed or planned investment.

The applicants have stated that particularly the ancillary Class A1-A5 and Class D2 (gym) uses, are specific to the Station Square application site as they are planned to meet the day-to-day retail, leisure and service needs of:

- the significant new population that will live in the proposed 378 new residential units;

- the existing population in the immediate area within easy walking distance of Station Square;
- those travelling to and from the railway station who will pass through Station Square and
- create the necessary critical mass in terms of footfall and expenditure to support the other retail, service and leisure uses;
- the guests in the 83-bed Premier Inn hotel and visitors to the Aldi store who will generate linked trip expenditure to the other shops, services, leisure facilities and businesses in the Station Square scheme; and
- the workforce in the area who will also spend money in Station Square's retail, service and leisure uses. This includes, for example, the circa 900 employees who will work in the adjacent Teville Gate House HMRC offices that are currently being erected.

It is acknowledged that the current retail study 2017 does indicate some capacity and that subject to the sequential test the proposed convenience (with some comparison floorspace) ALDI discount store could be supported. The approach to the sequential test for the ALDI store appears to comply with the tests set out in the NPPF and the applicants have considered key town centre regeneration opportunity sites and other sites within the main town centre and have justified why sequentially preferable sites are not available.

The applicants have undertaken an impact test on retail and gym uses proposed. They have tested their assumptions against the most recent retail study (2017). They have concluded that the proposed Class A1 foodstore, Class A1-A5 uses and Class D2 gym will not have a significant adverse impact on Worthing Town Centre's total (convenience and comparison goods) trade/turnover, and will not have a significant adverse impact on the town's overall vitality and viability, including on local consumer choice and on any existing, committed or planned investment.

Whilst consideration has been given to the town's main centre and quite rightly so there has been no consideration given to the impact on the smaller scale centres that are closer to the site. More specifically the impact on the South Farm Road Neighbourhood (Medium) Centre. However, as stated above the proposal and other developments in close proximity would significantly increase the local population both from residential and commercial and offices uses so it maybe that there may well be opportunities for the local centre to serve the new developments too.

#### Leisure/Hotel/Gym

CS Policy 5 and DWLP CP13 seek to support, develop and enhance existing and new visitor attractions and visitor accommodation to meet current and future needs.

The latest updated evidence for hotel and visitor accommodation indicated that there is ongoing market demand for a variety of new visitor accommodation.

The Hotels Future Reports 2013 and the Update 2016 (prepared for Kingsway Hotel proposal) are relevant reports for this application. The 2016 noted that at that time there had been little regeneration and development over the previous 20 years which led to a significant decrease in demand for hotel accommodation. In justifying the loss of the Kingsway hotel it was stated that the hotel had lost its corporate market to the new budget hotels (Premier Inn on seafront opened an 81 bed hotel in 2015). It also noted that there was an oversupply of hotel provision at the time of the 2016 application. The demand for budget hotels reflects a national trend. The report notes the possibility of a new hotel provision at Teville gate as part of the regeneration of the site. It should be noted that the evidence suggested that the introduction of the new premier inn (2015) only impacted significantly on one hotel and that was due to direct competition for the corporate business market but that it did not appear to have had an impact on other hotels to any extent.

The 2016 report notes the potential growth in contractor demand for hotel space linked to the proposed regeneration/key development opportunities across Worthing and more specifically in and around the town centre.

The proposed hotel is not in a town centre location but rather on an edge of town location. However, a hotel / leisure use has been a long term aspiration on this site as part of a wider mix of uses to deliver the regeneration of this key site.

It should be noted that the current premier inn has been successful in serving the corporate business market and the 2016 study suggested that they may have to turn trade away which suggests additional capacity for this type of hotel provision.

The current proposal forms part of a wider regeneration package which includes significant residential use, convenience retail and ancillary retail uses and a gym. It should also be noted that the proposed hotel is next to the new Teville Gate House – HMRC office site. In addition, to the new population arising from residential uses on site there are a number of other significant development close to the development site that may add to the contractor and corporate market demand. This includes proposed developments at Union Place, the Community Health Hub, Community Hub (at the library) together with other key sites in the town centre – Grafton site/Stagecoach site. There are also current proposals and further opportunities for intensification in the town centre (e.g Beales and Poundland – inclusion of increased residential use). In addition, proposals for improvements to the public realm across the town centre.

## Design

CS Policy 16 Built environment and design – seeks to ensure that all new development will be expected to demonstrate good quality architectural and landscape design and use of materials to take account of local physical, historical and environmental characteristics of the area. It goes to talk about how the development relates to its context and issues such as permeability and connectivity etc. A key requirement of the Teville gate development has been the provision of high quality public realm with cycle and pedestrian links from the station to the town centre and under the A24 to Morrison's having regard for the Worthing Public Realm Study.

Consideration needs to be given to the Grade II Listed Worthing Railway Station and Grand Victorian Hotel.

There are also underground utilities and a culverted watercourse running through the site.

### Tall Building SPD

This SPD sets out the requirements that need to be considered in relation to Tall Buildings. In respect of Teville Gate it notes that this site of strategic importance and its redevelopment provides a real opportunity to significantly improve the entry to the town centre and set high standards of design.

A key consideration when assessing new tall buildings is the effect they can have on the image of Worthing and their ability to contribute to the regeneration of sites.

The applicant's proposals should be assessed against the criteria in the SPD.

### Car Parking

The DWLP site specific policy indicates that the development of Teville Gate should include at least 100 replacement public car parking spaces.

### Digital connectivity

Emerging policy requires that all new development is at least full fibre ready. I note at para 4.1.55 of the planning and design statement it states that there is no detail design. We need to ensure both the commercial and residential units are full fibre ready or are laid with a 'fibre to the premises' network that could be connected to the wider network.

### Designing out crime

Has the proposal been assessed from this perspective? Teville Gate has been notorious for links with anti-social behaviour in the main linked to drug use. Its location in close proximity to the main railway station and issues of county lines.

### Sustainable design/climate change

Existing CS and Emerging DWLP policies and the guide to Residential Development set out current and emerging approach. Further work is being undertaken as part of the Local Plan Review to further strengthen the climate adaptation and mitigation of the whole plan to align with emerging National policy and local aspirations as set out in the recent Climate Change Emergency declaration. This is a key town centre site with a significant amount of development being proposed and as such a full assessment needs to be undertaken.

I understand the development is of a modular form of construction with units being constructed off site?

Issues of energy use/water consumption/renewable energy and heating systems/ biodiversity etc.

In terms of waste and recycling the applicant's state that as storage space will be limited there will be weekly/twice weekly or daily as necessary collection of waste/recycling. How will this be managed? Are there issues with the level of movement this would create in an around this site? How do individuals dispose of their waste and cycling what facilities are in place to encourage?

It would appear that a private refuse company would collect. Will this be for residential and commercial users?

Sustainable transport – the proposal is located in a highly sustainable location next to the station and transport hub .It does include 307 parking spaces, 352 cycle parking spaces. A transport Assessment /Transport statement and sustainable travel plan is required.

#### Additional Comments on Sustainability/Climate Change

Following the submission of the revised/updated sustainability statement the policy team have the following comments to make.

The Sustainability Statement states that the following energy hierarchy has been used to minimise energy consumption and CO2 emissions:

##### 1. Use less energy

###### Fabric heat losses

The Energy Statement states that the proposed development will incorporate high levels of insulation and glazing beyond Part L 2013 and notional building standards. Whilst this is factually correct, the tables on page 10 are misleading. For example, it shows that the U-value of the walls in the proposed dwellings will be 0.15. Whilst this is a 50% improvement over the Building Regulations, the nominal building u-value is 0.18. The actual improvement in wall U-value is therefore 22%.

Overall, the sample SAP assessment suggests that fabric heat losses in the proposed dwelling are 34.18 W/K, an improvement of 5.6% over the nominal building (36.12 W/K).

*Recommendation: The developer should provide a revised version of these tables showing the percentage improvement of fabric elements over the nominal domestic and non-domestic buildings.*

###### Ventilation and infiltration heat losses

The sample SAP assessment shows that the proposed dwelling has reduced heat loss from ventilation and infiltration than the nominal dwelling. This nominal dwelling calculation accounts for 2 intermittent fans. The proposed dwelling uses mechanical ventilation with heat recovery (MVHC). The SAP does not account for any additional heat losses due to this system.

## 2. Supply energy efficiently

### Heating

The proposed scheme utilises centralised gas boilers in each building for the residential dwellings; and air source heat pumps for the non-domestic units. There is currently no heat network in the area. However, the Council is currently exploring the potential for a heat network at the Worthing Civic Quarter. Given the close proximity of the site, the proposed development could be future proofed for later connection.

*Recommendation: If the scheme is approved, the developer should investigate the potential for connection to any future network serving the Worthing Civic Quarter. This requirement should apply to both the residential dwellings and non-domestic units. Plant rooms should be located and designed to facilitate future connection to a heat network.*

## 3. Use renewable energy

The proposed scheme incorporates roof mounted solar photovoltaic. The PV shall comprise 124kWp (650m<sup>2</sup>) of horizontal roof mounted arrays. The PV array will be connected to the domestic part of the development (landlord areas).

The solar PV array, in combination with the predicted energy saving from the non-domestic air source heat pumps would result in a total reduction in CO<sub>2</sub> emissions of 62,700 kg/year. As the Energy Statement states this is equivalent to 10% of emissions from regulated energy use. This is just under 5% of emissions from total (regulated and unregulated) energy use.

Policy 18 of the Core Strategy refers to the on-site renewable requirement in the South East Plan. This did not specify that this should be calculated on regulated energy use only.

*Recommendation: The developer should provide clear information setting out the energy and CO<sub>2</sub> use and savings against both regulated and total energy use.*

### Notional vs proposed buildings

The Energy Statement states that total CO<sub>2</sub> emissions have been reduced by 26.1% over the Part L 2013 baseline. The statement does not include sufficient information to verify this claim. Although it does not include percentages, the table on p12 suggests a reduction of 18% on regulated emissions (the reduction is 9% on total emissions).

Based on the sample SAP and SBEM calculations, the non-domestic units show a Target Emission Rate of 43, and a Building Emission Rate of 36.2. This is an improvement of 16% over the notional building.

The residential unit has a Target Emission Rate of 19.47, and a Domestic Emission Rate of 18.91. This is an improvement of 3% over the notional building.

*Recommendation: The developer should provide information clearly setting out how the figure of 26.1% has been derived and how this relates to the notional building in SAP and SBEM calculations.*

## Summary

In principle the proposal to redevelopment this key gateway site is to be welcomed. The mix of uses accords with those set out within local plan policies in that it the current proposal includes residential, retail and leisure uses.

