



**WORTHING BOROUGH  
COUNCIL**

**Planning Committee  
26<sup>th</sup> August 2020**

**Agenda Item 5**

**Ward: ALL**

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

**Report by the Director for Economy**

**Planning Applications**

**1**

**Application Number: AWDM/0805/20**

**Recommendation – APPROVE  
Subject to a S106 planning obligation  
securing transport contributions**

**Site: Site Of Clinic And Land Plus Car Park West Of Assembly Hall  
Stoke Abbott Road**

**Proposal: Demolition of Central Clinic (Use Class D1) and erection of an integrated  
Care Centre (Use Class D1) up to 4 storeys in height plus rooftop plant  
and a multi-storey car park (6 levels of parking).**

**2**

**Application Number: AWDM/0632/20**

**Recommendation – APPROVE**

**Site: Site of former canteen at Northbrook College  
1 Carnegie Road, Worthing**

**Proposal: Demolition and removal of the former College refectory building and  
construction of a two, three and four-storey residential apartment block  
consisting of 23no. residential apartments (C3 use Class) (7 affordable)  
with vehicle parking, secure cycle storage, bin storage and landscaping;  
and the rationalisation of the existing staff parking and access  
arrangements at Northbrook Metropolitan College.**

**3**

**Application Numbers: AWDM//0903/20 and  
AWDM/0906/20**

**Recommendation – APPROVE**

**Site: 19 – 23 South Street, Worthing, West Sussex BN11 3AW**

**Proposal: AWDM/0903/20 - Change of Use at first and second floors from retail  
(Class A1) to flexible commercial floor space (Use Classes A1, A3, B1 and  
D2), provision of new windows and roof lights at second floor, provision  
of roof plant at second floor and associated works.**

**AWDM/0906/20 - Application to Vary Condition 1 of previously approved AWDM/1529/18. Amendments: Removal of the previously approved fourth floor and the redistribution of the three residential units at fourth floor across the first second and third floors of Block 9.**

**4**

**Application Number: AWDM/0905/20**

**Recommendation – APPROVE**

**Site: 19 – 23 South Street, Worthing, West Sussex BN11 3AW**

**Proposal: AWDM/0905/20 - Change of Use from Class A1 (retail) to provide 14 live/work units (Sui Generis), minor extension at third and fourth floor, external alterations and associated works**

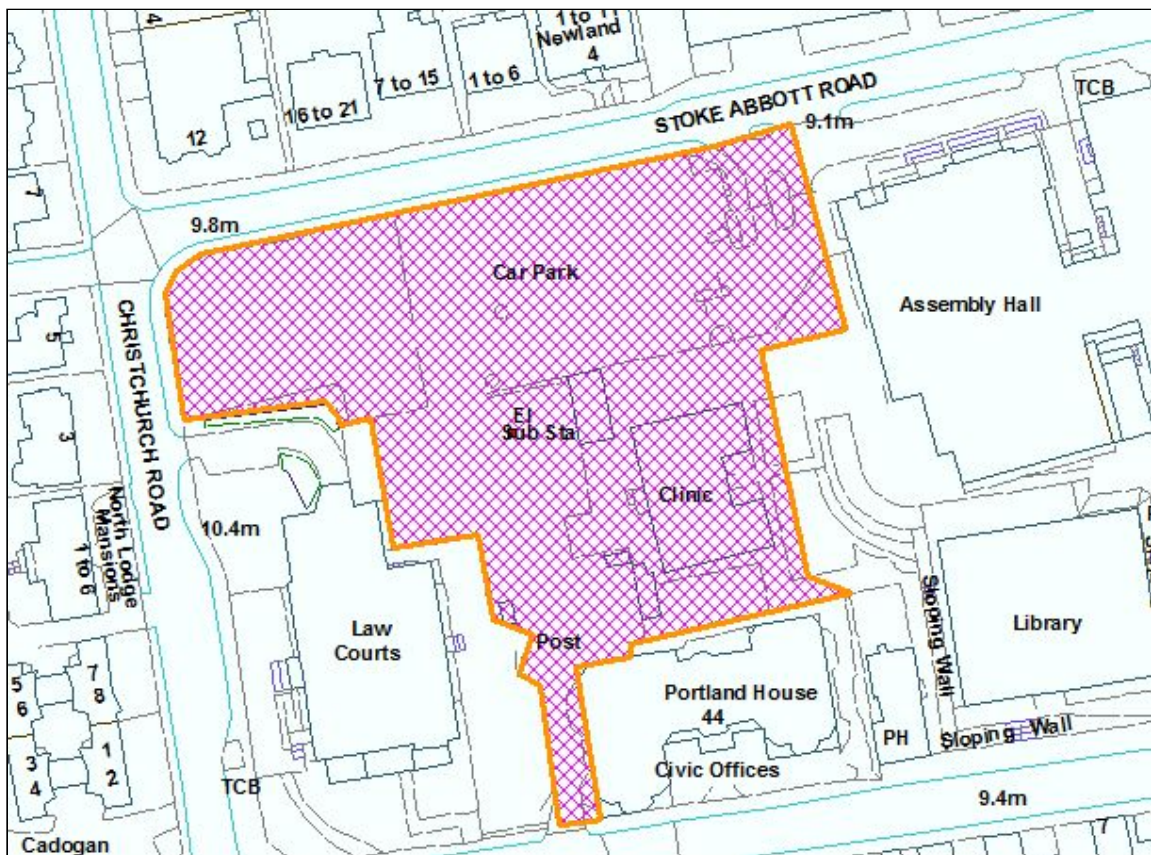
Application Number: AWDM/0805/20

Recommendation – APPROVE  
subject to a s106 planning  
obligation securing transport  
contributions

Site: Site Of Clinic And Land Plus Car Park West Of Assembly Hall  
Stoke Abbott Road

Proposal: Demolition of Central Clinic (Use Class D1) and erection of  
an integrated Care Centre (Use Class D1) up to 4 storeys in  
height plus rooftop plant and a multi-storey car park (6 levels  
of parking).

Applicant: The Borough Council of Worthing Ward: Central  
Case: James Appleton  
Officer:



Not to Scale

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## Site and Surroundings

The application site extends to approximately 0.7 hectares and includes the existing staff car park serving the Council's buildings on the site (principally the Town Hall and Portland House) and Central Clinic. The car park is also used by the public on a pay and display basis after 4.00pm during weekdays and all day at weekends.

The surface level car park contains 186 spaces (including five accessible spaces), 4 motorcycle spaces and 30 cycle parking spaces (15 of these spaces serve Central Clinic). Within the site there is also a large brick substation, a historic flint wall and a number of mature trees.

The car park is accessed via Stoke Abbott Road although there is a secondary vehicular access onto Richmond Road to the west of Portland House, this only provides vehicular access to a small car park serving the Law Courts and a barrier prevents vehicular access to the Council's car park. Nevertheless, this southerly access is a well-used pedestrian access to the Council/public car park.

The site forms part of a collection of civic buildings incorporating the grade II listed Assembly Hall, Town Hall and Museum to the east/south-east, Central library to the south and the Law Courts to the south-west. Collectively these buildings form a civic quarter or hub. The only building not in 'public' ownership is the former Wheatsheaf PH which has been empty for some years and is currently the subject of appeals following various refused schemes for residential redevelopment.

Whilst the site is not in a Conservation Area the eastern half of the civic hub, comprising the Assembly Hall, Town Hall, Museum and Library form part of the Chapel Road Conservation Area. This Conservation Area extends to the east and south of the civic hub.

To the north of the site lies Stoke Abbott Road. Directly opposite the site the former buildings have been redeveloped with three storey apartment buildings. To the east of these lies Stoke Abbott Court a locally listed, art deco mixed use development with ground floor commercial uses and flats above. Christchurch Road to the west is residential in character with a mixture of two and three storey properties. To the south of the civic hub lies Richmond Road with a number of listed buildings including the listed properties in Ambrose Place further to the south.

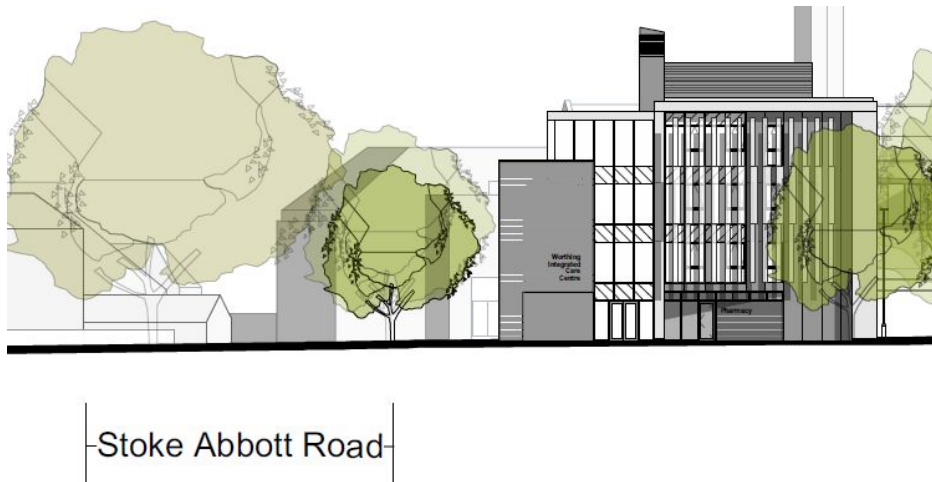
## **Proposal**

The application proposes the demolition of Central Clinic and the substation and the erection of an integrated Care Centre (Use Class D1) together with a decked car park and bin store. The new health facility would provide primary care GP services, community services, mental health services and dentistry as well as an ancillary pharmacy and ancillary office accommodation.

It is intended that the proposal will relocate existing services but also provide space for an increase in health services. The supporting statements to the application state that the intended occupiers of the building include the relocation of Worthing Medical Group (incorporating its practices at Shelley Road and Heene Road), Paydens Pharmacy (located in the Shelley Road practice), and Sussex Community NHS Foundation Trust (incorporating its services currently provided at Central Clinic and relocating some of its other mental health teams).

The integrated Care Centre would have a total gross external floorspace of 7,107m<sup>2</sup> and step up in height from 3 storey on Stoke Abbott Road to 4 storey with a 2 metre high plant room enclosure on the roof. The building would measure 88.7 metres

long and have a maximum depth of 23 metres. The building would extend along the Stoke Abbott frontage having a 3 storey frontage designed with a series of bays with the subsequent floor set back away from the northern elevation. The building would step up in height from 11.1 metres to 14.7 metres and have an overall height including the plant room of 17.2 metres. There is a slight fall across the site from west to east and therefore the building at its eastern end will be slightly higher out of the ground. The building would be located approximately 22 – 24 metres from properties on the north side of Stoke Abbott Road. The existing pavement along Stoke Abbott Road would be extended in width to 3.5 metres.



To the rear of the Care Centre would be an external plant room of 76m<sup>2</sup> and a bin store of 21m<sup>2</sup>.

Further to the south of the Care Centre it is proposed to provide a decked car park to replace the existing surface car park and provide parking for the new health facility. The decked car park would incorporate 6 decks of parking and have an overall floorspace of 5,598m<sup>2</sup>. It would measure 34.8 metres x 35.8 metres and have a maximum height of 15 metres stepping down to 13.6 metres adjacent to the Richmond Room/Assembly Hall.

The decked car park would provide 185 spaces including 4 disabled spaces with 8 additional disabled spaces at ground floor level to the rear of the building close to the entrance. The decked car park would be connected to the main building by way of a bridge on the second floor (providing level access - important for a number of the health services provided).

Access to the decked car park is to be via Richmond Road utilising the access used by the Law Courts and the exit will be via Stoke Abbott Road creating an internal one-way vehicular route through the site.

A long stay cycle store is proposed within the integrated care centre accommodating 32 long stay cycle spaces. A further 36 short stay cycle spaces are provided around the building comprising four Sheffield cycle stands (eight cycle spaces) adjacent to each of the two main entrances and 20 spaces provided in an external cycle store to the rear of the building.

The proposal would result in the loss of 5 trees and a group of trees currently dividing the essential car parking area from the remainder of the car park. The submitted tree assessment report indicates these are of low/moderate value. The submitted landscaping scheme indicates a total of 12 replacement trees.

Following discussions with Officers and in response to further detailed design work the application drawings have been amended. The architect summarises these changes as follows:

- Some of the accommodation on the first and second floors has been swapped to ensure that the NHS community services can have direct (level) access to the Decked Car Park. The alterations made to the internal accommodation has required changes to be made to the window position along Stoke Abbott Road on the north facade and opposite the decked car park on the south facade.
- The revised arrangement of the windows along the southern blocks is now more ordered, which works with the proposed staggered cladding pattern. This arrangement is also now more flexible to assist the client in the future.
- The benches, shown in the recesses along Stoke Abbott Road have also been removed and will be replaced with planning to define the separation between the brickwork bays.
- In addition to the window alterations, the drop off bay on Christchurch Road has been removed to avoid issues with unauthorised parking. This is following some concerns raised by the Highways Authority.
- On the third floor, we have indicated the location of the green roof, introduced as part of the revised site-wide drainage strategy. We have also relocated the PV panels to the southern roof to make it easier for the PV panels to be cleaned and maintained.
- Other minor alterations include the removal of the curtain walling on the west elevation of the southern block (behind the Brise Soleil), which has been replaced with windows to match the aesthetic of the southern elevation (behind the Brise Soleil).
- On the roof, we have raised the height of the plant screen by 300mm to ensure the stair-overrun contained within does not protrude beyond the line of the screening.
- On the eastern elevation of the Decked Car Park, we have made the 'shop front' windows (looking into the plant spaces) clearer.

## **Supporting Statement**

The application includes the following supporting statements and assessments:

- Planning Statement (Shrimplin Planning & Development) (May 2020);
- Design and Access Statement (Architecture PLB) (May 2020);
- Heritage Statement (Orion) (April 2020);
- Air Quality Assessment (Hydrock) (19 May 2020);
- Arboricultural Assessment and tree protection plan (Bernie Harverson, Arboricultural Consultant) (20 April 2020);

- Bat Scoping Report (The Ecology Co-op) (9 September 2019);
- Daylight/Sunlight Assessment (Delta Green) (28 April 2020);
- Flooding Risk Assessment & Drainage Strategy (Cole Easdon Ltd) (May 2020);
- Noise Assessment Report (Hydrock) (28 April 2020);
- Preliminary Ground Contamination Risk Assessment Report (Ashdown Site Investigation Report) (29 April 2020);
- Sustainability and BREEAM Statement and BREEAM Assessment Report (Aletho) (20 April 2020 and 19 March 2020);
- Statement of Community Involvement (May 2020);
- Transport Assessment (Hydrock) (20 May 2020); and
- Travel Plan (Hydrock) (20 May 2020).

The Planning Statement states that the strategic objectives for the new project are:

- Develop a much-needed refresh of the health facilities in Worthing and provide an enhanced service model for the local population;
- Working in partnership with the local health system, the facility that will house a range of primary and community services, enabling the delivery of future models of care as outlined in the NHS Long Term Plan, the building is conceived to be flexible and responsive to the changing health needs of the local community;
- To make better use of underdeveloped sites in the town centre and release other sites for development;
- Provide an opportunity for the participating Health Partners to rationalise and reconfigure their estate for greater efficiency and to enhance the quality of services they provide;
- Build a facility that is efficient and sustainable, responding to Worthing Borough Councils declared climate emergency and contributing to meeting its 2030 Carbon Neutral target.

The Planning Statement concludes that,

*The principle of development is in accordance with the development plan and the Application Proposal is in accordance with the “Vision” for the Core Strategy, “Strategic Objective 5” to “Reduce Social and Economic Disparities and Improve Quality of Life for All”, Policy 12: New Infrastructure and Saved Local Plan Policy SC1 Social and Community Facilities. It is also in accordance with the emerging Local Plan’s Strategic Objective SO4, emerging Policy CP10 Delivering Infrastructure and emerging Policy CP7 Healthy Communities.*

*The Application Proposal makes efficient use of scarce urban land and is therefore in accordance with the Core Strategy’s “Spatial distribution of development”. It is also in accordance with the emerging Local Plan’s Vision V3 and Strategic Objective SO17, emerging Policy SP2 Spatial Strategy and emerging Policy CP2 Density.*

*The Application Proposal is of a high quality, innovative design that enhances the wider area and is therefore in accordance with the Core Strategy Policy 16 Built Environment and Design. It is also in accordance with the emerging Local Plan’s*



*Vision and Strategic Objectives and emerging Policy CP5 Quality of the Built Environment and emerging Policy CP6 Public Realm. We therefore respectfully request that planning permission is granted.*

The **Design and Access Statement (DAS)** sets out the analysis of the site and its constraints and how the design and layout has evolved having regards to the needs of the various health services to occupy the building. The following extracts set out some of the design principles that have informed the scheme:

*The emerging strategy for the arrangement of the WICC and Decked Car Park on the site has stemmed from the work completed at masterplan stage. The proposal is to create two interlocking 'fingers' that have been slid apart to define two public plazas and the two main entrances (one at each end of the building). This arrangement responds to the geometry of the existing buildings along Stoke Abbott Road, by creating a step in the facade line that acknowledges the larger public realm in front of the Assembly Halls. The arrangement also reflects the change in building use on the opposite side of Stoke Abbott Road from mixed-use to entirely residential.*

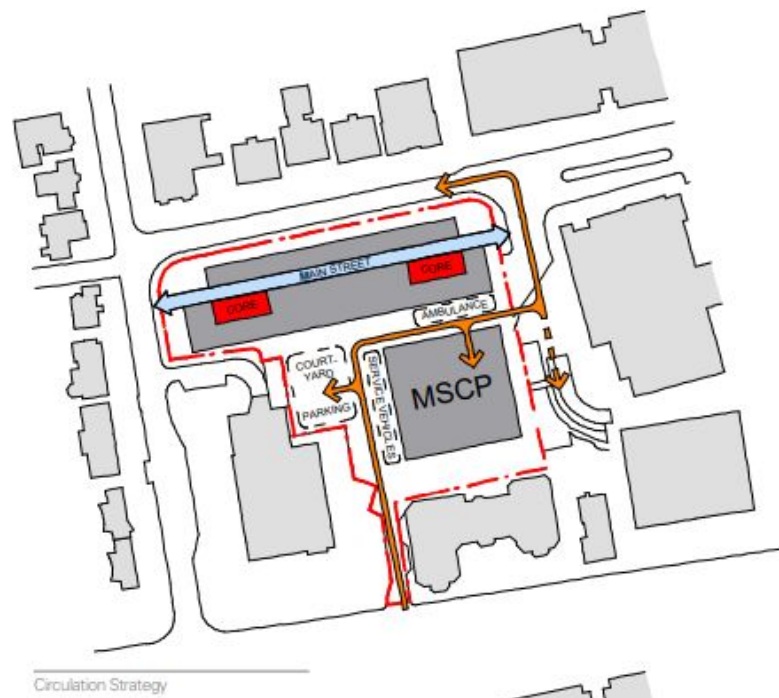


*The emerging section is a direct response to the site context and the Daylight/Sunlight analysis undertaken. The strategy aims to keep the mass of the WICC below a notional 25 degree line from the centre of the lowest windows on the adjacent properties (maximum obstruction angle), to minimise any impact upon neighbouring properties. The section drawing below shows the red outline of the initial proposal. As mentioned, to respond to the Daylight / Sunlight report, the mass and footprint of the building have been manipulated to ensure the building does not negatively impact upon the residential buildings opposite. The section also shows the 10m (minimum) gap between buildings as required under BREEM 2018.*





*The site has been arranged around a one-way vehicle route running from the south (Richmond Road ) to the north (Stoke Abbott Road). This route separates the WICC from the Decked Car Park to help reduce the impact of the combined mass and better reflect the scale of the other civic buildings. The WICC has been arranged into two linear blocks with a ‘main street’ running between them. The street has been used to link the two circulation cores together internally to assist with passive wayfinding around the building. The street is intended to be an internalised footpath, linking the two main entrances at either end of the building together.*



## **Appearance**

*The concept for the elevations of the WICC responds to the building’s orientation on-site and the different context that each of the façades addresses.*

*On the north block we have selected brickwork with a regular arrangement of window openings to create a strong, timeless quality along Stoke Abbott Road. The*

*window openings within the brickwork have been oversized to reveal the core material and create a layering effect. The brickwork also serves to frame the random arrangement of windows, which reflects the varied accommodation contained within. The use of brickwork in this location responds to comments received from the Design Review Panel about using weightier materials that reflect the Civic nature of the site. It also better compliments the listed Assembly Halls, offering a contemporary interpretation of a civic facade. The Grade II listed facade has been used to influence the size and proportion of the windows on the WICC which have been kept slim and tall to reflect the Art Deco arrangement on the heritage asset. The windows also reduce in size on the second floor to further reflect classical facade proportioning.*

*On the southern block, we have selected a bronze-toned cladding that will cloak the core material. The arrangement of this cladding is more playful than the north block to respond to CGI Image of the WICC from the corner of Stoke Abbott Road and Christchurch Road Long Stoke Abbott Road Elevation (North) the post-modernist context to the south as well as contrast with the heritage asset(s) to the east. Window openings within the cladding have been located in gaps created between the panels to reflect an eroded facade that is weathering to reveal the core within. The cladding has been arranged in storey height bands to identify the levels of the WICC and contrast with the unified appearance of the brickwork on the north block. In the large openings created within the bronze cladding along the south-western corner of the WICC, brise soleil has been introduced and will follow the pattern created by the bronze cladding to further reinforce the concept of the eroded facade.*



*On the west elevation we are proposing that the brise soleil wraps around the south corner to create a focal point on the edge of the Civic Quarter. To the north of this element is one of two main entrances to the WICC. The entrances are framed by two largely blank walls either side, which offers a contrast with the completely glazed 'main street'. As mentioned in section 3.5.2, the introduction of angled*

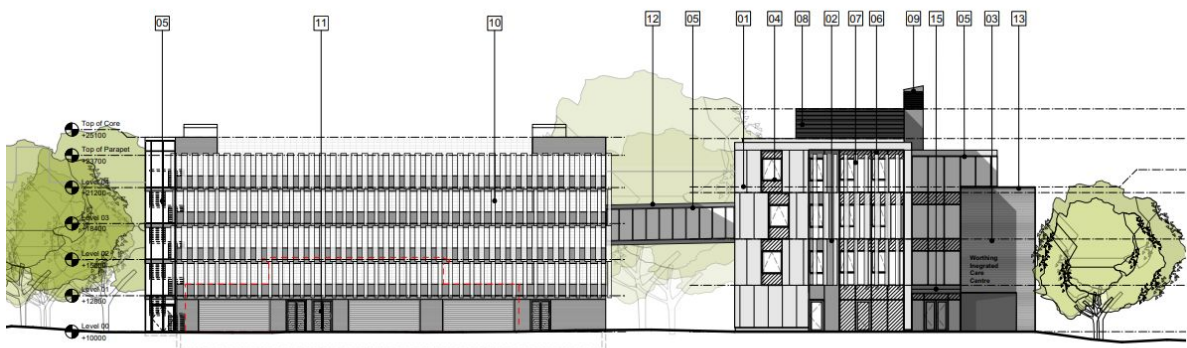


reveals below the brickwork, helps to identify the entrances and guide visitors into the building. On the north facade we have divided the length of the facade into four bays to reflect the scale of the properties on the opposite side of the road. This articulation is supported by the reduced height along this facade as discussed earlier. The four bays have been clad in brickwork to create a strong frontage that compliments the listed Assembly Halls as well as reflecting the more domestic setting along Stoke Abbott Road....



### Decked car Park

The facade treatment for the Decked Car Park reflects the arrangement of the cladding on the south block of the WICC, with perforated panels that have been separated to emulate the fractured appearance of the facade. This helps to give the car park a lightweight feel, while also allowing the decks to be naturally ventilated. As mentioned earlier, to ensure the gaps do not attract anti-social behaviour, they will be in-filled with mesh. The mesh, along with the edge barriers and structure for the Car Park will be coloured dark grey to match the core-cladding of the WICC. This will create the same layering effect and language between the two buildings.