However, the proposed application needs to be carefully assessed against the local plan policies in particular the specific site policy requirements, design, sustainable design and affordable housing policies. This key strategic site has the opportunity to provide a landmark gateway building of high quality design linking the station to the town centre. It provides the opportunity to deliver much needed affordable housing however, its delivery it appears is dependent on external funding. In addition, the proposed split of tenure for the affordable housing does not accord with emerging policy and the views of the housing department are required.

Further clarification is required in respect of the private amenity space and 'open space' provision. Careful consideration needs to be given to heritage assets in close proximity ensuring that no significant harm is caused to them or their setting. The issues around surface and groundwater flooding taking account of climate change needs to be addressed. Appropriate Sustainable Urban Drainage Systems need to be incorporated into the design. Issues around potential contaminated land need to be properly assessed and managed. Measures to protect the amenity of future occupants from unacceptable levels of rail and road noise need to be considered.

Given that this is a high profile key town centre site proposing a significant amount of development it is important that careful consideration is given to issues of sustainable design and climate change adaptation and mitigation.

It is however recognised that this a key gateway site that could provide significant benefits to the town as a whole. Taken as a whole the wider economic, social and environmental benefits of the scheme will need to be considered against any potential adverse impacts.

## **Technical Services**

Thank you for inviting me to comment on this application. The site lies in flood zone 1 and is liable to surface water flooding according to EA modelling.

The site is crossed by several foul and surface water sewers and also a piped water course. This piped water course is the historic route of the Teville Stream and carries a considerable flow during periods of heavy rainfall. The FRA is a bit weak in its comments concerning this 800mm brick structure as records provided by Southern Water were a little sparse. Fortunately I have historic record and

forwarded a copy of the appropriate Ordnance Survey Tile to the authors of the FRA.

I agree with the FRA that there are no recorded instances of surface water or ground water flooding on this site: however the Railway Station was flooded in 2012 and a mere 500m further east the Teville stream has caused significant flooding in Newlands Road and Homefield Park

I agree with the design figures of 1:40 year + 40% rain fall event and a surface water discharge rate n/e 5l/s/ha. Section 2 of the Drainage strategy confirms the site is underlain by London Clay and that infiltration rates would be too low to dissipate the surface water, therefore controlled discharge to the surface water sewer or piped water course is the only available option for disposal of water off site.

Four potential storage areas for surface water are listed, SUDS Planters, Permeable Paving, Attenuation tanks, and Permavoid, these combined provide exactly the design capacity requirement – therefore there can be no change of design without potentially compromising the storage capacity required.

As none of the Suds structures would be adopted by this Council there needs to be a clear maintenance regime built into the design with clear responsibilities for future maintenance.

In principle I consider the proposals to be clear and achievable.

### **Waste Services**

We feel there is insufficient area to store the 84 x 1100ltr bins that would be required to service the 350 flats that are planning to be built. We therefore suggest that the developer look into sighting a compactor unit that the concierge / caretaker can empty a couple of 1100ltr bins into on a daily basis.

Also they will need a recycling 32 yard unit (the same as we have at Tesco's)

This will also cut down on the time a crew would need to stay on site emptying 84 bins approx 2 hours.

*Applicant response:*

*We could look at making provision as suggested, however, as set out in the DAS and ES, the intention is for a private waste management regime with frequent collections possibly daily or more depending on recommendations of private waste management contractors. We would expect a proposal for such a regime to be subject to a planning condition requiring the submission of further detail for approval.*

**Waste Services** have responded if the applicant wishes to go down this route, Waste Services are likely to submit a price for the works to be undertaken as a comparable service to the private sector could be provided.

### **Representations**

26 letters of representation have been received on the following grounds:

- Loss of view from Stoke Abbott Road and other buildings facing north
- No need for another supermarket or gym
- The proposed tower is brutal in design
- Block C is ridiculously high and more akin to a 1960s North London housing development
- Block C at 21 storeys is far too tall and Block B at 13 storeys is also a very tall building
- Worthing is being eroded by inappropriate development
- Coastal Design comment should be made public
- 30% of the site is taken up by the hotel which is disproportionate. If such a proportion were used for residential purposes, heights could be reduced
- A scheme with traditional terraces with lofts and cellars would be more appropriate
- Although the site has been inactive for so long, to rush into such an intense scheme would be foolhardy
- Inadequate parking provision
- Increased traffic
- Poor access and egress onto busy roads
- The size of the site does not support this scale of development
- The required linkage to the town centre has not been proven
- The development tries to pour a gallon into a pint pot
- Loss of light and overlooking to properties in Bridge Road
- Adverse impact upon daylight and sunlight to surrounding residential properties
- The development should provide increased recreational opportunities
- No consideration of the local community against commercial enterprise
- Inadequate infrastructure provision
- Increased pollution
- Loss of taxi ranks

7 letters have been received neither supporting nor objecting to the application, but raising the following points:

- What provision is being made for extra GP/school places
- How much of the development will be explicitly for social rent as affordable rent is rarely affordable for those on lower incomes
- Why is cycle parking considered more important than social rent housing
- There is a shortage of secondary school places
- Parking is inadequate
- Will bus infrastructure be improved
- Any development needs to have sustainability at its core
- Worthing needs truly affordable housing
- A crucial factor in establishing the site as a gateway to Worthing is the quality of the pedestrian environment around it: such routes effectively terminate at the junction of Broadwater Road/Teville Road with no inviting pedestrian route beyond it. Thought needs to be given to the whole route.

2 letters of support have been received on the following grounds:

- The redevelopment of the site is to be welcomed (although public toilets should be provided, the faceted entrance to the proposed gym provides concealment areas and the proposed materials should prevent graffiti)
- Worthing requires more housing, especially affordable housing
- Overall height is not overpowering
- The view from Newland Road will be vastly improved
- There is a good mix of uses proposed

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

Saved policies from the Worthing Local Plan 2003: RES7 (Control of Polluting Development), RES9 (Contaminated Land), TR9 (Parking Requirements for Development), H18 (Residential Amenity)

Worthing Core Strategy (WBC 2011): Area of Change 5 – Teville Gate

Policies: 2 (Areas of Change), 3 (Providing for a Diverse and Sustainable Economy), 7 (Meeting Housing Need), 8 (Getting the Right Mix of Homes), 10 (Affordable Housing), 12 (New Infrastructure), 15 (Flood Risk and Sustainable Water Management), 16 (Built Environment and Design), 17 (Sustainable Construction), 18 (Sustainable Energy), 19 (Sustainable Travel).

Emerging Local Plan – Allocation Site A5 – Teville Gate

Supplementary Planning Documents:

Guide to Residential Development

Tall Buildings Guidance

Space Standards

Teville Gate – The Economic Case (July 2019)

The West Sussex Plan 2017-2022

West Sussex Transport Plan 2011-2026

National Planning Policy Framework (CLG 2019) including sections: 2 (Achieving sustainable development) 4 (Decision-making) 5 (Delivering a sufficient supply of homes) 8 (Promoting healthy and safe communities) 9 (Promoting sustainable transport) 11 (Making effective use of land) 12 (Achieving well-designed places)

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.

Sections 16 and 66 of the Planning (Listed Building & Conservation Areas) Act 1990 which require the Local Planning Authority (LPA) to pay special attention to the desirability of preserving the setting of listed buildings.

## **Planning Assessment**

### **Background and Policy**

The redevelopment of Teville Gate has been a key priority for the Council over a number of years. The original 1970s shopping centre and its environs declined to such an extent that the appearance of the site was well known beyond Worthing itself. The closure of the shops and the nature of the multi storey car park significantly detracted from the main approach into the town centre and its neglected appearance not only caused visual harm but quite likely adversely affected the economic well being of the town as a whole.

While the demolition of the multi storey car park, in addition to the shops already demolished, as well as the replacement of Teville Gate House has removed the eyesore buildings on the site, its undeveloped nature in such a central location in the town has also been harmful, in itself, as a gateway site into the town centre.

The planning history of the site adds to the above background. Since before 2000, schemes have been brought before the Council seeking redevelopment of the site. They have either been approved or, in the case of the most recent redevelopment scheme in 2010, been given a resolution to approve but the subsequent legal agreement was not completed. None of the approved schemes have been implemented and the difficulty of finding a viable scheme, even seemingly before the economic crash, appears clear.

In 2019, the Council commissioned an economic study of the site which concluded that beyond any monetary benefits, *potential reputational, image and agglomeration benefits of improving the site around the railway station* would be accrued as a result of the redevelopment of the site. The main economic benefits are likely to be

*‘external to the scheme itself’ yet the study warns ‘the financial case demonstrates that the scheme is not viable without the support of a grant from Homes England’.*

As with previous schemes, therefore, in principle the site offers a transformational redevelopment opportunity yet its viability (to be discussed later in the report) remains potentially difficult.

The Core Strategy identified the application site as an Area of Change with the supporting text recognizing the above position:

*The current appearance of the site and its prominence on the main route into the town centre gives a poor impression to both visitors and residents. The remaining buildings are of poor quality with unattractive design. Pedestrian access is limited and the flyover creates a significant barrier to movement. The area presents a significant regeneration opportunity for high density mixed use development, which could not only add to the offer of the town centre but also secure some residential development. Its redevelopment could then act as a catalyst to encourage the regeneration of adjoining sites and secure significant improvements to the adjoining approach to the railway station. The site could accommodate a retail element, with the key objective of supporting the existing retail uses in the town centre. It will be essential that the retail element does not directly compete with the retail offer of the primary shopping area in the town centre.*

*As a gateway site, the redevelopment of Teville Gate presents an opportunity for a high quality landmark building. The previous consent on the site demonstrates the ability to accommodate a tall building, with the consent for two residential towers at 18 and 11 storeys.*

*At present the arrival at the main station is poorly signed, with no obvious pedestrian link to the town centre. The redevelopment of Teville Gate would deliver a high quality pedestrian link with significant improvements to the public realm at Station Approach. There is a recognised constraint in the local sewerage system that any redevelopment of this site will have to address.*

The objectives of the Area of Change are also stated:

*This site is of strategic importance and its redevelopment provides a real opportunity to significantly improve the entry into the town centre and to set high standards of design and development. The mix of uses will address many of the aspects of Worthing’s overall spatial vision. The provision of modern leisure, retail and residential development (approximately 260 dwellings) will add to the economic viability and regeneration of the town. Improved transport integration and pedestrian access will help to form a strategic link between the railway station and the town centre.*

A number of development principles are listed:

- *Teville Gate will provide significant new mixed use redevelopment incorporating leisure, residential and supporting retail uses*

- *Redevelopment should maximise the site's proximity to Worthing Station and compliment the town centre offer*
- *Development should be of high quality with the ability to accommodate a tall building*
- *Good pedestrian and cycling linkages to the town centre*
- *Recognised constraints in the local sewerage system must be addressed*
- *The redevelopment of this site should not prejudice other regeneration sites coming forward on adjoining land.'*

The draft Local Plan identifies the site as an 'Allocation' rather than 'Area of Change' with the latter being defined as sites where *there is currently insufficient delivery certainty for these sites that would justify a specific allocation*. The allocation sites are defined as those '*...considered to be 'deliverable'. This means that they are viable, available and offer a suitable location for development. Importantly, the Council is of the view that they are achievable with a realistic prospect that housing (and other uses) will be delivered on each site within five years. As a consequence, the forecast capacity for these sites forms a key component of the Council's 5 year housing land supply.*

The draft policy identifies the following development requirements:

- *deliver a mixed use scheme with a minimum of 300 homes, retail and leisure uses, B1 commercial uses and at least 100 replacement public car parking spaces;*
- *ensure that any contaminated land issues are appropriately assessed and managed;*
- *ensure the development is made safe from surface and groundwater flooding taking climate change into account; and incorporate appropriate Sustainable Urban Drainage Systems to ensure flood risk is not increased elsewhere and where possible reduce flooding locally;*
- *protect and enhance nearby heritage assets and ensure no significant harm is caused to them or their settings;*
- *provide a high quality public realm with cycle and pedestrian links from the station to the town centre, and under the A24 to Morrisons, having regard to the Worthing Public Realm Study;*
- *protect the amenity of future occupants from unacceptable levels of rail and road noise;*
- *ensure no loss of employment Use Class B1(a) floorspace.*

The importance of the site as an allocation with the draft Local Plan can be demonstrated by the fact that the site intended to provide more than double the number of residential units than any other site. Only the HMRC offices in Barrington Road are predicted to provide more than 250 units but that site is an Area of Change rather than an allocation. Given that the Draft Local Plan goes on to say that '*It is clear however that, despite taking a positive approach to development, the delivery rate for housing will fall significantly below the levels of housing need*

*identified. Approximately 33% of the overall housing need will be met and that this would result in a shortfall in housing delivery over the Plan period of approximately 8,600 dwellings.* It is clear that the application site is of significant importance not only in terms of its prominence but also in terms of meeting future housing needs, delivering new commercial and retail floorspace and a Hotel to enhance the towns visitor accommodation.

Central government policy is contained within the National Planning Policy Framework (NPPF), a key principle of which the presumption in favour of sustainable development. Draft policy SP1 integrates this presumption into the new Local Plan by stating:

*a) When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.*

*b) Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.*

*c) Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether: i. the application of policies in the National Planning Policy Framework that protect areas or assets of particular importance provide a strong reason for restricting the overall scale, type or distribution of development in the plan area; or ii. any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole.*

The supporting text goes on to say:

*However, the NPPF also requires local authorities to take account of the different roles and character of their area. When considering the most appropriate spatial strategy for Worthing, national guidance is clear in that:*

- the intrinsic character of the countryside should be recognised;*
- heritage assets should be conserved in a manner appropriate to their significance;*
- patterns of growth should be managed so that development is focussed in locations which are, or can be made, sustainable;*
- previously developed land should be reused effectively;*
- full account should be taken of flood risk and coastal change;*
- adequate infrastructure is delivered alongside development;*
- allocations of land for development should prefer land of lesser environmental value - this will help to conserve and enhance the natural environment.*

It is clear that the government's objective is to significantly boost the supply of new housing and that brownfield sites in sustainable locations should be looked at proactively. The application site is one where previous attempts to redevelop it have demonstrably failed. Current national and local planning policy is quite clear that every attempt should be made to make it succeed on this occasion.

## **Planning History**

The planning history of the site is important in demonstrating that the Council has long accepted the principle of high density development on the site including significantly tall buildings. The 2010 scheme, had a resolution to grant permission and was only awaiting the completion of the legal agreement, including 2 towers effectively 20 and 26 storeys high. The previous 2006 consented scheme also included towers of 11 & 18 storeys in height.

Members of previous Planning Committee's which have considered development on this site have therefore accepted that while the development would have a demonstrable and significant impact upon Worthing's skyline, these would be outweighed by the overall benefits brought about by such a regeneration scheme. While the previous applications were determined some time ago, the 2010 scheme was, eventually, considered against the just adopted Core Strategy. Even at that time, the report stated:

*The difficulty has been that despite the grant of various planning permissions, the site remains undeveloped because schemes have not been commercially viable. The principle of a mixed use and high density development incorporating leisure, retail, cafés and residential uses has been accepted by the grant of permission for the previous scheme on this site in 2010. However, even this high density scheme is not now viable...even before the credit crunch and subsequent recession the previous permission was only of marginal viability and required a reduction in the normal s106 contributions and affordable housing thresholds.*

Since the consideration of the previous application, it is reasonable to conclude that government policy now requires local planning authorities to have greater regard to the viability considerations with regard to site development and that the provision of an additional supply of housing is of more prominence than was previously the case as shown in the government's commitment to significantly increase the supply of new homes and, in the case of the aforementioned Luton appeal decision, effectively conclude on certain proposals that development on a site is better than no development at all even if all policy provisions cannot be fully met.

Moreover, the change in position is reflected in the draft Local Plan which states:

*... the Plan sets an average minimum housing target of 246 homes per annum to be achieved by 2033. As explained further within the Housing Implementation Strategy, this is a target that is significantly higher (approximately 25%) than the levels of growth planned for within the Worthing Core Strategy. [which was 200 dwellings per annum] It is a challenging but realistic level of housing development that takes a positive approach to the allocation of sustainable sites whilst also providing the*

*appropriate balance between meeting development needs and protecting the environment and character of the borough.*

From the above, therefore, your Officers conclude that, in principle, the previous acceptance of tall buildings on the application remains highly relevant in the determination of the current application and only if there are very persuasive reasons to alter such a view should the Council do so given the consequent impact it would have upon the supply of housing in the town.

### **Viability and Deliverability**

As indicated in the adopted Core Strategy the lack of commercial viability has been a key reason why numerous planning permissions have not been implemented over the last 20 years. Once again viability is an important material planning consideration in determining this current application.

Previous schemes have sought to negotiate lower s106 costs and a reduced affordable housing provision because of viability concerns despite the inclusion of tall buildings and high density mixed use schemes. The last scheme resolved to be granted permission in 2010 proposed only 7.7% affordable housing to be delivered off site (20 dwellings) and a reduced level of s106 towards off site infrastructure improvements. This scheme was also approved before the introduction of Community Infrastructure Levy (CIL).

The 2010 scheme was underpinned by a large supermarket (Sainsburys) and a large multiplex Cinema which relied on a large basement parking area (containing nearly a 1,000 parking spaces). The provision of basement parking affected the scheme viability and as a result has not been taken forward into this scheme. The current scheme retains the Hotel and a smaller Discount store and significantly increases the amount of residential development (from 229 dwellings to 378). However, even at this density and by not incorporating basement parking, the applicant has presented a viability case that demonstrates that the scheme would require public funding to deliver 30% affordable housing, the public realm improvements through the site and s106 development contributions.

Whilst, the applicant could have relied on the viability case not to deliver the affordable housing, particularly as the CIL payment required would be several million, the applicant has recognised the importance of delivering affordable housing given the need that exists in the Town. The submitted viability case, therefore, has assumed an element of Homes England funding to ensure a viable development and has committed to deliver a policy compliant scheme in terms of delivering 30% affordable housing.

Tab	Description	Grant Funding	Residual Land Value	EUV	Surplus/ Deficit	Viable / Non-Viable
1A	31% with £7.8m grant	£7,810,912	£1,212,000	£1,212,000	£0	Viable
1B	31% without £7.8m grant	£0	-£8,274,768	£1,212,000	-£9,486,768	Non-Viable

The submitted viability report concludes that,

*'You will note from the table above that the scenario including grant funding (at Tab 1A) is at a nil surplus/deficit position whilst the scenario that does not include grant funding (at Tab 1B) shows a significant viability deficit, and should therefore be considered technically 'non-viable'.*

*In these situations I would usually recommend that the planning obligations and/or affordable housing element of the scheme are reduced until the 'breakeven' point is found: where the RLV equals the EUV and the scheme can be considered 'viable'.*

*I understand the applicant is committed to seeing the scheme proceed at the level of affordable housing shown (despite the sizeable deficit), provided that they are able to secure grant funding from Homes England.*

*However, should grant funding not be available, my analysis indicates that my client would be faced with an £9.49m deficit – which is essentially an amount of 'normally' available profit which is being eroded. This level of deficit would be too onerous for my client and would therefore place serious doubt over the scheme proceeding at all.*

*With the provision of grant funding and with the offer received from Southern Housing appended to this submission my client has confirmed they would be prepared to proceed with the scheme at 31% affordable as illustrated in Tab 1A.'*

Prior to the application being submitted the Councils' Major Projects and Investment team have been working with the applicant to secure Homes England (HE) funding from its Housing Infrastructure Fund (HiF). This has been a protracted process and has involved both HE and the Council commissioning independent viability assessments to demonstrate that the scheme required some level of public subsidy to ensure scheme delivery. Ironically the first viability review indicated that the scheme was even less viable than the applicant suggests, primarily on the basis that it was felt that sales rates for the new apartments were overly optimistic.