The **Heritage Report** provides the following summary and conclusion,

*In summary, the proposal is compliant with the relevant heritage paragraphs contained in Section 16 of the NPPF 2019 and local heritage policy, the relevant parts of which are set out in Section 2.*

*This report is required under the above legislation to define, by assessing the archaeological, architectural, artistic and historic values, the significance of any heritage assets which might be impacted by the development. The report also considers development within its setting, as defined by Historic England's Guidance, which might affect its significance.*

*The site is in proximity to several designated and non-designated heritage assets. It is also in proximity to two Conservation Areas. The development rests between areas with different characteristics. To the east and south are Civic buildings, larger in scale and detail. To the west are residential zones, with smaller more organic buildings and street-scenes. These two different areas sit comfortably together through historic connection and similarity of material and detail.*

*The significance of the designated heritage assets of the Civic Area of Worthing Town Hall (which includes the Assembly Hall and Worthing Room), the Former Library, now Worthing Museum and Art Gallery and Worthing War Memorial were assessed and it was found that the proposals did not impact their significance, but had the potential to impact it through development in their setting.*

*However, by responding to the scale, detail and materials of these buildings, the proposals identify themselves with the civic group. They enhance the identity of the Civic Area by completing the grouping of these heritage assets and cause no harm to their significance by development in their setting.*

*The significance of 52, 54 and 56 Richmond Road, all Victorian Villas, was considered. It was found that due to limited intervisibility and the fact that the nucleus of these civic buildings already exists, and the proposals merely complete this grouping, ensures that the significance of the heritage assets is not harmed by development in their setting.*

*The significance of non-designated heritage assets of local importance was also considered, including 1 and 2 Bellevue, new Library and public house, which are in closest proximity of all the buildings of local interest. It was found that due to limited intervisibility and intervening structures, their significance was not impacted by the proposals.*

*The scheme was informed by local legislation and guidance set out in Section 2. It complies with the relevant sections, set out below.*

*The proposals align themselves with the Civic Area, being both by function, scale and location undoubtedly part of this zone. Paragraph 3.15 of the Worthing Core*

*Strategy requires developments 'to ensure that high quality development is delivered in such a way that protects and enhances these assets. However, this should not limit the consideration of contemporary design solutions in appropriate locations'.*

*The proposals actively promote this requirement. The scale, detail and materials, together with the careful consideration of spaces between the buildings, all ensure that the significance of heritage assets is not harmed by the proposals. The proposed structures complete the group of buildings referred to as the Civic Area, in which the Study Site currently creates a void. The car park contributes little aesthetically to the Civic Area, but the proposals will enhance its significance.*

*Strategic Objective 6 of the Core Strategy requires proposals to acknowledge that 'many parts of the borough already have distinctive characteristics such as parks, listed buildings, conservation areas. These areas add to local identity and contribute towards the character and quality of life of the surrounding areas, as such, they need to be retained and, where possible, enhanced'.*

*The proposals contribute positively to the strong sense of local identity described above by continuing a narrative of local philanthropy, social engagement, entertainment and welfare which is inherent in the existing buildings. A clinic has been on the Study Site since the mid-20th century. The WICC continues this purpose, reinterpreting it in a modern context.*

*At ground level the WICC presents a welcoming face to visitors, its scale softened by setbacks at the west and east corners on Stoke Abbott Road, combined with appropriate planting.*

*Policy 16 concerns 'Built Environment and Design' and states 'Where possible the settlement structure, landscape features and buildings which represent the historic character of Worthing should be maintained; preserving and enhancing existing local assets wherever possible'. The proposals can be seen to preserve and enhance the historic character by continuing both the function, scale and detail of the heritage assets of the Chapel Road Conservation Area.*

*Section 8 concerning 'Sustainable Environment' notes that 'Worthing benefits from a varied architectural context, retaining Regency, Victorian and art deco, together with later twentieth century buildings'. The environs of the site include all of these architectural contexts. By reflecting the materials and scale of the area without adopting a pastiche of any particular style, the proposals respond to this architectural multiplicity.*

*In conclusion, the proposals for the Worthing Integrated Care Centre have been informed by both national and local legislation and guidelines. The proposals have been considered in the light of these documents and it has been found that the development does not cause harm to either designated or non-designated heritage assets, or their settings.*

*In response to you Officers concerns that the report did not consider the impact on Stoke Abbott Court (a locally Listed Building), the Heritage Consultant issued an*

addendum assessing the impact of the development on its setting and this concluded that,

*Taking all of the above into consideration, the development will align itself with the Town Hall and Assembly Rooms on the south side of Stoke Abbott Road and it completes the range of Civic Buildings in a more coherent manner than the car park does at present.*

*It is therefore concluded that the proposals cause no harm to the significance of Stoke Abbott Court. It is assessed that they will cause less than substantial harm (at the lowest end of this scale) to its significance by development in its setting. This is offset by the benefits of the development to the community.*

The **Sustainability and BREEAM Statement** states that the development will comply with Core Strategy policies encouraging sustainable development and will meet Department of Health requirements for new build projects over £2 million to achieve BREEAM '**Excellent**' certification. The report states that,

*The new building will improve upon Building Regulations TER values by 46.7% to achieve a targeted Energy Performance Ratio (EPRNC) > 0.4, and currently achieving EPRNC of 0.441 for four credits. This is achieved through the following energy-efficient design and specification:*

- *Thermal envelope design that exceeds 2013 Building Regulations standards in terms of insulation u-values (walls: 0.26; floor: 0.22; roof: 0.18; glazing: 1.60 W/m<sup>2</sup>K) and air permeability performance of 3.0m<sup>3</sup> /h/m<sup>2</sup>.*
- *Efficient lighting design specified to deliver 100 lumens per circuit Watt. • Ventilation (MVHR) system adopts efficient AHUs with SFP of 1.6W/l/s and heat recovery efficiency of 0.7.*
- *Use of an **air source heat pump (ASHP)** system for 80% of the space heating, supplemented by an efficient gas-fired boiler with low-NO<sub>x</sub>, PM10 & VOC emissions.*
- *Installation of a **roof-mounted photovoltaic (PV)** array that generates 8kWh/m<sup>2</sup> per year.*

*The combination of these technologies will significantly exceed 10% renewable energy contribution to the regulated building energy consumption level. The inclusion of a district heating system and other alternatives (i.e. ground source heat pumps) is currently being evaluated by others in a feasibility project. Once this has been reviewed, the recommendations could be incorporated into future revisions of the energy strategy and design.*

*The proposals include the following sustainable transport measures:*

1. *Internal cycle storage for up to 32 cycles, offering secure, well-lit and readily accessible cycle storage for staff.*
2. *External cycle racks for short-term visitors.*
3. *Cyclists' facilities located in staff area including showers, changing space and lockers.*

4. *EV charging points will be installed to 20% of bays within the decked car park. Infrastructure will also be installed to enable the remaining parking bays to be upgraded to offer EV charging.*

*Operational water consumption will be limited using specifications for water-efficient sanitary fittings and other water-using equipment throughout sufficient to achieve a 40% reduction in nominal water consumption below standard baseline data. This will include low flush WCs, low flow showers and taps, and will be aligned with requirements defined in HTM 07-04 Guidance on water savings from medical related activities while also complying with NHS guidelines concerning sanitary fittings and the control of legionella, HTM 04-01.*

The report also confirms that,

- Landscaping is designed to improve the local biodiversity and encourage wildlife.
- The Secure by Design police officer has been consulted at the design stage and before work starts, and that their recommendations/comments have been taken into consideration.
- Green building materials have been selected for longevity (as per the Green Guide to Specification)

The **Transport Assessment** concludes that,

This TA considers the development proposal against the key transport requirements given in paragraphs 108 and 109 of the National Planning Policy Framework (NPPF). It demonstrates that:

- The site is situated in a location which would give rise to employees, patients and visitors being able to walk, cycle and use public transport to travel to and from the site. The site design promotes non-car mode journeys and significant EV parking provision is proposed. The sustainable transport strategy for the site is provided by a Travel Plan. It is demonstrated that appropriate opportunities to support travel by sustainable modes will be taken up, having regard to the central town centre location of the development;
- The proposal provides safe and suitable access by all modes with the site designed to be permeable to pedestrians and cyclists and accesses designed in line with guidance in Manual for Streets; and,
- The proposed development would have any material detrimental impact upon the safety, operation and functioning of the surrounding local highway network. There are no significant off-site transport impacts to be mitigated. Consequently, it is considered that there are no significant highways and transportation matters that should preclude the Local Planning Authority from approving this planning application.

The **Arboricultural Method Statement** concludes that,

*A total of 22 trees and 1 group were surveyed as part of this project and with the layout proposed it will be necessary to remove the following trees:-*



- *Tree 8 Pedunculate Oak – moderate value B grade.*
- *Tree 11 Sycamore - moderate value B grade.*
- *Tree 9 & 10 Sycamores – low C grading.*
- *Tree 12 Cherry – of U fell grade.*
- *Grp 1 Sycamore - low C grading.*

*Given the requirements of this project to maximise the development potential of the site there is limited potential to mitigate any tree loss with new tree planting on the same site and anything that is planted will have to be of small ornamental tree species and not forest type tree species. See Landscape proposals for details of replacement planting. Provided that the above methodology is strictly adhered to in the carefully considered and phased manner proposed then I would not foresee any detrimental impact taking place that might undermine the ongoing health and stability or visual amenity value of the trees that are proposed for retention*

## **Consultations**

**West Sussex County Council Highways Authority** comments that,

*“The application is for an Integrated Care Centre and multi storey car park at the Site of clinic and land plus car park, West of Assembly Hall, Stoke Abbott Road, Worthing.*

*The existing site is a surface level car park and Central Clinic, with 186 spaces (including five accessible spaces), 4 motorcycle spaces and 30 cycle parking spaces. 171 of the parking spaces (including three accessible spaces), serve the Civic Centre and 15 (including two accessible spaces) serve the Central Clinic. The car park provides for staff car parking during weekday daytimes and public car parking on evenings and weekends. Pre application discussions were held with the applicant’s transport consultant in March 2020.*

### Access

*Vehicular access would be through the creation of a one way system utilising the existing access to Richmond Road and exiting via Stoke Abbott Road. The Richmond Road access is shown on drawing ref 13560-HYD-XX-XX-TP-0103 and shows a 3m wide access road. Access to the law courts car park will be maintained and the kerb lines amended to ensure vehicles utilise the one way system. A 2m wide footway is to be provided alongside the access road. Vehicle tracking has been provided and is acceptable.*

*The existing access from Stoke Abbott Road will be altered to provide one way egress from the site, movements to the library and assembly roads will retain two way status and allows for turning movements associated with refuse collection and servicing.*

*A stage 1 RSA has been undertaken and highlighted 5 issues. A revised designer’s response in accordance with GG119 appendix F has been requested directly from the applicants highway consultant to agree an appropriate action to address the issues raised.*

### Sustainable Transport

*It is acknowledged the site is in a highly accessible location. Pedestrian access will be provided to the new buildings from Stoke Abbott Road and from the decked car park, no offsite improvements such as drop kerbs or tactile pavements have been proposed to improve accessibility to the site and should be investigated.*

*Richmond Road is identified within the draft Adur and Worthing Local Cycling and Walking Investment Plan as a secondary cycle route and the A24 / A259 High Street within the Worthing Sustainable Transport Package, the application does not identify any potential improvements between the site and Richmond Road or on Richmond Road. Either further investigation and measures should be proposed by the application or a financial contribution taken towards measures to help integrate the site into the cycle network.*

### Trip Generation

*The trip generation of the site has been calculated utilising TRICS, a robust scenario has been utilised where existing vehicle movements to the car park have not been discounted as these would not be removed from the network and would likely see some redistribution.*

*The site is anticipated to generate an additional 148 two way trips in the AM peak and 130 two way trips in the PM peak. It is noted that this provides a robust scenario due to many of the facilities relocating from within Worthing.*

### Traffic Impact

*Due to the Impact of Covid-19 on vehicle flows it has not been possible to undertake traffic surveys for this application; however traffic data for Richmond Road and the Chapel Street/North Street Roundabout have been sourced from WSCC permanent traffic count and the Teville Gate TA. A 2025 future year scenario has been provided and traffic flows factored up by utilising TEMPRO growth factors. Trips have been distributed according to travel to work census data and assigned according to journey times.*

*% Impact Assessments have been carried out for:*

<i>Location</i>	<i>AM increase</i>	<i>PM increase</i>
<i>Richmond Road / Site Access</i>	<i>98 (7%)</i>	<i>52 (4%)</i>
<i>Chapel Road (between Richmond and Stoke Abbott Roads)</i>	<i>57 (2.9%)</i>	<i>34 (2.4%)</i>
<i>Christchurch Road (between Richmond and Stoke Abbott Roads)</i>	<i>17 (5.2%)</i>	<i>19 (7.8%)</i>