As a result the Council commissioned Avison Young to undertake a further assessment and it has concluded that the scheme would require an increased level of HE funding to enable the scheme to proceed. This is illustrated in the table below:

Scheme Revenue	
Private Residential GDV	£68.4m
Affordable GDV	£21.0m
Commercial GDV	£20.4m
Funding (Homes England)	£9.4m
<b>Total Revenue (GDV)</b>	<b>£119.3m</b>
Scheme Costs	
Construction Costs	£93.0m
Developer Contingency	included
CIL (assuming affordable housing discount)	£3.1m
s106	£378
Finance	7.5%
Marketing	1.5%
Sales Agent & Legal Fees	1.5%
Professional Fees	8%
<b>All Costs (excluding Land)</b>	<b>£111.7m</b>
Residual	
<b>Profit</b>	<b>£15.5m</b>
<b>Residual Land Value (RLV)</b>	<b>-£8m</b>

The Councils' Viability Consultants overall conclusion is that even with a £9.4 million HE funding contribution and a 15% profit margin the scheme still shows a residual land value of £8 million. The Councils appointed Consultants conclude that,

*'We have been provided with a number of sources of information in order to provide an assessment of the proposed scheme at Station Square, Worthing, with the latest information available.*

*We have established a Gross Development Value by reviewing the pricing schedule provided by the developer and applying our own estimates of the likely values of the private sales units and the residential parking within the scheme. We have made our own assumptions on the value of the affordable units.*

*We have established the GDV of the commercial units by capitalising rents based on the offer letters from proposed commercial tenants, or on our own view of market rents (in the case of the smaller retail units). We understand from the developer's solicitor (Appendix IX) that the forms of legal agreement are being agreed with a view to completing in 6 to 8 weeks (on a subject to planning basis).*

*We have adopted the build costs provided by RFL, which we understand have been peer reviewed by Gleeds. These have also been used to establish the likely amount of funding which might be available from Homes England which the Council would utilise on the construction of the public realm and other site-wide infrastructure. We have also had regards to the construction programme provided by Gleeds, commissioned by the Council.*

*We have made our own assumptions as to professional fees, finance rate and sales timing.*

*Our appraisal (incl. Homes England funding) provides a negative land value of c£8m or sub-optimal profit. We have run further sensitivities which show there would need to be more than a 10% reduction in costs and 10% increase in sales values to reach a positive land value and appropriate profit level.'*

Members will be aware that for mixed use schemes a number of developers have indicated that there is greater risk and consider that any appraisal would need to demonstrate a 20% profit margin. However, Members are also aware that developers have also proceeded at lower levels of profit. Notwithstanding, the above assessment the applicants remain confident that they can deliver the scheme and have provided HE with supporting letters from named operators (to take the commercial floorspace), an offer from a Registered Provider and letters of intent from major investors/funders. This has reassured HE and the applicant is confident that the expected HE funding can be secured and that the level of risk associated with the scheme has been reduced to the extent that profit margins can be reduced.

The marginal viability of this scheme is clearly a material consideration in assessing the development and in undertaking the appropriate planning balance.

## **Principle of Development - Land Use**

As the history section of this report highlights, there have been a number of permissions for mixed use schemes and leisure proposals for the site. The principle of mixed use schemes have been accepted, therefore, in the past. Nevertheless, the site is in an out of town location and national planning policy stresses the importance of a town centre first principle to ensure the future vitality and viability of town centres. Given the difficulties that many town centres are facing with a declining retail sector, it is essential that investment is not diverted away from town centres if this can be avoided.

Para 89 of the NPPF advises local planning authorities that,

*'When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m<sup>2</sup> of gross floorspace). This should include assessment of:*

*(a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and*

*(b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).'*

The application which includes a range of town centre uses such as a Discount store, gym, retail and an Hotel would be located in an out of town location (300 metres away from the primary retail frontage). Having regard to the advice in NPPF the applicant has undertaken a sequential and retail impact assessment. The submitted report highlights that the Core Strategy identifies the site as being suitable for a *'mix of new residential, leisure, commercial, entertainment, retail and employment uses'* and that all the commercial uses are essential to support the overall viability of the residential led development. This approach is supported by reference to various appeal decisions.

Your Officers generally support the reports conclusions, in particular that the flexible Class A1-A5 floorspace and the Class D2 gym are ancillary uses and this commercial floorspace is integral to the overall commercial viability of the residential-led development. In addition, the conclusion that there are no preferable sequentially preferable sites available in the town or edge of centre sites that could accommodate the proposed Discount store. A number of town centre sites were assessed but as Members are aware a number of these are being promoted for alternative high density development or are unavailable in the medium term.

In terms of the impact assessment the report assesses the worst case scenario for all the A1-A5 use classes to be used for convenience or comparison goods and still concluded that the impact would not be significant impact. The report states that,

*For both convenience goods (Scenario 1) and comparison goods (Scenario 2) the table shows that the impact of the proposed floorspace would range from -0.11% to -0.13% on the town centres total (convenience and comparison goods) turnover at 2021, and would fall to around -0.10% by 2026.*

The report considers that the proposed gym would only have a positive impact on the town centre and in many respects the gym does provide benefits to the new residential community, the proposed Hotel and be a benefit to commuters and office workers in the new Teville Gate House. Overall your Officers support the reports conclusion that the development would *not have a significant adverse impact on Worthing Town Centre's total (convenience and comparison goods) trade/turnover, and will not have a significant adverse impact on the town's overall vitality and*

*viability, including on local consumer choice and on any existing, committed or planned investment.*

As indicated earlier, in view of the housing need that exists in the town, and the highly sustainable location of the development there is no objection, in principle, to a high density residential led scheme on the site. The market housing mix proposes a mix of studio, 1, 2, and 3 bed apartments is also considered acceptable, particularly given its proximity to the station for young professionals.

### **Affordable Housing Provision**

As stated earlier, the applicant has committed to deliver a policy compliant scheme in terms of the level of affordable housing to be provided, notwithstanding the viability concerns relating to the project. However, it is apparent that this can only be secured with public sector funding of circa £9 million.

The adopted Core Strategy requires 30% affordable housing and for this development this would result in the provision of 114 apartments (113.4 - rounded up). Of this 30%, the application proposes 70% shared ownership and 30% affordable rent. The number of affordable homes proposed has been confused by viability reports indicating different numbers. The applicants viability assessment suggests 116 affordable homes (34%) with a mix as set out below,

Affordable Tenure	Beds	Number of Apartments
Rent	Studio	2
	One Bed	18
	Two Bed	15
Shared Ownership	Studio	0
	One Bed	45
	Two Bed	36
Total Affordable		<b>116</b>

The latest viability report submitted to Homes England (HE) suggests only 112 apartments and the applicant has been requested to clarify the situation. Members will be updated at the meeting.

In terms of tenure mix the Core Strategy states that,

*The appropriate mix in terms of housing tenures, house sizes of affordable housing and spread within a development will be determined in response to identified needs, funding priorities and housing strategy targets at the time of the development.*

The adopted Adur and Worthing Housing Strategy (2017 - 2020) does not set targets for different types of tenure but it does highlight the low level of social rented accommodation compared to the national average. As indicated by the Head of Housing the level of rented accommodation is disappointing and would be contrary

to the emerging Local Plan and draft Housing Strategy (due to be considered by Joint Strategic Committee later in March).

The Consultation Draft of the Local Plan suggested that the preferred affordable housing tenure mix would be 75% social/affordable rented housing and 25% intermediate housing (shared ownership) based on the extent of current and future housing need. As a result your Officers did seek a higher proportion of rented accommodation, however, in view of the viability of the project the applicant has indicated that any increase in affordable rent would only increase the risk that the scheme would not be viable. It would be important, therefore, to ensure that the rented accommodation proposed is of a rent that would be affordable to those on the Councils housing waiting list and this would mean securing the affordable rented apartments being set at a level comparable with Local Housing Allowance (ie less than 80% of market rent). This would have to be negotiated in any s106 planning obligation.

On the basis that the principle of a residential mixed use scheme is acceptable, the main issue in this case is whether the density, scale, height and massing of the development is acceptable in this key gateway location.

### **Tall Building Guidance**

In 2013, the Council adopted the Tall Buildings Guidance Supplementary Planning Document (SPD). The SPD acknowledges that due to the compact nature of the town, there will be an increasing pressure to build upwards, a pressure that has become more acute with the need to provide even more housing than was anticipated at the time the SPD was adopted. The SPD defines tall buildings as being between 7 and 10 storeys and very tall buildings over 11 storeys in height. Block A of the application is therefore a 'tall' building and blocks B and C 'very tall' for the purposes of the guidance. With regard to tower buildings, as proposed particularly by blocks B and C, the guidance states:

*Tower (landmark) buildings are generally buildings that are tall and thin with a slender profile, and contrast substantially in height from the majority of buildings within the surrounding area. By their very nature, they are designed to stand out and make an impact. In the right location landmark tower buildings can: make the best use of tight sites; add interest and drama to the skyline; have a positive impact on long range views; create a 'location'; provide a focus for regeneration; help with wayfinding; and create vitality and interest. However, the visual impact and prominence of a landmark tower will be felt over a wider area than that of a townscape building and because of this, they are usually a difficult type of higher building to design and integrate sensitively into the landscape.*

The guidance notes that '*Towers can be particularly appropriate on town centre sites where their density and prominence can act to enhance the vitality and wellbeing of the town*'.

The guidance goes on state the role of tall buildings:

*In the right place tall buildings can make positive contributions to urban life in a way that can also create a distinctive skyline. They can be excellent works of architecture in their own right. Individually, or in groups, they affect the image and identity of a town or city as a whole. In the right place, they can also add to the vitality of an area and serve as beacons of regeneration helping to stimulate further investment and support new public spaces. They also make efficient use of land and can deliver a mix of uses and provide landmarks and gateways. The design and construction of innovative tall buildings can also serve to extend the frontiers of building technology...Tall buildings should be sited and designed in order to maximise their potential to add vitality to the area and contribute towards meeting regeneration objectives.*

The SPD does, though, state that caution should be applied as well:

*there is a risk that [an] applicant may put pressure on the Council to relax tall building guidance in order to facilitate regeneration. Although the ability for a development to assist in the delivery of regeneration is an important consideration this, in isolation, should not outweigh other elements of this guidance.*

In respect of locational criteria, the guidance states that tall buildings should be located around transport interchanges and clearly in this respect, there are few better sites in the town to satisfy such criteria as this one. Similarly, it is advised that tall buildings should be located close to the town centre so that the increased population arising from the development has access to a range of services as well as contributing to the general regeneration of the area. Lastly, access to open space, as well as providing sufficient amenity space within the development itself is also a pre-requisite to the siting of tall buildings.

Of particular relevance, is the capacity of tall buildings to support regeneration. The guidance states:

*In some instances the support and approval of a tall building may help to 'unlock' stalled development sites. However, the need to maximise the use of the site will need to be balanced against development viability and all other potential impacts set out in this guidance. Creating dense and vital communities and development can take many forms and building tall is only one of them. The appropriate form of composing an increased amount of development, tall or otherwise, will need to be explored and tested with relation to guidance found in this document.*

It is concluded that the town centre offers the greatest opportunity to support mixed use development that would support wider regeneration aims.

Historic England also provides advice on tall buildings (Tall Buildings, Historic England Advice Note 4 - 2015).