*Junction Modelling has been provided for the site access and the Chapel Road/North Street Roundabout and shows both would operate within capacity in a 2025 scenario.*

*Whilst it is acknowledged that a full set of surveys and modelling has not been undertaken to support the production of the TA, the robust information provided indicates the development would not result in a severe impact on the local highway network.*

#### *Parking and Servicing*

*The application proposals include a 185 decked car park and 8 accessible car parking spaces at ground level, drop off spaces and a layby on Christchurch Road. The parking is a similar level to existing however spaces are anticipated to be allocated to NHS trust and Civic Centre essential users, with the remaining spaces available for the public, The car park will be available for public use at evenings and weekends as per existing arrangements. Existing users who are not essential users would be expected to utilise other local car parks or travel by different modes Section 4.5.3 details a drop off layby is to be provided on Richmond Road, A TRO would be required to support the limited waiting and as such a sum of £7,500 would be required via S106. It is unclear if the layby was included within the safety audit undertaken.*

*A total of 68 cycle parking spaces are to be provided consisting of 32 long stay – within the building and 32 short stay – Sheffield stands and a cycle store.*

*Swept path analysis has been provided for refuse and emergency vehicles and is accepted.*

#### *Travel Plan*

*The following comments have been received from the county travel plan officer. The travel plan does not align with our Development Travel Plans Policy in that:*

- *It does not include a target to reduce 12-hour weekday vehicle trip rate by 15% compared to the Transport Assessment prediction for the no-Travel Plan scenario*
- *Monitoring does not follow the TRICS Standard Assessment Methodology*

*The proposed measures are a very good start but the attached 'model comments' document includes other ideas that could be incorporated (e.g. promoting the West Sussex Cycle Journey Planner and Traveline, funding adult cycle training for staff etc etc). Again, I would be grateful if you could ask the applicant to review.*

*Proposals to encourage working where at home are welcomed. I understand that Covid-19 pandemic has led to a number of patient consultations being conducted via telephone or video calls and I would be interested to see if such services could also be normalised (where possible) and reflected in the Travel Plan.*

#### *Conclusion*

*The following further information is requested:*

- Further consideration of offsite measures to link the site into the pedestrian and cycle facilities is requested;
- Clarification on Christchurch Road – Drop off layby inclusion within the safety audit;
- Revised Designers Response; and
- Revised Travel Plan.

The applicant is negotiating with WSCC to address the above matters and any further comments received will be reported verbally at the meeting.

**West Sussex County Council Lead Local Flood Authority** comments that,

*“West Sussex County Council (WSCC), in its capacity as the Lead Local Flood Authority (LLFA), hweas been consulted on the above proposed development in respect of surface water drainage.*

*The following is the comments of the LLFA relating to surface water drainage and flood risk for the proposed development and any associated observations, recommendations and advice.*

**Flood Risk Summary**

<i>Current surface water flood risk based on 30year and 100 year events.</i>	<i>Low risk</i>
<p><i>Comments: Current surface water mapping shows that the proposed site is at low risk from surface water flooding. This risk is based on modelled data only and should not be taken as meaning that the site will/will not definitely flood in these events.</i></p> <p><i>Any existing surface water flow paths across the site should be maintained and mitigation measures proposed for areas at high risk.</i></p> <p><i>Reason: NPPF paragraph 163 states – ‘When determining any planning application, local planning authorities should ensure flood risk is not increased elsewhere.’</i></p>	

<i>Modelled groundwater flood hazard classification</i>	<i>Moderate/high risk</i>
<p><i>Comments: The area of the proposed development is shown to be at moderate/high risk from groundwater flooding based on current mapping. This risk is based on modelled data only and should not be taken as meaning that the site will/will not suffer groundwater flooding.</i></p> <p><i>Ground water contamination and Source Protection Zones.</i></p> <p><i>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.</i></p>	
<i>Ordinary Watercourses nearby?</i>	<i>No</i>

*Comments: Current Ordnance Survey mapping shows no ordinary watercourses running across the site.*

*Local or field boundary ditches, not shown on Ordnance Survey mapping, may exist around or across the site. If present these should be maintained and highlighted on future plans.*

*Works affecting the flow of an ordinary watercourse will require ordinary watercourse consent and an appropriate development-free buffer zone should be incorporated into the design of the development.*

<i>Records of any flooding within the site?</i>	<i>No</i>
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*Comments: We do not have any records of surface flooding within the confines of the proposed site.*

*This should not be taken that this site has never suffered from flooding, only that it has never been reported to the LLFA.*

### ***Future development - Sustainable Drainage Systems (SuDS)***

*The Flood Risk Assessment included with this application state that below ground attenuation with a restricted discharge to the main sewer would be used to control the surface water runoff from the site.*

*As per the District Drainage Engineer's comments, the drainage hierarchy should be followed and further evidence as to why infiltration could not being used should be provided.*

*In the spirit of SuDS implementation, and in line with many of the policies within the West Sussex Lead Local Flood Authority Policy for the Management of Surface Water, betterment for surface water systems on the new developments should be sought. This could include retention at source through green/blue roofs, rain gardens, permeable paving, bioretention systems or tree pits prior to disposal to reduce peak flows. SuDS landscaping also significantly improves the local green infrastructure provision and biodiversity impact of the developments whilst also having surface water benefits.*

*All works to be undertaken in accordance with the LPA agreed detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles.*

*The maintenance and management of the SuDS system should be 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."*

**West Sussex County Council Archaeology** comments that,  
"No objection on archaeological grounds is raised to the proposals, subject to suitable archaeological safeguards. These safeguards should be provided for through the use of an appropriate planning condition, as follows: -

**Planning condition (archaeology)**

**No development shall commence within the site until:**

- a) **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;**
- b) **The approved programme of archaeological work has been carried out in accordance with the approved details.**

*REASON: To enable the recording of heritage assets of archaeological interest.*

**SUMMARY:**

- *The application area lies within a red-alert (very sensitive) Historic Environment Record Archaeological Notification Area, covering a known probable Roman settlement.*
- *It is possible, though not certain, that the application area may lie on the fringes of the settlement, not within its core area (below the Museum and alongside Chapel Road).*
- *Buried archaeological features of Roman date, associated with the settlement, may exist within the application area, and be reduced or removed in the course of ground excavations for construction of the new Clinic and multi-storey car park.*
- *Provision should be made, through the use of a planning condition, for mitigation of the archaeological impact of development.*
- *Archaeological mitigation measures should comprise: (i) exploratory archaeological investigation (excavation of trenches by an archaeologist) within the new building footprints; (ii) observation by an archaeologist of areas of new ground contamination investigation and remediation excavations; (iii) full investigation and recording, and subsequent analysis and full reporting, of identified areas of significant archaeological features, unavoidably at risk of damage or removal by new development works.*
- *For information - Research carried out in connection with this consultation response has established that the existing Central Clinic was built in 1931-2 for Worthing Borough Council (further details in comments below).*

**COMMENTS:**

*These comments are desk-based and concern archaeological considerations only (a little background history of the existing Central Clinic is included). The West*

*Sussex Historic Environment Record (WSHER) database has been consulted (internal search 23.6.2020).*

*The application site lies within a red-alert (very sensitive) Historic Environment Record Archaeological Notification Area, covering a known probable Roman settlement (WSHER record no. DWS 8677). Previous small-scale investigations and observations from 1907/8 onwards, during construction of the Museum and its later rear extensions and along the western side of Chapel Road from Ambrose Place to Stoke Abbott Road have reported Roman ditches and building material, suggesting the presence of Roman building and associated settlement.*

*It is likely that buried archaeological features associated with this settlement extend westwards into the application site. Very little and only very small-scale previous fieldwork has been carried out in or closely adjoining it, so that effectively no reliable information exists on this point. So close to the settlement, Roman field boundaries and other “periphery of settlement” buried archaeological features should be expected to have existed.*

*The site also overlies last Ice Age River Terrace Deposits (as defined by the British Geological Survey) of some depth: from the ground investigation (GI) carried out in May 2020 for the Ground Contamination Risk Assessment, some 9.5 – 10.5 metres of such deposits, directly overlying Chalk bedrock.*

*At 16 North Street, on the other side of Chapel Road, archaeological observation found a palaeochannel (ancient silted-up stream channel) in the upper part of river terrace deposits, containing a single human-struck flint flake, possible evidence of nearby early human occupation in the last Ice Age. The upper parts of the River Terrace Deposits on the current site may similarly contain evidence of former early prehistoric stream channels and human occupation.*

*The 2020 GI found the depth of made ground across the application area to be on average between 0.5 and 0.8 metres, with some deeper spots which indicate localised deeper previous, and probably modern excavations. 0.5-0.8 metres would be the generally expected depth of made ground in this part of Worthing (from previous observation of investigations in this area), below which buried archaeological features should still survive, largely intact.*

*Also within the application area, there are known to have been previously some buildings occupying parts of the existing car parks. None of these are known to have been substantial, so that within their footprints, buried ancient features may survive between foundations.*

*This may also be true of the existing Central Clinic, built in 1931-2 by Messrs Frank Sandell & Sons (foundations by Messrs James Bodle Ltd), instructed by the Borough Architect for Worthing Borough Council. The Clinic was first used for Children’s and Maternity Welfare and School Medical Departments (with thanks to West Sussex Library Service’s Local Studies Librarian for the new research that provided this information from Borough Council and other records).*



*From the GI report, it is not yet certain whether pad or strip foundations would be used for the new Clinic and multi-storey car park, or piled foundations (it is noted that suspended floors are recommended). The former would certainly reach and cut into the levels at which archaeological features may survive, and reduce or remove them. Depending upon the density of piling and piling method used, and the density of archaeological features present, piled foundations may also have a damaging effect.*

*Should planning permission be granted, an archaeological mitigation strategy should be devised to locate, quantify and evaluate the quality of buried archaeological features within the application area, focusing on the footprints of the proposed Clinic and multi-storey car park.*

*It is recommended strongly that as a first stage of archaeological investigation, exploratory archaeological trenches are excavated by an archaeologist in advance of development, within or closely adjoining accessible parts of these building footprints.*

*From the findings of these trenches, together with final foundation and drainage designs for the new buildings, areas where significant archaeological features would be damaged or removed unavoidably may be identified, and fully exposed and recorded before development-related excavations begin in those areas.*

*Further excavations for ground contamination investigation, and contamination remediation excavations, should be observed by an archaeologist so that records may be made (as feasible under safe working conditions) of any archaeological features or deposits exposed during those works.*

*Provision for archaeological investigation and recording should be made through the use of a suitable planning condition.”*

**Historic England** comments that,

*“On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.*

*It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.”*

**Sussex Police** comments that,

*“I have had the opportunity to examine the detail within the application and in an attempt to reduce the opportunity for crime and the fear of crime I offer the following comments from a Secured by Design (SBD) perspective. SBD is owned by the UK Police service and supported by the Home Office and Building Control Departments in England (Part Q Security – Dwellings), that recommends a minimum standard of security using proven, tested and accredited products. Further details can be found at [www.securedbydesign.com](http://www.securedbydesign.com)*

*The National Planning Policy Framework demonstrates the government's aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. With the level of crime and anti-social behaviour in Worthing district being above average when compared with the rest of Sussex, I have no major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends and site specific requirements should be considered.*

*I direct the applicant or their agent to our website at [www.securedbydesign.com](http://www.securedbydesign.com) where the Secured by Design (SBD) Commercial Development 2015 document can be found. This is a comprehensive document that encapsulates both commercial developments where the public have no formal access, e.g. factory or office buildings, and those where public access is integral to the commercial use such as retail premises, leisure centres and public buildings. This document will be able to provide the applicant with in-depth crime prevention advice pertinent to the design and layout.*

*I am pleased to see that the development reflects the attributes of safe, sustainable places set out in Safer Places – The Planning System and Crime Prevention. These are:-*

- *Access and movement - places with well-defined routes, spaces and entrances that provide for convenient movement without compromising security.*
- *Structure - places that are structured so that different uses do not cause conflict.*
- *Surveillance - places where all publicly accessible spaces are overlooked.*
- *Ownership - places that promote a sense of ownership, respect, territorial responsibility and community.*
- *Physical protection - places that include necessary, well designed security features.*
- *Activity - places where the level of human activity is appropriate to the location and creates a reduced risk of crime and a sense of safety at all times.*
- *Management and maintenance - places that are designed with management and maintenance in mind, to discourage crime in the present and the future.*

### **Car Park**

*I note that the decked car park will be expected to operate 24 hours a day - 7 days a week and will be open to the general public during evenings and weekends.*

*The applicant may wish to consider applying for a Parkmark accreditation for the car parking area. Parkmark and the Safer Parking Scheme is owned by Police Crime Prevention Initiatives Ltd on behalf of the police service and managed by the British Parking Association.*

*The purpose of 'Parkmark' is to:*

- Reduce crime and the fear of crime in parking facilities.
- Provide guidance to owners/operators and developers of parking facilities, both new and existing, on how to establish and maintain a safe and secure environment through the introduction of proven management processes, physical measures and site security systems, having considered the crime risk in the immediate vicinity.
- Raise awareness with staff and visitors when parking their car, bicycle, motorcycle, etc, that the owner/ operator has considered, and where appropriate, has taken action to reduce crime and the fear of crime within the parking facility they have chosen to use.
- Provide a design framework for architects and developers of new parking facilities.

Further details can be found at <http://www.parkmark.co.uk/>

### **CCTV**

*As CCTV is intended for various areas of the development it is imperative that any proposed lighting is commensurate with the CCTV equipment. Further details regarding CCTV and Data Protection can be found at the Information Commissioner's Office:*

*website at*  
[https://icosearch.ico.org.uk/s/search.html?query=CCTV&collection=ico-meta&profile=\\_default](https://icosearch.ico.org.uk/s/search.html?query=CCTV&collection=ico-meta&profile=_default)

### **External Bin Store**

*With regards to the bin stores I refer the applicant to SBD Commercial 2015 Chapter 21 22.2 - Litter Bins can also be used to assist climbing and the contents used to start fires. It is preferable that the bins are of a type that can be locked onto a fixed base and that they are located away from the buildings. Under no circumstances must litterbins be wall mounted beneath windows or on walls covered in combustible material.*

### **Landscaping/Street Furniture**

*With regards to landscaping all shrubs and hedges should have a maximum growth height of 1m, whilst all trees should be pruned up to a minimum height of 2.2m, thereby maintaining a clear field of vision around the site.*

*Mature trees should not mask lighting columns nor become climbing aids. All hard landscaping and street furniture should be robust and securely fixed to prevent removal, vandalism and use as potential ammunition.*

### **Cycle store**

*With regards to securing cycles I refer the applicant to Secured by Design (SBD) Commercial 2015 Chapter 46 which states:*

*The securing of cycles left unattended must be considered within the design of any new commercial premises. The cycle stand must facilitate the locking of both wheels and the crossbar. 46.4 states that minimum requirements for such*

equipment are: • Galvanised steel bar construction (minimum thickness 3mm) filled with concrete • Minimum foundation depth of 300mm with welded 'anchor bar'.

46.7 states that: ventilated, bicycle stores within the main building must either have no windows or windows with security grilles and be fitted with a secure doorset. The locking system must be operable from the inner face by use of a thumb turn to ensure that persons are not accidentally locked in by another user. The lighting in such a building must be automatically activated by a device, such as a passive infra-red detector.

### **Pharmacy**

Regards the security of the pharmacy I refer the applicant to the Secured by Design Hospitals 2005 document. Although primarily designed for the security of hospitals it nevertheless has pertinent information contained within which will be invaluable for securing areas of the site especially in relation to the pharmacy which will reduce the potential for targeted criminality.

### **Clinic**

With regards to entrances to the clinic and reception areas - I refer the applicant to Secured by Design (SBD) Commercial 2015 Chapter 36 36:1 through to 36:9. Chapter 37 37:1 through to 37:7 gives further advice pertaining to security of staff and reception areas.

### **Windows and Doors**

Regarding advice pertaining to the security of door sets and glazing I again direct the applicant to the Secured by Design (SBD) Commercial 2015 design guide in particular Section 2: Physical Security Specifications.

### **Treatment Rooms**

The layout of treatment rooms should omit obstacles between the health practitioner and the door. Patients should not be positioned between staff and the main entrance door. Additional doors should be located between treatment rooms, which allow an alternative method of entry into the room should a patient try to bar staff an exit via the main entrance door.

Finally, lighting throughout the development will be an important consideration and where it is implemented it should conform to the recommendations within BS 5489-1:2013. SBD considers that bollard lighting is not appropriate as it does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

The Crime & Disorder Act 1998 heightens the importance of taking crime prevention into account when planning decisions are made. Section 17 of the Act places a clear duty on both police and local authorities to exercise their various functions with due regard to the likely effect on the prevention of crime and disorder. You are asked to accord due weight to the advice offered in this letter which would

*demonstrate your authority's commitment to work in partnership and comply with the spirit of The Crime & Disorder Act."*

**Natural England** has no comments to make on this application.

**Southern Water** comments that,

*"Our initial investigations indicate that Southern Water can provide foul and surface water 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. We request that should this application receive planning approval, the following informative is attached to the consent:*

*A formal application for connection to the public sewerage system is required in order to service this development, please 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: [southernwater.co.uk/developing-building/connection-charging-arrangements](http://southernwater.co.uk/developing-building/connection-charging-arrangements)*

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

*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.*

*The disposal of surface water from this development should be in compliance with the hierarchy of Part H3 of Building Regulations:*

- a) An adequate soakaway or some other adequate infiltration system.*
- b) A water course.*
- c) Where neither of the above is practicable: a sewer.*

*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 applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.*

*The applicant proposes to retain the onsite drainage and suds within private ownership and maintenance. A private company shall be sourced to maintain and repair the sewers within the site boundary.*

*It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.*

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

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

*Following initial investigations, Southern Water can provide a water supply to the site. Southern Water requires a formal application for connection and on-site mains to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent: A formal application for connection to the water supply is required in order to service this development."*

The **Worthing Society** comments that,

*The Committee has now had the chance to examine the application in detail and we are broadly in favour of the project which would utilise a brownfield site. This new centre will deliver an important facility for the community and represents a significant investment in the future of medical and social care in Worthing.*

*Overall we consider the proposed new building sits well with its' heritage neighbours' and within the overall Civic Centre context. This is an important consideration as the proposal site is close to the Chapel Road and Richmond Road Conservation Areas. There are several proximate listed buildings which will be affected in varying degrees by the new centre. The development should therefore be of the highest possible standard and will in fact provide a significant opportunity to enhance Worthing's Civic Centre.*

**DESIGN, MATERIALS AND EFFECT ON HERITAGE ASSETS**

*Given the status of the area and associated heritage assets the new complex should be commensurate with the requirements of the NPPF to enhance the significance of the area. The highest quality of design, landscaping and materials to fulfil this requirement. Here are our views so far:*

*\*We welcome the design of the northern façade which together with the style of the windows, incorporates a series of bays to complement the character of the adjacent Grade II Listed Assembly Hall. The use of glass on the west facing elevation also gives a lighter aspect.*

- *\*The recessed upper storey is a welcome feature in that it will reduce the impact on the residential and mixed use buildings situated on the north side of Stoke Abbott Road.*
- *The red/brown brick materials and dark grey cladding will complement the Assembly Hall and the neighbouring Civic Centre buildings.*
- *The widening of the pavement on the north side of the new building will be an improvement in terms of safety and will enhance the setting of the new building*
- *Overall the design is appropriate to and the colour palette blends with the nearby civic buildings, in particular the Assembly Hall, Town Hall and Museum.*

#### **CAR PARK DESIGN AND MATERIALS**

*Following the Public Consultation we considered the car park design to be rather stark and in need of 'softening' to integrate more fully with the Civic Centre and to provide a visual link to the new building.*

- *\*Due to its size and mass the car park is an important, rather 'dominant' element of the design concept and will affect the overall character of the Civic Centre. Close attention to the design is therefore required. In particular the east facing elevation when viewed from Stoke Abbott Road should complement the setting of the adjacent Grade II Assembly Hall.*
- *\*We consider the bronze cladding finish for the car park elevation is an improvement and suits the overall colour palette.*
- *The Committee would still like to see further attention to detailed landscaping to further soften and integrate the car park particularly as regards the east facing elevation. This would give more prominence to the health centre building.*

#### **TREE CONSERVATION AND RE-PLANTING**

*The Society considers that every effort should be made to retain as many trees as possible. This is particularly important as the Council has declared a 'Climate Emergency,' and any loss of this natural resource is regrettable. Concerns have been raised from some members.*

- *Those trees which are to be retained should in our view be very carefully protected throughout the building process.*



- *The trees in the pavement area on the north side of the site are particularly important to the setting of both the new building and the area as a whole.*
- *\*This is an environmentally sensitive issue and we submit that wherever possible consideration should be given to planting young trees to mitigate the loss any mature trees from the site.*
- *The ground and landscaping materials used should facilitate good permeability and drainage to support the long term health of the trees.*
- *We welcome the fact that the large 'Hornbeam' located at the rear of Portland House, and which has a Tree Preservation Order, is to be retained. This tree is a significant heritage asset and contributes positively to the area.*

## LANDSCAPING

- *Colleagues welcome the 'Landscape Masterplan.' It is important that the new building sits 'naturally' in a high quality landscaped area so that it does not just appear as a 'building in a car park,' and evolves as part of the Civic Site.*
- *A pleasant setting with green spaces and sensitive landscaping would be beneficial to the well-being of those attending the health care centre. This is particularly desirable as the centre will provide mental health facilities and clinics. We therefore welcome the planting scheme to offer a range of interesting plants and particularly evergreens to ensure a pleasing aspect throughout the year.*
- *\*The improvements to the landscaping and setting of the south west corner of the Assembly Hall are also welcomed. The Assembly Hall is a facility well used by the public and is therefore an important element to be considered. These visual improvements will also serve to offset the dominance of the car park.*
- *Public walkways: we note the improvements in the scheme to the layout of public walkways.*
- *\*It is important pedestrians feel safe in a clearly defined public realm which also offers seating.*
- *\*Safety is a consideration and adequate lighting will be very necessary throughout the walkways.*

## VEHICULAR ENTRANCE AND EXIT AND TRAFFIC FLOW

*The Planning Application has addressed previous concerns raised regarding the traffic flow following the Public Consultation:*

- *\*We note that following the earlier consultation, the proposal is that traffic will now enter the site from Richmond Road and will exit on to Stoke Abbott Road.*
- *\*This Committee considers this to be an improvement and a safer option for motorists. An exit into Richmond Road, a busy east/west route with restricted visibility, could have proved dangerous.*
- *\*Adequate signage for both motorists and pedestrians at the entry/exit points will still be required. The one way traffic flow through the site would need to be clearly identified for pedestrians.*

- *The 'Drop Off Bay' for patients at the Christchurch Road entrance is an important facility together with the ambulance bay, disabled parking and the bridge link.*
- *\*The dropping off bay is vital for patients who may have to travel further by taxi if smaller more local surgeries are absorbed into the new health centre. Not all patients have the use of a private car*

## **PARKING SPACES**

*Committee members were keen to see as many parking spaces retained as possible and considered the public should not be charged. The use of this car park for the public is important to the town centre economy at evenings and weekends. This facility is also vital in supporting the use of the Assembly Hall which provides many concerts and community events.*

*HOLDING OBJECTION-SURFACE WATER DRAINAGE - We note that there is 'Holding Objection' in respect of issues with surface water drainage. Hopefully this can be resolved with suitable use of high quality permeable materials which are nevertheless aesthetically pleasing.*

## **CONCLUSION**

*The Committee trusts our submitted comments will be useful to the Planning Consultation process. There have been some improvements to the scheme since the Public Consultation in April, particularly as regards the car park design and traffic flow. The development would be a welcome facility for the town and could also afford the potential to enhance the setting of this part of the Civic Centre with a pleasing focus on improved landscaping."*

## **Design South East Panel**

As this is a major application the Council encouraged the involvement of a Design Panel run by Design South-East. The Panel assessed the scheme prior to submission and raised the following comments:

### **Summary**

*We commend the proactive steps Worthing are taking to develop this site for community good. We are pleased to see proposals at an early stage and particularly welcome the presentation of detailed models and visualisations. It is clear that as developer they are working to a complex brief from exacting client needs. The proposals have, broadly, responded well to these requirements.*