*'Tall buildings need to set exemplary standards in design because of their scale, mass, wide impact and likely longevity. Good design will take the opportunities available for improving the character and quality of an area and respond to local character and history (NPPF paragraphs 58 and 64). It is important that the required high standard of architectural quality is maintained throughout the process of*

*procurement, detailed design, and construction, through the use of conditions and reserved matters.*

*Given their likely impact on a wide area, it is important that social and environmental effects are also assessed. Consideration needs to be given to a tall building's contribution to public space and facilities. This applies both internally and externally, including the provision of a mix of uses (especially on the ground floor of towers), as part of a well-designed public realm. Consideration of the impact on the local environment is also important, including microclimate, overshadowing, night-time appearance, light pollution, vehicle movements, the environment and amenity of those in the vicinity of the building, and the impact on the pedestrian experience. Well-designed tall buildings provide an inclusive environment, both internally and externally, taking opportunities to offer improved permeability, accessibility and, where appropriate, the opening up or effective closure of views to improve the legibility of the wider townscape.'*

## **Design, Height, Scale, bulk and Massing**

The above guidance demonstrates that there are different approaches that can be used to develop the site and this is reflected in the designs for previous applications on the site. It is highly relevant that the principle of tall buildings on the site has been accepted and this has largely been due to the strategic location of the site (a key gateway site when approaching the town centre by car, bus or rail) and generally the separation from lower scale residential buildings to the north, east and west. The site is very prominent when viewed from Broadwater Road but is less visible from the historic town centre and seafront due to the topography of the town (this is discussed in more detail under Landscape and Townscape Visual Impact).

The 2010 scheme incorporated a curved form of twin towers, elliptical in shape with the use of a significant amount of glazing and light coloured panels to create a lighter building. The design sought to reduce the visual impact of the tall buildings when viewed from the north and south but this created a wide elevation with less vertical emphasis. The 2010 scheme had the advantage of achieving a comprehensive development solution by incorporating Teville Gate House. Its design now appears rather dated and post Grenfell most taller buildings now avoid the use of cladding panels.

The current scheme has evolved over the last 3 years with two different architects and the involvement of the Design Review Panel on 3 separate occasions. It was accepted at an early stage that the most appropriate location for a tall building was the NE corner. The early philosophy was for the buildings gradually to rise from the south towards the NE corner and the tall building acting as a landmark feature, a beacon at the entrance into the town centre. The ES describes the scheme evolution and the various design approaches.

Early in the design evolution the opportunity to visually demarcate the 'gateway' to the town centre from the adjacent approach from the north resulted in the inclusion of a taller tower element. Its positioning at the northeast corner of the site was also considered to create the least impact on its surroundings in terms of overshadowing and overlooking. Reaching 22 floors, this north-eastern tower will be very prominent

not only along Broadwater Road, but also in long distant views from numerous points around Worthing. Likewise, at 15 storeys, the tower element at Bay View, Splashpoint, views and glimpses of which, can now be seen from a large number of vantage points around the town.

The architects attempted to simplify the massing of the form and detail of this tower element following the comments of the South East Design Panel review in May 2018, as illustrated in fig. 3.4.1 of the Design & Access Statement. The expressed tower form is part of a larger block where the residential elements step down in scale to 13 storeys to the south, and the hotel element steps down more dramatically to 8 storeys to the west along Railway Approach. In this scheme the bulk of the tower element which accommodates five flats per level, has been visually subdivided by the use of differing colours of the material finishes to emphasise the vertical proportions which terminate in a varying heights. This helps with the perceived slenderness of the tower elements.

The applicant's requirement for a certain quantum of development has understandably had a major influence on the massing of the scheme. The introduction of an 80 bedroom budget hotel along railway approach resulted in the 'displaced' residential units needing to be accommodated elsewhere on the site. One of the knock-on effects has been the enlargement of the central area of development to form a second, 14 storey, lower tower element. In views from the top end of Chapel Road, this extra mass becomes very visible on the skyline, adding greatly to the stacking up impression of the various blocks, whilst this part of the development has little in the way of setting being situated with open carparks to the north and west, and the rear elevation of the new Teville Gate House development. This is a weakness of the scheme, but has arisen from the necessity to ensure the scheme is viable.

The lower block A would therefore rely on a more horizontal banding and would provide a visual contrast with the remainder of the development. It is noted that the block is described as the 'architectural focus' of the proposal. This perhaps contrasts with the previous schemes where the 'architectural focus' as such could have been described as the taller buildings proposed. It is a subjective judgement as to where such architectural focus should be concentrated on a site such as this – if concentrated on the taller buildings, this can make the ability to achieve taller buildings with a thin and slender profile (as suggested by the SPD) more difficult to achieve. In itself, though, Block A is considered to represent an attractive entrance to the site when viewed from the south and the limited comparative scale of the building will mean its architecture will be appreciated in its more immediate environs rather than being seen from a distance.



Block A - South Elevation



Block A - East Elevation

Blocks B and C by contrast, therefore, attempt to create a strong vertical emphasis which was not as apparent in the previous scheme when viewed from the east and west. Because of the width of the blocks vary, it is intended that the buildings appear as a cluster. The approach to these blocks is described as *The palette would be derived from local influence, such as complementing tones of buff, red and grey brick. The façade materials would identify key parts of the massing, working with bay and recess geometry to breakdown the proposed development into vertical elements. This architectural approach helps in the creation of more slender forms.*

The relatively deep nature of the site (given as 130 metres by 130 metres) does mean that there is scope to consider the siting of the proposed towers. Whereas previously the towers were situated more centrally within the site, the tallest block (C) will now be situated in the north eastern corner of the site. The justification of the siting is given as

*Block C, the tallest of the three blocks, is at the most north easterly point of the site. With the blank facades of Morrisons supermarket to the east and the nearest buildings to the North at over 68 metres away accordingly. This is where we have*

*positioned the highest block. This is a landmark tower, adding interest and drama to the skyline; helping with wayfinding and providing a focus for generation. This is the gateway into Worthing seafront and the perfect location for a tall building, adding a 'sense of arrival'.*

The distance from the nearest buildings would appear to be sufficient to comfortably accommodate the building in that respect but equally as acknowledged by the description 'landmark tower' will increase its prominence. Supporting information submitted with the application shows, for example, the tallest tower as rather more prominent when viewed from the railway station entrance, albeit this may be somewhat reduced when the Teville Gate House development is completed.

Previously, it was concluded that while redevelopment of the site with tall buildings would substantially change the character of the area, given the prevailing character of the town is low rise, the creation of an area with its own cluster could make a positive contribution to Worthing's skyline. Equally, while there would be a significant change to the setting of nearby listed buildings, it was not considered that such a change would necessarily be harmful as the 'clean lines' of the new development would not conflict with the 'intricate vertical features' of the listed building. It is not considered that the greater vertical emphasis of the proposed development would cause harm to the setting of the listed buildings, therefore.



Block C - East Elevation

Block C



The smallest building form occupies the south-eastern part of the site and has been designed as the architectural focus of the development, to provide a visual contrast in terms of form and materiality to the other blocks. The horizontal emphasis of the facades derives from the Art Deco influence of Worthing's existing heritage. The ubiquitous use of render with this type of building style has been substituted by contemporary perforated metal panels. The white horizontal bands appear to follow the gentle curves of the building form whilst remaining proud, pulling further away from the surface to create the balcony balustrading at the southern and northern ends of the building. Copper-gold perforated metal panels are used as external dividers, further enlivening the building facades. The use of high quality materials together with well-conceived sensitive detailing will be essential prerequisites to ensure this building retains the architectural focus of the site.

## Townscape and Visual Impact

### Wider Landscape - National Park

*In terms of effects on visual amenity, the TVIA indicates there would not be significant effects on the receptors within the SDNP. While the proposed development would be visible from the SDNP it would be seen as minor new feature and would not compromise the special qualities of the SDNP or impinge on views of features in the wider landscape and would not alter the perception of the night sky.*



## Townscape Impacts

As identified by the Townscape and Visual Impact Assessment (TVIA) the most significant effects would occur on the townscape and visual resources identified within a limited geographical area in close proximity to the application site and within the urban area of Worthing. A number of views including from residential areas are identified to have *direct permanent adverse effects*. However, the TVIA also considers that there would be localised beneficial effects on the townscape.

There is little doubt that the development would have a dramatic impact on the character and skyline of Worthing. In assessing the impact from various viewpoints it is relevant to compare some of the key viewpoints with the previous 2010 scheme and these are shown below.

*From Worthing station looking South-east*



Note: This image has been updated since the TVIA to illustrate the replacement Teville Gate Office building.



*Looking Northwards from Chapel Road*





Looking West from Newlands Road



*Looking East from Teville Road*



*Looking South from Broadwater*





*Looking North from the Pier*



*The TVIA includes an assessment of the potential effects on the visual amenity of residents of properties within the study area. The assessment has identified*

*residential areas or 'groups' representative of views that may be experienced from those areas of Worthing. The TVIA does not assess the effects on views from individual properties. 1.401 There would be likely significant direct permanent adverse effects on the following visual receptors associated with:*

*x Residential Group 1 / Representative Viewpoint 9; x Residential Group 2 / Representative Viewpoints 6 and 8; x Residential Group 3 / Representative Viewpoint 8; x Residential Group 4 / Representative Viewpoint 5; x Residential Group 5 / Representative Viewpoint 7; x Residential Group 6 / Representative Viewpoint 4; x Residential Group 7 / Representative Viewpoint 1; x Residential Group 8 / Representative Viewpoint 2 and 11; x*

*Receptors using Parks and Open Spaces; x Receptors using recreational routes; and x*

*Receptors using transport routes in close proximity to the proposed development. 1.402 There would be likely significant direct, permanent adverse effects on the following key representative viewpoints: x Viewpoint 1 - Chapel Road opposite Rivoli Court; x Viewpoint 2 - Chapel Road near Worthing Tabernacle Church; x Viewpoint 5 - Railway Approach opposite Worthing Railway Station; x Viewpoint 6 - Broadwater Road at Broadwater Bridge; x Viewpoint 7 - Junction of Newland Road and Park Road; x Viewpoint 8 - Junction of Quashletts and King Edward Road; x Viewpoint 9 - Junction of Southcourt and Westcourt Road; x Viewpoint 10 - Junction of Chesswood Road and Ladydell Road; x Viewpoint 11 - Victoria Recreation Ground; x Viewpoint 12 - Junction of Heene Road and Tarring Road; and x Viewpoint 13 - Junction of Georgia Avenue and Broadwater Road 1.403 There would be likely significant direct, permanent beneficial effects on the following key representative viewpoints: x Viewpoint 4 - Junction of Teville Road and Christchurch Road. 1.404*

*The effects relate to the change to views, the amount of the proposed development that would be visible and the nature of such change in the context of the residential area being assessed. 1.405 For the majority of residents in Worthing, beyond those identified in close proximity to the application site, the effects would not be significant as the proposed development would be seen as a new addition to the urban fabric within an area of change and is likely to be perceived as landmark building, reestablishing the location of the station. 1.406 The assessment indicates that transport receptors in close proximity of the proposed development are likely to experience significant adverse effects due to the short distance from it. Beyond the immediate local area, proposed development would be a less noticeable feature or would be a minor feature in more distant views. 1.407 With the exception of Viewpoint 13, all these viewpoints are located within 0.35 km of the proposed development. The significant effects primarily relate to the short distance from the proposed development and the amount of the proposed development that would be visible. Viewpoint 13 is located 0.7 km to the north of the proposed development. In this instance views are channelled towards the proposed development which would appear slightly elevated due to the rising land leading up to Broadwater Bridge. 1.408 No additional measures have been identified to reduce the townscape and visual effects. 1.409*

## **Heritage**

Ace House, Bridge Road, is an early Victorian stuccoed villa, built circa 1840. Originally fronting directly onto Broadwater Road, until 1969 when the current dual carriageway, steel and concrete A24 road bridge opened. The rising bridge severely compromised the setting of the important entrance frontage of this building. The multi-storey carpark at Teville Gate built in 1971 further severed the visible link of this property to Worthing town centre. The currently proposed development at Teville Gate will result in views to the south being dominated by the new tower element on the north-eastern corner of the Teville Gate sites.

The original brick and flint, 2 storey, Worthing railway station was built in 1945 to serve the newly constructed, Brighton to Portsmouth line. Originally approached via a sweeping road linking into the northern end of Chapel Road, the prominent setting of this building was seriously compromised by the erection of the Teville Gate development in 1971. This development effectively closed down the original access route, substituting it with a poor, site bound, pedestrian access route. Currently under construction, the new Teville Gate House office building at 5 storeys, is located closer to the original railway station building and exerts quite a dominant effect on the setting on the building's setting. The impact of the current proposed development should be minimised through a carefully considered hard and soft landscaping scheme which creates a strong identity to the space immediately to the south of the old station building.

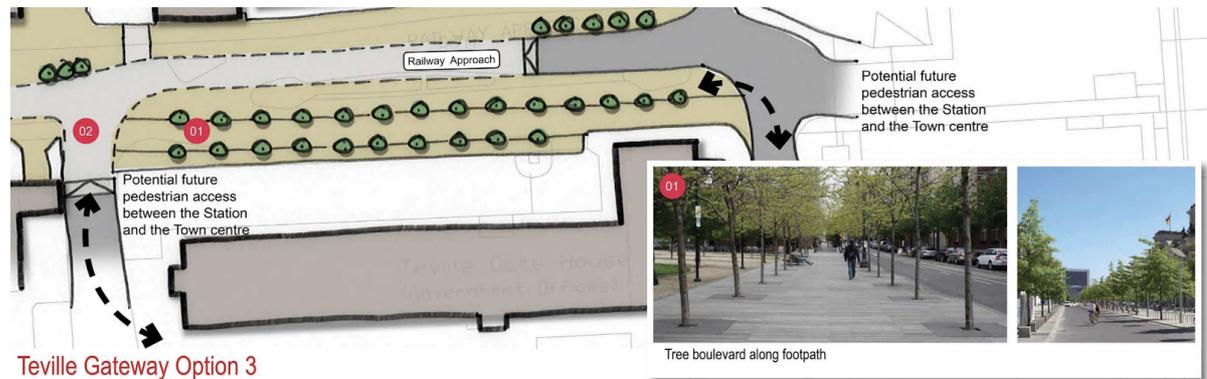
The principal feature of the Grand Victorian Hotel, built circa 1900 is a 3 storey, octagonal corner turret with an ogee-shaped tiled dome and finial. It is this feature which greets passengers exiting the station having arrived in Worthing by train. This building, due to its scale and exuberant vernacular revival style, acts as a focal point to the space immediately in front of Worthing railway station. The proposed development will be separated by some distance from the Grand Victorian Hotel by the new 5 storey Teville Gate House building. When viewed from the railway station entrance the upper parts of the northern and central towers will, due to their scale, be prominent features in the backdrop of these views.

## **Public realm**

The blocks are located around an area of public realm connecting the railway station to the town centre via Railway Approach and Teville Road. The amount of public realm to be provided is given as 3,597 square metres (the areas known as main street and broad water gardens, while an additional 5,000 square metres will be provided on the podium/amenity areas). The main street would consist of active retail frontages, café spill out areas as well as entrances to the residential blocks. Soft landscaping is intended to provide a green environment while assisting with the flow of pedestrians between buildings. The street is at least 11 metres wide and therefore clearly provides the opportunity to provide an attractive route through the site.

The success of the route will also depend upon improvements outside of the site. In the consideration of the Teville Gate House scheme it was important to ensure that the development did not prejudice the legibility of the route and hence the layout of the proposal had regard to the Railway Approach enhancement scheme. The

landscaping and public realm interface with the Teville Gate House scheme has not been finalised but both schemes architects have met the Councils' Consultants designing the improvement scheme for Railway Approach to ensure a consistent high quality public realm connection can be delivered. Various options were considered previously (one option illustrated below) and the scope for a reduced road width and additional planting will help to soften the new higher scale developments planned and being built on the south side of the road.



The Teville Road crossing to the south of the site is a more difficult consideration and there have been detailed discussions with West Sussex County Council Highways section as to the method of ensuring a legible and safe route to cross Teville Road and then in turn Chapel Road. The comments of the County Council are outlined earlier in the report and originally stated:

*Both pedestrian and cycling links to-and-from the town centre require improvement and the site provides the opportunity to provide these. As such, links to-from the town (site to Chapel Road and north along Broadwater Road) should be shown complimentary to any Public Realm improvements...*

Discussions have been held with the applicant's Transport Consultant regarding the provision of a toucan crossing for Teville Road and Chapel Road. In addition, the applicant has also been requested to indicate what impact a cyclepath on the west side of Broadwater Bridge would have on the site. Plans have been prepared and demonstrate that part of the application site would have to be made available in the future as additional public highway. The applicants' Consultants are satisfied that any land given up for a future cyclepath would not impact on the scheme. The Highway Authority is currently reviewing these plans and Members will be updated at the meeting. These works will either be carried out by the developer or a contribution required to implement the works at a later stage. Members will be updated further at the meeting.

### **Further Highways considerations**

One of the main concerns raised by those making representations to the application is car parking provision which will always present a challenge on a high density site in a town centre location. It is of course essential to ensure that the scheme does not have an adverse impact upon the highway network or result in additional parking in nearby streets.

### *Car Parking Provision*

307 car parking spaces are proposed across the development site, comprising 100 to serve the private sale residential units, 107 for the discount food store and 100 for a public car park. In addition to the above, 352 cycle parking spaces are to be provided, 294 to serve residential units, 8 for the food store and 50 public cycle parking spaces.

The NPPF is quite clear in promoting sustainable transport options, with a section of the guidance specifically relating to such a desire. Relevant guidance contained within paragraphs 108 to 111 states that appropriate opportunities to promote sustainable transport modes should be taken up, given the type of development and its location, which is clearly relevant in this instance since the site is so close to the railway station.

Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, should be '*effectively mitigated to an acceptable degree*'.

It is a cornerstone of current government guidance that *development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*.(para 109). Within this context, the NPPF goes on to state, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second to facilitate access to high quality public transport. Paragraph 111 states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement.

From the above national guidance, therefore, it is quite clear that a refusal of the application on highways grounds is unlikely to be supported at appeal, provided that the proposal demonstrates the impact upon the highway network and surrounding area can be adequately mitigated. In this regard, the original comments of the Highways Authority reflect national guidance stating, in respect of the residential parking provision that '*it is down to evidence to demonstrate that what is proposed would be sufficient... the site is in a sustainable location so the principle of a lower provision is one that can be considered. However, the applicant will still need to support this with **robust alternatives to travel***'. Similarly, the amount of parking provision for the supermarket will also need to be defended

Following several months of negotiations the Highway Authority is now satisfied that the proposed Travel Plan will provide a robust set of measures to encourage new residents of the development not to own cars and to use more sustainable modes of transport. The Travel Plan includes the following measures:

- £150 Sustainable Travel Plan Voucher per residential unit

- X2 Car Club Spaces
- A £35,000 cycle hire contribution (8 bay cycle hire Brompton Dock)
- TRICS SAM Survey Commitment (x3 surveys in year 1, 3 and 5).

Restricting parking on a site itself is only part of the assessment of the impact of the proposal since lack of capacity in parking provision could clearly have an effect upon the surrounding area. Although the area surrounding the site is a controlled parking zone (CPZ), it is too simplistic to state that residents of the new development will not qualify for a permit and therefore simply will not be able to park there. As stated by the Highways Authority in their original comments, there is still a high possibility of additional overspill parking taking place on the adjacent roads within a reasonable distance of the site. Moreover, it is possible to park within the CPZ at certain times during the day, overnight and on Sundays when parking demand is quite high.

It will be important to prevent new residents applying for parking within the adjoining CPZ areas but also to monitor the impact post completion of the development. The Highway Authority has been keen to require a review of the CPZs near the site incorporating before-and-after surveys. If there has been an impact and there is a need to extend/revise the existing CPZ this would need to be paid for by the applicant. This would need to be included in the s106 and would cost £60k.

In light of the previous use of the site, and indeed the current use as a temporary car park, it is necessary to provide an amount of replacement parking which would equate to 100 spaces. The former multi-storey car park was primarily used by commuters and was not a popular car park as it was perceived to be too far from the town centre. The replacement surface car park (66 spaces) has also not been well used and it is envisaged that the 100 spaces would help support the new development as well as provide some additional commuter car parking.

#### *Impact on the Highway Network*

The County Council has considered the additional trip generation and consequent impact upon traffic capacity as outlined earlier in the report. Having regard to the guidance contained within the NPPF, the Highways Authority consider that neither the additional trip numbers nor the impact upon traffic capacity can be considered severe when assessed alongside the NPPF and hence do not seek to resist the application on such basis.

In terms of wider highway safety considerations, the other remaining issue to be resolved at the time of writing the report is whether a dedicated right turn lane can be designed to meet appropriate standards along Teville Road. The Highway Authority have raised concerns and therefore the applicant has prepared two options (with or without a right hand turn lane) and both options have been the subject of a Road Safety Audit. This is being reviewed by the Highway Authority and Members will be updated at the meeting.

Your Officers consider that it is likely that all remaining highways issues can be resolved and any effects of the proposal adequately mitigated.

## **Effect on residential amenity**

In relation to overlooking, it is understandable that concerns have expressed from neighbouring residents (although the overall number of objections on this point is relatively small) that the height of the towers will result in a loss of privacy. The perception of overlooking will increase, but the nearest residential properties to the north are some 60 metres distance across the railway line and it would not be justified to refuse planning permission on such basis in a sustainable town centre location.

To the east, Norfolk House sits close to the road junction, but would still be around 30 metres away from the nearest proposed residential dwellings and therefore exceeding the Council's normal overlooking standards. To the west, development is less uniform and some of the lower parts of the development will be obscured by existing buildings closest to the application site. Again, from longer distance views there will be a perceived increase in overlooking to residential properties to the west, given the cluster arrangement of block B results in a number of windows facing this direction. The distances are such that again a refusal of planning permission could not be justified.