*As the design emerges, areas that would benefit from particular attention include how the building meets the street and the creation of an improved public realm to enhance this civic quarter. The concept that this proposal represents a contemporary completion of this quarter is positive, but it needs to be based on an examination of all aspects of massing and material in the immediate and wider surroundings. Improvements in this proposal may also arise from analysis of the likely movement of people, how the spaces will be used and how this could better inform interaction of the functions of this building within the town centre.*

## *Key recommendations*

- *Connections through the site should be understood to inform surrounding public realm and interface with existing streets, in order to embody the ethos of a civic quarter.*
- *A civic building of this nature would benefit from a weightier palette of materials with reference to local building types.*
- *Further measures to futureproof land use should be considered, with particular reference to the multi storey car park and how this may potentially provide alternate functions.*
- *We suggest further options for the alignment and number of entrances to the main thoroughfare within the building are explored.*
- *Further modelling should extend to assessment of the public realm and movement through and around the Civic Quarter. This could be a separate but connected master planning exercise that considers the relationship of existing buildings and their surrounding context.*

## *Detailed comments and recommendations*

### *1. Design strategy and context*

*As a new piece of town making with a community function in the Civic Quarter the panel applauds the intention behind this proposal. The key civic buildings adjacent to the proposal are contemporary in their design and adopting a similar approach would provide coherence. The process of how the design has evolved is clear and a lot of the thinking and analysis is evident in the proposals.*

*Building frontages on the rest of this urban block face their respective streets, this has been identified in the analysis of frontages but is not reflected in this current proposal. To maintain the intention of this building it may be worth considering a stronger entrance to the east of the site with a stronger relationship with the Assembly Rooms and Stoke Abbott Street. This will help the transition between the domestic scale of the western portion of the street and the civic buildings relating to Chapel Road.*

*Design of an integrated care facility should have wellbeing at the heart of all decisions, maximising walkability, views into calm landscaped spaces where possible, and other aspects that help improve wellbeing for visitors and workers.*

*The public realm needs should be supported by landscape. Cues could be found in other civic and public spaces of Worthing and the adjoining south coast development, particularly the Regency and Victorian gardens developed when the town was a fashionable resort. Opportunities for better landscaping in a southerly facing courtyard and its integration with the building and occupants should be more thoroughly explored.*

*In terms of architectural detail, there is potential to reflect local heritage through design of specialist features, such as wind funnels, within the detail of the scheme and particularly as part of the roofscape.*

## *2. Built form*

*The approach, scale and massing of the main building makes sense. There may be value in reassessing the internal layout, how the building will function internally, and how users will move through it and, in turn, how this may influence the built form. It may be worth exploring lowering floor heights in the more cellular accommodation to help improve the scale relationship with residential buildings on Stoke Abbott Street.*

*The way the building meets and relates to the surrounding street and public realm could benefit from further thought including with regard to the movement of people through the building. Layering of materials to represent different zones and function in the building should be considered.*

*The location of the pharmacy within the main building could be reviewed. There is potential for this function to be hosted elsewhere within the quarter to help animate and activate the new public realm by attracting footfall through the site. The narrow eastern entrance foyer surrounded by homeless services, bin store and cycle store should be reconsidered.*

### *Movement*

*Some of the concepts of creating a better public realm within the route through this civic square have become diluted by the need to replace all of the vehicular parking. As well as the way in which the building meets the streets, there should be more detailed analysis of how visitors access the site, exploring in particular how this can be easily adapted to changes in modal shift over time. There is an opportunity to strengthen the approach along Stoke Abbot Road, to incorporate and enhance the established drop off area in front of the Assembly Halls which will provide a rationalised drop off and a much-needed uplift to this part of the Civic Quarter.*

*The analysis shows that foot traffic to the new care centre would come predominantly from the north and west as this is where most patients of existing facilities live, hence the perceived strength of the entrance on that corner of this plot. The panel queried this. Reconsideration of how primary access is made may be beneficial to balance movement through the building and nature of different streets surrounding it. The main view of the building is more likely to be from the Chapel Road end. More detailed analysis might help to resolve the question of where the main entrance to the building should be.*

*Although the masterplan options are quite clear and the multi-storey car park in a central area has a logic, the dominance of the car park within the context of the whole plot requires mitigation. A prominent featureless multi-storey car park would not be welcome. We would prefer to see a landscape-led proposal that explores, for instance, the possibility of a raised courtyard with landscape treatments or, other opportunities that could provide more animation. More animation in the centre of the building could inform potential change to the primary entrance(s).*

*We would question aspects of the layout in terms of legibility and ease of access to users. As well as entrances, this includes the routes to the staircases, lifts and various departments which all appear compromised, particularly when considering security and safety. For example, the central reception point will require long walks from each entrance for information and orientation. How the building is experienced by the user needs to be clearly demonstrated and tested to confirm the disposition of circulation and functions is the best possible option.*

#### *4. Public spaces*

*Public spaces within the blocks and the approaches to the development from all sides could benefit from some further refinement to maximise the opportunity of a Council led shared community amenity.*

*The approach from Chapel Road up toward the Stoke Abbott Road entrance will be a key one. There needs to be consideration of how this proposed entrance, or any alternate welcoming approach, entrance and undercroft will be used on a daily basis.*

*The corner of Christchurch Road and Stoke Abbott Road would benefit from clearer definition. The predominant form and characterisation of the urban landscape on this side of the site, and through much of residential Worthing, is that streets are largely defined by low flint walls. There is a decision about whether to maintain the continuity of the suburban streets in the immediate context at the interface with the town centre or whether this becomes a clearer threshold to a civic quarter. The public realm here should make that clearer, while maintaining sensitivity to the residential form nearby.*

#### *5. Lifespan*

*The opportunity that the Council are taking to provide this facility needs to be considered with a long-term perspective, in keeping with the health and wellbeing services being offered. Opportunities for activity and healthy behaviours should be built into the design.*

*Landscape treatments, whether in the elevations of the main building, internally, or in the car parking, should be incorporated into the design, for instance by allowing space in plan to encourage creeper plants, rather than expensive add-ons like engineered 'living walls'.*

#### *6. Materials and detailing*

*It is the view of the panel that this proposal would benefit from a weightier palette of materials, taking cues from other civic buildings in the vicinity. Paragraph 130 of the National Planning Policy Framework (2018) states: 'Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).'*

*In order to be consistent with this national policy, the applicant team and local authority should note Design South East's general guidance on material quality and detail. At the planning application stage, the quality of the detailing should be demonstrated through large scale drawings at 1:20 and 1:5 of key elements of the building/landscape and should be accompanied by actual material samples which should be secured by condition as part of any planning approval.*

## **7. Energy strategy**

*The approach to energy efficiency was not discussed in great detail at this review. There was reference, though at an early stage, to an aspiration for use of passive energy. Our guidance is that at the planning application stage the proposal must produce a clear energy strategy which details how the development will optimise thermal performance, minimise the demand for energy, supply the remaining energy requirements efficiently and optimise the use of renewables in order to align with the Government's emerging zero carbon policy. This strategy should be informed by detailed modelling work informed by respected calculation methods.'*

### **Adur & Worthing Councils:**

The **Technical Services Officer** comments that, (First response)

*"We have the following comments on flood risk and surface water drainage.*

*Flood risk- The application is within flood zone 1, and is not shown as being at risk from surface water flooding. We therefore have no objections to the proposed development on flood risk grounds. Surface water drainage- the drainage strategy submitted details that it is proposed to use attenuated discharge to surface water as the means of surface water disposal. Infiltration must first be investigated based on winter infiltration testing and winter groundwater monitoring.*

*If it is found that infiltration is not viable attenuated discharge to surface water sewer would then be acceptable. We note that it is proposed to discharge at a rate equivalent to greenfield 100 year for all events up to and including the 100 year plus climate change event. As detailed in WSCC Policy for the Management of Surface Water, surface water discharge from brownfield sites should be restricted to 1 year greenfield where possible, or as close to it as possible. We also note that total site area, rather than proposed impermeable area has been used in this assessment. Therefore, we would ask that surface water is attenuated to as close to 2l/s as possible for events up to and including the 1 in 100 year plus climate change event.*

*The proposal to use underground crates and a interceptor do not meet the wider requirements of SuDS in terms of amenity and biodiversity. We would like to encourage the applicant to look again at proposed means of surface water disposal and look to include features such as rain gardens, green roofs, green walls, tree pits, etc. where possible.*

*There are large areas of hard surfacing proposed; these should be permeable to provide treatment at source and storage. If possible these should be left unlined to allow infiltration.*

*WE WOULD LIKE TO PLACE A HOLDING OBJECTION ON THIS APPLICATION. To overcome this objection the applicant should submit a revised surface water drainage strategy to evidence that: permeable surfaces will be used throughout; SuDS will be used that provide amenity and biodiversity benefit; the lowest achievable discharge rate for the site will be used if attenuated discharge is required, to be compliant with policy.*

*Should this information be satisfactorily provided we would then require our standard pre-commencement conditions to be imposed.*

Following the receipt of further information the **Technical Services Officer** has confirmed **no objection** to the development subject to conditions,

*'A revised FRA has been submitted and it is sufficient to remove our holding objection. The application will need our standard drainage conditions to be applied as we have only agreed the principle. Detailed drainage design will be subsequent to winter infiltration testing and winter groundwater monitoring. Further ground investigation results have been provided. These evidence that infiltration may be achievable, however, infiltration testing was undertaken in May and falling head tests were used. Winter investigations must be undertaken to establish if infiltration is viable. It is strongly advised that the applicant discusses the scope of these with us prior to them being undertaken to ensure that our requirements are met'.*

The **Environmental Health Manager** comments that,

#### Contaminated Land

A Preliminary Ground Contamination Risk Assessment Report (R14218 April 2020) and Combined Geotechnical and Quantitative Ground Contamination Risk Assessment Report (R14217 June 2020) have been submitted with the above application.

Elevated levels of PAH were identified in made ground across the site which will require remediation in soft landscaped areas. The report recommends the local water supply company is consulted with regard to whether protective measures (e.g. barrier pipe) are required as part of the development due to levels of petroleum hydrocarbons recorded above the threshold concentration for the use of PE pipework.

Four rounds of ground gas sampling was undertaken, elevated CO<sub>2</sub> (above 5%) was found on the third visit in two boreholes although the flow rate was found to be zero during all visits. The explanation for not considering this further seems to be that the source of this ground gas is unknown. I am not satisfied with this explanation. I would expect some further testing or a more robust risk assessment as to why the site shouldn't be raised to a Cat. 2.

I agree with Section 6.8 which recommends further investigation directly beneath the footprint of the substation following its decommission and removal and around areas of mature trees that are to remain on site to determine the level of risk in these areas.

I agree with the discovery strategy specified in Section 6.9. The Combined Geotechnical and Quantitative Ground Contamination Risk Assessment Report proposes a cover system for soft landscaped areas. This is provisionally acceptable but further details should be submitted within a Remediation Strategy following the additional investigations. We would expect a high visibility membrane at the base of any cover system and post placement testing of soils in landscaped areas.

### Noise

A Noise Assessment Report (ref: WICC-HYD-ZZ-XX-RP-Y-1001 dated 28 April 2020) has been submitted in support of this application.

This assessment included noise measurements between 12:23 and 16:18 on a single day. The LAeq and LA90 have been provided in the report, but I would question why the L10 has not been included and the shortened measurement procedure set out in CRN (Calculation of Road Traffic Noise) has not been followed?

I do not consider this assessment sufficient to set external plant noise. The LA90 taken during this period will not reflect the LA90 early in the morning or late in the evening so external plant operating at this level are likely to exceed the background noise level at these times. I would also expect any external plant noise set to be the cumulative rating level (including character correction etc.) which should be achieved at the nearest noise sensitive facade.

In addition, the MVHR for the integrated care centre is likely to be required to operate before 07:00hrs, particularly during the winter to heat the building before the medical centre opens. This should be considered in the assessment.

With reference to the MSCP, Section 7.3 refers to the detailed noise model which has been generated in order to calculate the daytime and night-time noise propagation from the decked car park. This model should be included in the report and it should indicate the receptor location that has been used for the calculations. Noise breakout from the generator/plant room on the ground floor of the MSCP has not been considered.

### Air Quality

The Air Quality Assessment (WIC-HYD-XX-XX-Y-RP-2001-P02 dated 19th May 2020) submitted with this application does not contain an emissions mitigation assessment, this needs to be provided. If you would like this to be conditioned then I would suggest the following wording:

The use hereby permitted shall not be carried on unless and until details of all operational phase air quality mitigation measures have been submitted to and approved in writing by the Local Planning Authority. The mitigation shall be at least



equal to the value calculated through an Emissions Mitigation Assessment as detailed in the Air quality and emissions mitigation guidance for Sussex (2020).