The closest relationship in terms of distance between proposed and existing residential properties is therefore to the south in Teville Road. At the closest point, the distance between the frontage of the southern facing block B units facing Teville Road is about 20 metres (so just under the Council overlooking standard) but the southern side of Teville Road is actually orientated slightly away from the application site to the east due to the alignment of the road and therefore the overlooking distance increases further to the east.

Given the location of the site and that the relationship between dwellings will be facing each other across a road, an arrangement hardly uncommon in a town centre location, it is not considered that an objection to the application can be raised on overlooking grounds.

In respect, of daylight and sunlight, the submitted Environmental Statement identifies that significant adverse effects are likely to occur at 19, 21, 23, 25, 27, 29 Teville Road, 34 Hertford Road and Norfolk and Suffolk House, albeit such a conclusion is based on the currently open nature of the application site which is therefore at present affording higher levels of daylight and sunlight to surrounding residential receptors. The assessment in the Environmental Statement therefore presents the worst case scenario. The ES concludes that whilst the effects are significant adverse, the retained daylight levels remain generally in line with those found in a town centre location and would thus be considered acceptable. It is noted that in the 2010 scheme, adverse impacts were also found on Norfolk House but was attributed to the design of that development with windows set behind projecting balconies.

Relevant guidance on this issue is contained within paragraph 123 of the NPPF. The paragraph is another of relevance to the development as a whole since it begins with the requirement that *where there is an existing or anticipated shortage*

*of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In such circumstances, the guidance goes on to state, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards). Remembering that the baseline assessment has been undertaken on the currently cleared site and having regard to the above guidance, it is not considered that a refusal could be justified on the basis of the impact upon the properties outlined in the ES.*

### **Wind microclimate assessment**

This has been an ongoing issue during both the pre-application process and the determination of the application and the applicant has been undertaking a number of detailed tests. It would be generally accepted that the introduction of tall building could affect local wind conditions. This is an important consideration given the requirement of the site to provide a link between the railway station and the town centre for pedestrians and cyclists alike. To complicate matters, the baseline monitoring suggests that the site is already windy.

This suggests, therefore, that with appropriate mitigation conditions in the area should not materially worsen to a degree that planning permission could reasonably be withheld. However, it will be necessary to secure such mitigation measures by condition given that one of the suggested measures in the ES – panels along the central reservation of Broadwater Road – is highly unlikely to be accepted by the Highways Authority, albeit it does seem possible that sufficient space exists to the east of the application site to plant trees in order to provide adequate mitigation

### **Planning Balance**

#### **Economic Benefits**

*The net direct construction employment brought to the local authority area as a result of the proposed development is considered to result in a Negligible effect. To maximise local recruitment, enhancement measures would include commitment to advertise job vacancies in local job agencies and newspapers in accordance with 'local and relevant postcodes'.*

*In addition to the generation of 51 net construction employment opportunities for the local authority area, the Applicant would also seek to promote skills training to be secured through a suitably worded planning condition. The contractor would be required to work with local education and training centres, and industry bodies, to provide apprenticeships and training opportunities, particularly for those in the NEET category (not in employment, education or training). This additional mitigation would be secured by means of an appropriately worded planning condition. It is considered that following the implementation of the enhancement measures, the residual effect on construction employment would be Minor Beneficial at a Local Authority level and would remain Negligible Beneficial at a Sub-Regional Level.*

*Employment As the proposed development would bring forward approximately 145-183 FTE direct employment opportunities and 29-36 FTE indirect employment opportunities, operational employment is considered to have a Negligible Beneficial effect.*

*Additional mitigation measures are not proposed and therefore the residual effect would remain Negligible Beneficial at the Local Authority Level. Additional Spending As the proposed development would contribute approximately £10.8 million of resident expenditure and between £368,000 to £465,000 of employee expenditure, additional spending is considered to have a Moderate Beneficial effect. Additional mitigation measures are not proposed and therefore the residual effect would remain Moderate Beneficial at the Local Authority Level. This effect is considered to be significant.*

The development of the site will result in substantial regeneration of the site, which is likely to act as a catalyst for inward investment and provide economic stimulus for the sub region. Allied to the provision of housing, including affordable housing units and the enhancement to the visitor experience by public realm improvements, it may be considered that the public benefits of the scheme outweigh the harm to heritage assets.

## **Conclusion**

There has been a long established need to redevelop the Teville Gate site. While the clearing of the site has removed the previous run down buildings on the site, it also exposes the extent of a prominent site within the town centre and close to the railway station that has an opportunity to provide a significant improvements to the public realm, provide a significant number of residential apartments in a sustainable location as well providing a new foodstore, hotel and mix of retail and leisure uses. The Teville Gate House development has started the regeneration of the town in the immediate area and the development of this site would act as a further catalyst to the regeneration in the area.

The overall design of the development is considered to have met the challenges of accommodating tall buildings in a predominantly low rise area. The architectural focus of block C will provide a high quality addition to the townscape of the site while the design of the higher towers together with the surrounding cluster arrangement of surrounding blocks will not have a greater visual impact upon the nature of the area than previous schemes that have been accepted by the Council.

What is clear is that the necessity to develop the site is even more acute than even previously considered. The housing requirements of the town continue to rise and are unlikely to be met in full. Meanwhile, the government seeks to significantly boost the supply of new homes especially on sustainable brownfield sites such as this.

While there remain issues to be resolved in respect of how the highway network can be best designed to mitigate the impacts of the development and ensure that the safest and most legible route between the railway station and town centre is created and that against a backdrop of a difficult viability situation, that the proposed

affordable housing provision of 31% can be secured, it is considered that the principle of development is sufficiently established that a resolution to grant planning permission can be achieved subject to the remaining issues being resolved satisfactorily.

### **Recommendation**

To GRANT permission subject to the completion of a legal agreement securing financial contributions towards parks and recreation, highways infrastructure, air quality mitigation (if such mitigation is unable to be secured on site), affordable housing provision, public realm improvements and subject to the following conditions:

01. Approved Plans

02. Full Permission

03 No development shall commence until a phasing plan has been submitted to and approved in writing. The phasing plan shall indicate the elements of the scheme to be implemented with each phase of the development including public realm improvements and car parking provision.

Reason: To control the development in detail and to ensure that appropriate infrastructure is provided to support each phase of the development.

04. No development shall commence within the site until:

A written scheme of investigation (archaeological work) which should include on-site field survey and recording and the analysis reporting publishing and archiving of the results has been submitted to and approved by the Local Planning Authority;

The approved programme of archaeological work has been carried out in accordance with the approved details.

Reason: In order to ensure that heritage assets of archaeological interest will be adequately recorded before development and subsequently will be adequately reported.

05. The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect and divert the public sewers and water apparatus, prior to the commencement of the development.

Reason: In order to ensure that sewers are adequately protected

06. 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.

Reason: To ensure the development is satisfactorily drained

07. Development should not commence until finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should demonstrate that the surface water runoff generated up to and including the 1 in 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event.

Reason: To ensure the development is satisfactorily drained

08. Development shall not commence until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.

Reason: To ensure an adequate sustainable drainage system is maintained and managed

09. Prior to the occupation of the development hereby approved a detailed lighting design of all external lighting shall be submitted and approved by the Local Planning Authority.

Reason: In the interests of visual and neighbourhood amenity and the approved details maintained thereafter unless otherwise agreed in writing by the Local Planning Authority

10. Prior to the commencement of the development hereby approved a Waste Management Plan in respect of residential and commercial uses shall be submitted to and approved by the Local Planning Authority and the approved details maintained thereafter unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure satisfactory provision is made for residential and commercial waste management

11. Prior to the occupation of the development hereby approved, details shall be submitted demonstrating adherence to Secure by Design principles in consultation with Sussex Police

Reason: To ensure that the development meets Secure by Design principles

12. Prior to the first residential occupation of the development hereby approved a scheme for noise mitigation for the outside amenity spaces shall be submitted to and approved by the Local Planning Authority and the approved details shall be maintained thereafter unless otherwise agreed in writing.

Reason: To ensure adequate mitigation against noise to external amenity areas.

13. Prior to the first residential occupation of the development hereby approved, a ventilation and glazing strategy for the development shall be submitted to and approved by the Local Planning Authority and the approved details shall be maintained thereafter unless otherwise agreed in writing.

Reason: To ensure adequate ventilation and glazing in the interests of amenity

14. Prior to the first residential occupation of the development hereby approved, a scheme shall be submitted to and approved by the Local Planning Authority demonstrate how the required level of air quality mitigation shall be achieved through the type and cost of the proposed measures.

Reason: To ensure adequate air quality mitigation

15. Demolition and construction works shall not take place outside 08.00 hours to 18.00 hours Mondays to Fridays and 09.00 hours to 14.30 hours on Saturday. There will be no construction on Sundays or Bank Holidays. Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Reason: In the interests of the amenities of neighbouring residential properties

16. 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 distances through the Worthing AQMA.
- 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

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction.

17. Prior to the commencement of development, 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 authority:

i. 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 · potentially unacceptable risks arising from contamination at the site

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

iii. 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.

iv. 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.

v. Prior to commencement of development of any part of the permitted development, 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.

Any changes to these components require the express consent of the local authority. The scheme shall be implemented as approved.

Reason: To ensure adequate remediation is secured for any contaminants on the site.

18. Any gas fired boilers provided in relation to this development shall meet a minimum emissions standard of 40 mg NO<sub>x</sub>/kWh.

Reason: To sustain compliance with and contribute towards EU limit values or national objectives for pollutants.

19. Prior to the commencement of any development above ground level the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:

- (a) particulars and samples of the materials to be used on all external faces of the building;
- (b) details of all elevations to show typical details of all external components including details of drainage;
- (c) details of the balconies and wind mitigation measures including details of drainage;
- (d) details of ground floor elevations including entrances;
- (e) details of escape doors, gates, doors bin storage entrance and bicycle storage entrance;
- (f) details of soffits, handrails and balustrades;
- (g) details of ground level surfaces including materials to be used;
- (h) details of external lighting attached to the building including anti collision lights, lighting to the soffits and lighting to pedestrian routes;
- (i) details of plant and ductwork to serve the commercial uses;
- (j) details of ventilation and air-conditioning for the commercial uses;

Reason: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Core Strategy Policy 16.

20. Prior to the commencement of any development above ground level a schedule of materials and finishes and samples of such materials and finishes to be used for external walls, glazing and roof of the proposed building have been submitted to and approved in writing by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/setting of the Listed Building/ by endeavouring to achieve a building of visual quality in accordance with policy 16 of the Worthing Borough Core Strategy Plan.