Section 7 of the Assessment refers to the provision of Electric Vehicle charging points for 20% of spaces. Appendix B of the WSCC Guidance document details WSCC's expected delivery of 'active' Electric Vehicle Charge points per unit delivered (for both residential and non-residential). This starts at 24% provision of active EVCPs in 2019 rising ~4% every year thereafter.

Section 4.1.12 advises that the energy source for the heating system and backup power supply is currently unknown. If the gas fired boiler option for heating and/or the 600kVA generator is chosen for backup power then additional assessments will be required to assess the impact. It is recommended that the requirement for additional assessments is made a Condition of any planning permission granted.

With reference to the construction phase impacts, the measures outlined Appendix A should be implemented for construction dust mitigation and a Dust Control Strategy specific to this development should be included within a Construction Management Plan. I would recommend the following condition:

No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

The anticipated number, frequency and types of vehicles used during construction,

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

As residential dwellings are in close proximity to this development site I would recommend the standard hours of construction condition.

Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times.

Monday - Friday 08:00 - 18:00 Hours

Saturday 09:00 - 13:00 Hours

Sundays and Bank Holidays no work permitted

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.

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

The Council's **Tree and Landscape Officer** comments that,

*'I have taken a look at this proposal and consider that the loss of the mostly Sycamore trees close to Stoke Abbott Road will not have a significant effect on the area, and that they can be replaced. The Oak tree T8 is a prominent and established feature, which contributes positively to local character and landscape of the area, although I cannot justify the loss of this tree, I would suggest that if it cannot be saved, the replacement tree or trees reflect its importance, maturity stature and prominence to the area.'*

## **Representations**

Six letters of objection have been received including one standard letter submitted by two local residents. The grounds of objection are summarised below:

- The plans are overdevelopment; I object and should be re-assessed in the light of the current national health emergency.
- I greatly appreciate the space provided by the car park; - I am not a motorist, and the trees are also worth considering.
- The proposal could affect users of the Assembly Rooms of an evening.
- Mention is made of saving other places of health in Worthing – which ones will now be converted to other uses – which buildings and locations do you mean?
- I fear the Aquarena development is now a catalyst for a whole series of schemes not really right for Worthing.
- The Council is urged to rethink the drastic consequences of these schemes of which the above is one. The Council should carefully consider making the right decisions in this heightened emergency time.
- As a key worker, in effect, I travel to Portsmouth frequently, there are so many developments taking place along the way in Lyminster, Yapton, Ford, Chichester etc – in Worthing we need more quality, less quantity.
- My concerns lie with the proposed 6 storey multi-level carpark which I do not consider is an asset to land bordering on a Conservation Area.
- Is the scale of this car park really necessary in an age which seeks to discourage car use? From the limited illustrations provided of the car park it looks like the typical concrete monstrosity which was demolished at Teville Gate.
- Although I have no objection to the development of this Health Hub, I am concerned that the local Zone F parking will be overwhelmed.

- Zone F is one of the smallest parking zones in Worthing and can already be very difficult to park in outside of the Controlled Parking times (even sometimes within the CPZ times due to the number of visitor tickets).
- I appreciate that the application does include a car park but will this be enough to support both employees + visitors to the Health Hub, Council Offices, Law Courts etc.
- What would be the incentive to use the car park provided when they can just park on the local streets for all but 2 hours (10-11am, 2-3pm) of the day, which was presumably brought in to stop train commuters parking all day?
- Would the Zone F Controlled Parking times be extended to prevent such parking?
- I would like to object to this on the grounds of size and scale / there is no need for another car park in Worthing / will increase the traffic / pollution / noise & disturbance and smells around our school.

The following standard letter of objection has been received from two local residents stating that,

*We wish to object to the Planning on the grounds of loss of privacy, disturbance, road safety and the loss of light in the day and an increase of light at night. Loss of privacy - We believe that the proposed building will not offer adequate privacy for the occupants of the adjacent building. The bedrooms of East Hill Court will be overlooked by the windows of the building. Under the human rights act in particular protocol 1, article 1 which states that a person has the right to a peaceful enjoyment of their possessions which includes the home and other land. We believe the proposed development would have a dominating impact on our right to the quiet enjoyment of our property.*

*Disturbance - There will be a very large increase in both footfall and traffic, which will bring an increase in noise, both human and vehicle as well as an increase in traffic fumes*

*Road safety - Stoke Abbott Road will be a lot busier with both traffic and foot fall. The road is already used as a cut through so that people miss the traffic lights by the main post office on Chapel Road. The increase in traffic on Stoke Abbott Road has been very noticeable while the gas works have been taking place, and this was happening whilst in lock down.*

*Loss of light in the day and an increase of light at night - In the day the building will block a lot of sunlight into the flats of east hill court. The building will also be in use 24/7 and the noise and lights from the building will disrupt sleep as it will overlook the bedrooms of east hill court.*

*We also believe that the proposed development site is too small and will have too much crammed into such a small area. Though no trees will be loss, the small pieces of grass in front of the existing central clinic will be lost. A lot of elderly people bring their dogs to this piece of grass for exercise as it is easily accessible for those with mobility problems. It is also the only public accessible green area between Homefield Park and Victoria park. The grass area though small is also*

*used by members of the public when attending the assembly hall during the day for conferences as an area to eat lunch.*

Two letters of support have been received commenting that,

- At last, this building is needed very much in a town of this size.
- As a GP who currently works in Health Central Surgery and for Shelley Road surgery I favour this development. It will mean better service for patients both for those in the housed and homeless communities and the access to different services within one building is what we should be striving towards as much as possible within the NHS.

*A letter of concern has been written by Cushman & Wakefield, on behalf of their client **HM Courts and Tribunals** raising the following issues:*

- *The development that will effectively wrap around the court building has the potential to cause disruption or interference. County and Magistrates courts handle sensitive matters and the courtroom often needs to be silent to hear evidence. If external noise (for example from construction of this development) disrupted this process the evidence could be deemed inadmissible in court which could lead to delays and could possibly lead to the collapse of cases.*
- *It is therefore respectfully requested that Worthing and Adur Councils as the Local Planning Authority (LPA) consider the impact of the construction works (specifically noise, dust, vibration and highways impact) on Worthing County and Magistrates Court.*
- *The protection of the amenity of existing business from potential noise disruption is covered in paragraph 180 of the National Planning Policy Framework (NPPF) which states that planning policies and decisions should ensure new development is appropriate for its location in so doing they should a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts. Paragraph 182 of the NPPF states that planning policies and decisions should also ensure that new development can be integrated effectively with existing businesses.*
- *The applicant has submitted a Noise Assessment with the planning application, this document acknowledges that there will be significant construction noise associated with the development. The Noise Assessment considers the impact of noise from key receptors at 3 locations. It is considered that the court building should be included as ‘sensitive receptor’ and that the Noise Assessment should be revised to assess the noise impact of the development on the court building. We would request that HM Courts and Tribunals (via Cushman & Wakefield) is consulted on the revised Noise Assessment and provided with sufficient time to comment.*
- *Notwithstanding the requested revision of the Noise Assessment, it is considered that as the court building is adjacent to the site and the development will effectively ‘wrap around’ the court building, the building will be subject to*

*significant construction noise unless sufficient mitigation measures are put in place. It is noted that the Noise Assessment has suggested noise mitigation measures including the adoption of a noise monitoring regime, the establishment of noise action levels and the implementation of a Construction and Logistics Plan (CLP) to pre-plan and manage traffic associated with the works to minimise disturbance to sensitive receptors. Whilst these mitigation measures are welcomed it is essential that the Construction and Logistics Plan also considers the impact of dust and vibrations caused by the construction works and provides appropriate mitigation.*

- *It is essential that the Construction and Logistics Plan and other suggested noise mitigation measures form conditions to any potential consent. This is essential to ensure that the day to day running of the courts are not disrupted through the construction period.*
  
- *Access to Law Courts Car Park a one way access from Richmond Road and exit via Stoke Abbott Road is proposed which will impact the Courts as the court buildings car park will be altered to follow the application site's one way system. If the one way system is agreed HM Courts would seek an undertaking for any costs associated with reconfiguring the car park (including suitable signage to allay safety concerns and reconfiguration of the car park) and drafting a new deed.*
  
- *Constriction Traffic: The courts are accessed via Christchurch Road, there is a main pedestrian access and a small car park to the north of the court building (accessed via Richmond Road). Whilst the pedestrian access is unlikely to be directly affected by construction traffic, there is likely to be some disruption to the access to the Courts car park (via Richmond Road). There could also be some local road closures or temporary removal of on street parking as part of the construction works which would impact the operational running of the courts. Notwithstanding the proposed CLP plan it is also requested that a Construction Traffic Management Plan be required as part of a planning condition attached to any consent for the site.*
  
- *Multi Storey Car Park: It is understood that the new multi storey car park will not be available for public use during the day which seems to be somewhat of a missed opportunity given the location of neighbouring courts building. Albeit it is understood to replace the current Civic Centre car park and health centre parking which is not open to the public.*
  
- *Overlooking: It is noted that the new care building will be situated to the north of the court building and will be screened primarily by existing mature trees. It is also noted that the decked car park will be opposite the court building and will be designed to provide natural daylight on each floor. As stated, criminal cases are held at the court building and some of these cases are of a sensitive nature. It is therefore essential that members of the public are not able to look directly into the court windows as this could pose a security risk. It is requested that this is taken into consideration in the determination of the application.*

- *It is requested that We would also request that HM Courts and Tribunals (via Cushman & Wakefield) is consulted on the subsequent discharge of conditions and provided with the opportunity to comment to ensure the development does not adversely impact on the smooth operation of the Courts during construction and subsequent occupation of the development*

### **Relevant Planning History**

There is no relevant planning history relating to the site. The Planning Assessment section gives details of previous policy documents relating to the site and the wider Civic Hub.

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

Worthing Core Strategy 2006-2026 (WBC 2011): Policy 1  
Worthing Local Plan (WBC 2003) (saved policies): RES7  
Supplementary Planning Document 'Space Standards' (WBC 2012)  
Supplementary Planning Document 'Sustainable Economy' (WBC 2012)  
'Infrastructure Delivery Plan' (WBC 2010)  
Supplementary Planning Document 'Planning Contributions' (WBC 2014)

West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2019)  
West Sussex 'Guidance for Parking in New Residential Developments' and 'Residential Parking Demand Calculator' (WSCC 2010)  
National Planning Policy Framework (NPPF - 2019)  
Circular 04/07 'Tree Preservation Orders: A Guide to the Law and Good Practice' (DETR 2000)  
Circular 11/95 'The Use of Conditions in Planning Permissions' (DoE 1995)

### **Approach to decision making**

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

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 indicates that in considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Similarly Section 72 subsection (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a comparable requirement relating to Conservation

areas and provides *“In the exercise, with respect to any buildings or other land in a conservation area.....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*

## **Planning Assessment**

The main planning issues to consider in determining this application are:

- The Principle of Development having regard to policies of the Development Plan and National Planning policy guidance.
- Design/Layout, Scale, bulk and Massing
- Impact on the setting of heritage assets and the Conservation Area having regard to the Planning and Listed Building Act and the NPPF.
- Impact on the residential amenities of neighbours and adjoining land uses.
- Transport and accessibility
- Sustainability

## **Principle of Development**

It has been recognised for some years that the site has been under-utilised. It is a large surface car park in a town centre location and various planning documents have recognised its development potential. The Town Centre and Seafront Masterplan (2006) stated that the rear of the Town Hall offers potential for rationalisation of existing uses and the creation of a more active Civic hub for the town. At that stage it was indicated that redevelopment might incorporate a new landmark cultural facility, retention of civic functions (including an upgraded library) and the scope for town centre living.

Although the high costs of constructing a new landmark cultural facility adjacent to the Assembly Hall ruled out this option, the scope to enhance and expand the range of civic buildings has remained an aspiration for the Council. West Sussex County Council (WSSCC) has also explored options to upgrade the existing main library. In 2011 the Council produced a Development Brief to inform the marketing of the north-west corner of the existing car park. At that stage the adopted Brief stated that the site could lend itself to *‘fairly high density residential development possibly including a health facility at ground floor level’*. This reference to a health facility reflected the urgent need to upgrade the Shelley Road Medical Centre. The Development Brief also reflected one of the key objectives of the Core Strategy which was to improve the quality and access to health facilities.