21. Prior to the commencement of any development above ground level, details of the landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a) Details of materials
- b) Street furniture and lighting
- c) Planters, tree pits and planting
- d) A timetable for the implementation of the hard and soft landscaping,

- e) A maintenance plan to ensure establishment of the soft landscaping. Development shall thereafter be carried out, and the planting maintained, in accordance with the approved details and timetable.

Reason: To protect and enhance the character of the site and the area and to ensure that its appearance is satisfactory.

- 22. Prior to their first opening, the operating hours of all commercial units on the site shall be submitted to and approved by the Local Planning Authority.

Reason: To comply with Worthing Core Strategy Policy 16, and in accordance with the NPPF.

- 23. Notwithstanding the provision of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) planning permission shall be obtained before any change of use of the 641 square metres commercial, to any use other than Use Classes A1, A2, A3, B1(a), and D1 as detailed in the Town & Country Planning (Use Classes) Order 2010 (or any Order revoking or re-enacting that Order with or without modification).

Reason: In order that the Local Planning Authority can retain control over further uses which it considers could be harmful to the vitality and viability of the designated centres in accordance with adopted Worthing Core Strategy.

- 24. Deliveries to the commercial units shall only be made between the hours of 07.00 and 20.00 Monday to Saturday and 09.00 to 18.00 on Sundays.

Reason: To safeguard the residential amenity of the area in accordance with the Worthing Core Strategy.

- 25. Details of designated areas for external roof plant or machinery shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The erection or installation of roof plant and machinery is to be limited to these areas unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of amenity and the environment having regard to policy 16 of the Worthing Core Strategy.

- 26. Unless otherwise agreed with the Local Planning Authority, the commercial development hereby permitted shall be built to a standard of "Very Good" under the Building Research Establishment Environmental Assessment Method (BREEAM) Scheme. A BREEAM design stage assessment will be submitted to the Local Planning Authority prior to the commencement of construction. The BREEAM design stage assessment will be carried out by a licensed assessor. Within three months of the occupation of the completed development, a copy of the Post Construction Completion Certificate for the relevant building verifying that the "Very Good" BREEAM rating has been

achieved shall be submitted to the Local Planning Authority. The Certificate shall be completed by a licensed assessor.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials having regard to the National Planning Policy Framework and Policy 17 of the Worthing Core Strategy.

27. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: In the interests of amenity having regard to saved policy BE1 of the Worthing Local Plan and policy 16 of the Worthing Core Strategy.

28. No raw materials, finished or unfinished products or parts, crates, packing materials, nor any other items shall be stacked, stored or displayed on the site except within the buildings or within enclosed storage areas approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and highway safety having regard to saved policies RES7 and H18 of the Worthing Local Plan.

29. Prior to the commencement of development, details of the finished floor levels of the proposed buildings and any alterations to the ground levels of the site shall be submitted to and approved, in writing, by the Local Planning Authority and the development shall be carried out in strict accordance with such details as approved unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of amenity and the environment having regard to saved policy BE1 of the Worthing Local Plan and policy 16 of the Worthing Core Strategy.

30. No development of any kind (including site clearance and demolition) shall take place unless and until a scheme for the suppression of dust during demolition/site clearance and construction has been submitted to and agreed in writing by the Local Planning Authority. The scheme as agreed shall be implemented throughout the entire course of demolition/site clearance and construction.

Reason: To safeguard the amenities of the occupiers of neighbouring properties having regard to saved policy RES7 of the Worthing Local Plan.

31. Prior to the first occupation of the development the enhancement works to Railway Approach shall be undertaken, as indicated in the approved plans, in

accordance with precise details first submitted to and approved in writing with the Local Planning Authority.

Reason: To control the development in detail and in the interests of visual amenity.

32. Prior to the first occupation of the development hereby approved a scheme for wind mitigation for the application site and immediately surrounding area shall be submitted to and approved by the Local Planning Authority and the approved details shall be maintained thereafter unless otherwise agreed in writing.

Reason: To ensure adequate mitigation against noise to external amenity areas.

33. No part of the development shall be first occupied until such time as the vehicular accesses and associated highways works serving the development have been constructed generally in accordance with approved drawings including recommendations of the relevant Road Safety Audits and details specified in the accompanying S106 Agreement and any subsequent S38/278 Agreements.

Reason: In the interests of road safety.

34. No part of the development shall be first occupied until such time as any existing (and no longer required) vehicular accesses to/from the site have been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety.

35. No part of the development shall be first occupied until the car parking has been provided in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the uses.

36. No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies.

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

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

38. No part of the development shall be first occupied until the shared-space area and associated access road, footways, and casual parking areas serving the development have been constructed, surfaced and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development.

39. No part of the development shall be first occupied until the vehicle turning space has been constructed within the site in accordance with the approved site plan. This space shall thereafter be retained at all times for its designated use.

Reason: In the interests of road safety.

40. No part of the retail elements of the proposal shall be first occupied until such time as until a Servicing Management Plan for has been submitted and approved in writing by the Local Planning Authority. This shall set out the arrangements for the loading and unloading of deliveries, in terms of location and frequency, and set out arrangements for the collection of refuse. Once occupied the use shall be carried out only in accordance with the approved Plan.

Reason: To safeguard the operation of the public highway.

## **Informatives**

- 01 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: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)".

- 02 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>.

- 03 A formal application for connection to the water supply 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)

04 Section 59 of the 1980 Highways Act - Extra-ordinary Traffic

The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process.

05 Works within the Highway – Implementation Team

The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

06 Provision of Adoptable Highway

The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover any proposed adoptable on-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.

07 Private Roads

The applicant is advised that for any estate roads/access paths that are to remain private/un-adopted, the Highway Authority would require provisions in any s106 agreement to confirm that such estate roads/access paths would not be offered for adoption at a later date and wording included to ensure that the carriageways, footways and casual parking are properly constructed, surfaced and drained, and that the works are appropriately certified from a suitably qualified professional confirming how they have been constructed and that they would be fit-for-purpose.

08 Temporary Works Required During Construction

The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. Such works might include include the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway. The applicant is further advised that costs for such matters might be required.

09 Temporary Developer Signage

The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

10 Traffic Regulation Order

The applicant is advised to contact the WSCC Traffic Regulation Order team (01243 642105) to obtain the necessary paperwork and commence the process associated with the proposed FILL IN AS NECESSARY (waiting restrictions, removal of parking bays, provision of loading bay, etc). The applicant would be responsible for meeting all costs associated with this process. The applicant should note that the outcome of this process cannot be guaranteed.

11 Stopping Up Order (Town & Country Planning Act)

The applicant is advised that the existing public highway to be incorporated into the development must be the subject of a Stopping-Up Order. This process must be successfully completed prior to works commencing on-site. The applicant should contact the Department for Transport's National Transport Casework Team in order to commence this process.

12 Land Dedication

The applicant is advised that any private land intended and/or required to be offered as public highway will be considered either by way of the S38/278 process (if required for highways access purposes etc.) or land dedication agreement route. The applicant should contact the Highway Authority in order to commence this process (and to establish which method is applicable).

13 Structures Check

The applicant is advised that any proposed structures are required to be subject to the Technical Approval process as specified within BD 2/12 of the Design Manual for Roads and Bridges. The applicant should contact the WSCC Structures team to commence this process. The applicant should note that the failure to obtain TA may prevent the future adoption of the structure as public highway or incur additional works to bring the works up to a suitable standard. Such approvals must be obtained before any works commence.

14 Temporary directional signs to housing developments (Major apps only 10 units +)

The applicant is advised that they must apply and obtain approval from West Sussex County Council as Highway Authority for all temporary directional signs to housing developments that are to be located on the highway. Further details of the process and how to apply are available here <https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/temporary-development-signs/#overview>



## Heads of Terms for s106 Agreement

s106 Terms - Development Contribution, Infrastructure Provision and/or Affordable Housing	Amount	Trigger for Payment
<p>Delivery of Affordable Housing.</p> <p><b>70% Shared Ownership:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> 1 Bed - 45</li> <li><input type="checkbox"/> 2 Bed - 36</li> <li>Total = 81 flats</li> </ul> <p><b>30% Rented:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Studio - 2</li> <li><input type="checkbox"/> 1 Bed - 18</li> <li><input type="checkbox"/> 2 Bed - 15</li> <li>Total = 35</li> </ul>	<p>30% Total - 116 (TBC).</p>	<p>In accordance with the approved phasing plan.</p> <p>Rent ideally based on Local Housing Allowance (LHA).</p>
<p>Highway Contribution</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Survey Costs and implementation of extension to Controlled Parking Zone</li> <li><input type="checkbox"/> Provision of Real Time Passenger Information and off site Bus Stops</li> <li><input type="checkbox"/> Contribution to improvements to Railway Approach</li> </ul>	<p>£85 k</p> <p>XX</p> <p>XX</p>	<p>Following the occupation of the 100th apartment.</p>
<p>Implementation of Travel Plan Measures and subsequent Monitoring.</p>	<p>Development Cost (approx £136k)</p>	<p>In accordance with the approved phasing plan.</p>
<p>Implementation of on site Air Quality Measures and/or contribution.</p>	<p>£160K</p>	<p>In accordance with the approved phasing plan or following completion of development if financial payment is due.</p>
<p>Off site recreational/leisure provision</p>	<p>£100k</p>	<p>Upon the occupation of the 100th apartment.</p>
<p>Public access through the site at all times - new public realm</p>	<p>N/A</p>	<p>Following completion of the development.</p>

**Local Government Act 1972**

**Background Papers:**

As referred to in individual application reports

**Contact Officers:**

Gary Peck  
Planning Services Manager (Development Management)  
Portland House  
01903 221406  
[gary.peck@adur-worthing.gov.uk](mailto:gary.peck@adur-worthing.gov.uk)

## **Schedule of other matters**

### **1.0 Council Priority**

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

### **2.0 Specific Action Plans**

- 2.1 As referred to in individual application reports.

### **3.0 Sustainability Issues**

- 3.1 As referred to in individual application reports.

### **4.0 Equality Issues**

- 4.1 As referred to in individual application reports.

### **5.0 Community Safety Issues (Section 17)**

- 5.1 As referred to in individual application reports.

### **6.0 Human Rights Issues**

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

### **7.0 Reputation**

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

### **8.0 Consultations**

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

### **9.0 Risk Assessment**

- 9.1 As referred to in individual application reports.

## **10.0 Health & Safety Issues**

10.1 As referred to in individual application reports.

## **11.0 Procurement Strategy**

11.1 Matter considered and no issues identified.

## **12.0 Partnership Working**

12.1 Matter considered and no issues identified.

## **13.0 Legal**

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

## **14.0 Financial implications**

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