The subsequent *Investment Prospectus* published in 2016 highlighted the site as a development opportunity and more recently Platforms for our Places identified the commitment to work with *‘local health providers to deliver a new health hub facility with new models of health provision.’*

The Consultation on the draft Worthing Local Plan included the site for ‘*residential units and a healthcare facility*’ and set out some key development principles as set out below:

- *provide a mix of high quality residential, healthcare facilities and public car park (unless parking can be provided elsewhere) and amenity space;*
- *enhance permeability and provide an attractive and accessible pedestrian link from the site; be sensitive to the surrounding conservation areas;*
- *provide high quality design with particular attention to the height and massing of any scheme. Due regard should be given to the established building line to the north of the site along the frontage of Christchurch Road;*
- *provide sufficient parking to ensure the success of the new health facility;*
- *ensure that any contaminated land issues are appropriately assessed and managed.*

In addition emerging Policy CP7 states that the,

*Council will promote the creation of strong, vibrant and healthy communities and seek a reduction in health inequalities by: supporting proposals for new and improved health services and facilities in locations where they can be accessed by sustainable transport modes:...”*

As the above policy background highlights, there are no policy objections to the proposed Integrated Care Centre and the provision of new and improved health facilities for the local community will provide significant benefits. The new facility would provide a range of primary and community services and meet the NHS Long Term Plan for delivering new flexible models of care. The size of building reflects the range of services to be provided by a number of health partners. Whilst, this does not allow the scope for including some residential development, it will release existing health buildings in the town for alternative uses or redevelopment.

The emerging planning policies encourage replacement parking and therefore the principle of development is acceptable on this site.

### **Layout, Design, Scale, bulk and Massing.**

The Design and Access Statement (DAS) sets out how the team has worked closely with various health partners to design a building that incorporates all their needs and addresses the Councils requirements for replacement car parking (not only to meet the needs of the new health facility but also to meet the ongoing requirement for Council staff parking and public car parking). This has resulted in the need for two fairly substantial buildings on the site and the logical approach was to locate the decked car park within the centre of the site and the health hub fronting Stoke Abbott Road. This ensures that the decked car park is located in a more secondary location and the health facility provides a new addition to the sequence of civic buildings addressing the various road frontages.

The size of the health facility and the need for replacement parking has meant that a number of the trees need to be felled on the site. As indicated by the Tree Officer,



the most significant is a large Oak tree to the north of Central Clinic. Whilst this is regrettable, replacement tree planting is proposed.

The access strategy has sought to address existing access requirements and rights of way to the Law Courts, Library and Assembly Hall. The South East Design Panel did raise some concerns at the pre-application stage about the internal access road and the number of access points to the building. One suggestion was to retain the two way access from Stoke Abbott Road and have the main access on the south elevation of the building with the principle pedestrian access from Richmond Road. Whilst, this would have created an attractive south facing entrance and courtyard it would not have been possible due to the requirements for access to the Law Courts via Richmond Road as well as access requirements to disabled parking and the replacement sub-station. The scheme has also sought to create public realm space around the eastern entrance and space between the health hub and decked car park for pedestrian circulation.

### *Integrated Care Centre*

The various access points to the Care Centre reflect the differing range of health services provided and their different needs but wherever possible access points have been rationalised and the use of shared reception and waiting areas have been provided. During pre-application discussions your Officers had questioned the location of the pharmacy at the western end of the building, given that this addresses a more suburban street and the main commercial activity was to the east leading into the town centre. At that stage, the eastern access was a more functional service entrance and architecturally a weaker elevation. The intended occupier of the Pharmacy was keen to retain its presence fronting onto Christchurch Road and to address your Officers concerns the east elevation entrance has been improved and this appears now as a main entrance to the building.

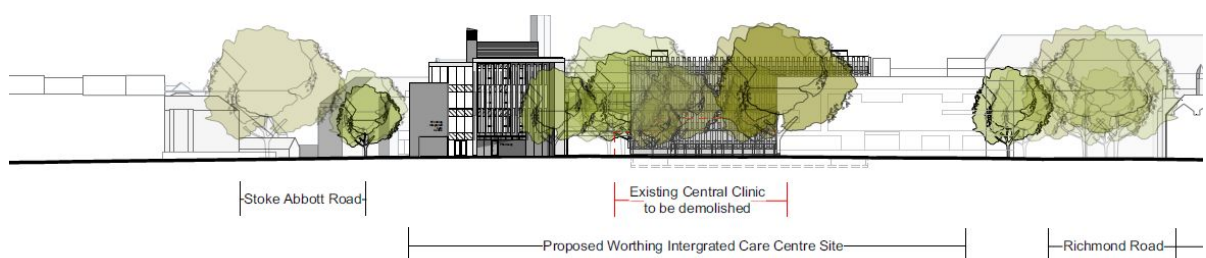


The design of the Care Centre has also involved during pre-application discussions and the architect has responded positively to the feedback from your Officers and the Design Panel (which were supportive of the overall design approach). The building successfully addresses Stoke Abbott Road by stepping back its height, scale bulk and massing. The 3 storey brick bays help to provide a domestic scale and rhythm to the street frontage which ensures a comfortable relationship with the 3 storey apartment blocks on the north side of the road. Whilst, a long elevation on this street frontage, the bays and reveals to the fenestration helps to articulate and break up this elevation. The scheme proposes increasing the width of the

pavement to enhance pedestrian movements and the building is set back 6 metres from the back edge of the highway. This setback together with the retention of mature street trees will ensure a successful integration of the building in the street scene.



The increased scale of the building is more apparent when viewed from the south, east and west. The increase in height and scale of the set back 4 storey is more challenging on the east elevation given the two storey scale of properties on the west side of Christchurch Road. However, the set back from the road of approximately 9.5 metres helps to accommodate the larger scale of this 4 storey element and the building would be set behind the high 3 storey terrace town houses to the north. The Law Courts to the south are also set further back from the Road albeit this is of a lower scale. As indicated previously a more restrained and secondary frontage to Christchurch Road would have been preferred. Although a tree is proposed on this corner there is some scope to provide some additional planting (particularly as the layby has been removed from the Christchurch frontage). The following cross section shows the respective building heights along the Christchurch Road frontage.



From the east the building will be seen in the context of the larger scale Assembly Hall. This relationship is addressed in greater detail under the heritage section. To the south a different architectural approach is taken. As indicated in the supporting DAS the central glazed corridor space provides the transition between the brick frontage with the 'rear' 4 storey section of the building. The south elevation itself is divided into two architectural approaches reflecting the different relationship with the decked car park. The section to the north of the decked car park is clad in bronze anodised aluminium. This elevation has a different form of fenestration with full height windows offset and linked in places to create *'fractures across the cladding. These windows will combine across the height of the facade to create larger joined up veins that will offer relief and interest to the facade from different angles.'*

The following extract from the DAS identifies the contrasting approaches to the north and south elevations of the building.



The western half of the building not shielded by the car park is inset by *brise soleil* to offer solar shading (this extends around west corner elevation). The use of these perforated mesh ‘fins’ to act as shading for the more exposed south elevation will provide an attractive and changing appearance to this section of the building at different times of the day and night.

Overall your Officers consider that the Care Centre is of a high design standard and has responded to its local context very successfully. The use of high quality and robust materials would help to ensure that the building maintains its appearance and enhances the street scene.

### *Decked Car Park*

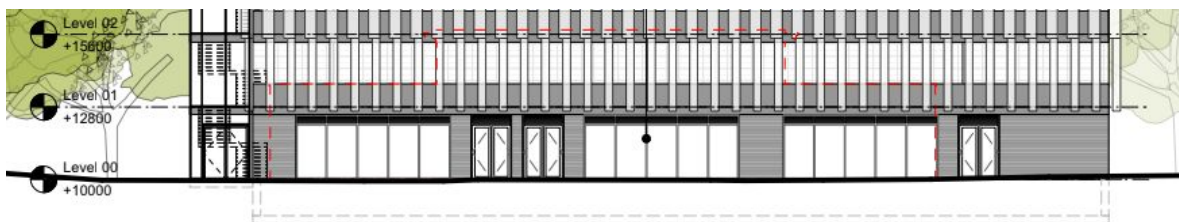
The ability to successfully screen a multi storey car park is always a challenge especially when in a sensitive location adjacent to a Conservation Area and within the setting of listed buildings. Various options have been considered by the design



team including the possible use of a green wall on the east facing elevation. The preferred approach of incorporating the same *brise soleil* effect proposed on part of the south elevation of the Care Centre does help give the structure a more light weight appearance and maximizes the opportunity for natural ventilation.



Your Officers have questioned the approach to the ground floor east elevation as the submitted elevations show a series of louvres. The DAS indicates that if the District Heat Network does proceed these could be replaced with glass to showcase the environmental benefits. However, in view of the prominent nature of this elevation the scheme has been amended to show ground floor glass windows (see below). Given the uncertainty of the District Heat Network a condition is recommended to agree the precise elevational treatment for the ground floor.



The architect was also requested to provide other examples of decked cars parks with this cladding approach and the following examples in Nottingham and Rotterdam help to illustrate the different approaches to using metal fins or cladding systems.



The design concept for the car park is considered acceptable in principle subject to consideration of its relationship with the Conservation Area and adjoining heritage assets.

## Impact on Heritage Assets

As stated previously the Planning (Listed Building and Conservation Areas) Act 1990 sets out broad policies and obligations relevant to the protection of Listed Buildings and Conservation Areas and their settings. The key issue is to consider the impact of any development on the setting of both the Conservation Area to the east and local heritage assets (both designated and non-designated). In considering the application therefore special regard has to be given to the desirability of *'preserving listed buildings or their setting (s69)* and there is a general duty to pay *'special attention to the desirability of preserving or enhancing the character or appearance of that area in exercising their planning functions'(s70).'*

The NPPF provides detailed guidance on the assessment of development proposals which may affect the setting of heritage assets/Conservation Areas (section 16). The National Planning Policy Guidance (NPPG) also provides guidance on assessing the impact on heritage assets and in particular comments that,

*'impact of a proposed development on the setting of a heritage asset needs to take into account and be proportionate to the significance of the asset being considered, and the degree to which the proposed development enhances or detracts from the significance of the asset and the ability to appreciate the significance.'*

The applicant's Heritage Statement assesses the historical development of the area, designated and non-designated assets in the area and the impact on these heritage assets. The report recognises that the site is within the setting of Worthing Town Hall, Museum and Art Gallery, the Assembly Hall and what is described as the Worthing Room (actually the Richmond Room). This conclusion is supported by your Officers and it is also accepted that other more distant designated and non-designated assets in the locality are not adversely affected by the proposed development.

The Heritage Statement concludes that there is no harm to the setting of these heritage assets or the Conservation Area partly because the site *'which is featureless without buildings or structures of interests presents a weak corner in an otherwise reasonably well structured streetscape'* and because the proposed development is *'similarly scaled and modulated to the 'Civic Area' buildings of the Chapel Road Conservation Area.'* The report also concludes that,

*'The location of the proposals is to the west of the 'Council Area' heritage assets, therefore, faces the significantly altered west elevation, and improves the intervening space. As a consequence of this, and by employing mitigating measures, the development does not harm the heritage assets in the vicinity.'*

It is accepted that the existing car park is visually not attractive albeit the presence of a number of trees does break up the mass of the surface car park and it is accepted that redevelopment would create some enclosure and could be seen to complete the set piece of civic buildings. However, your Officers have some concerns that the setting of the listed buildings has not been given greater consideration in terms of the scale of buildings proposed as well as an analysis of

the space between the development and the listed buildings. In this respect, the scheme has provided a masterplan to indicate how the space between the development and the listed building could be improved but these works are not included in the application and this could have helped mitigate the impact as suggested by the Heritage Consultant. The Care Centre does provide an attractive area of public realm to the east of the entrance but the large servicing, bin stores and existing pedestrian routes remain unaltered to the front and west of the Assembly Hall/Richmond Room.

The scale of the car park and the Care Centre is significant will have some adverse impact on the setting of the Assembly Hall and later single storey additions (Richmond Room). As the Heritage Statement indicates the Assembly Hall has for many years had an open and in some respects a mature landscaped setting with a number of significant trees framing views to the building when viewed from the north-east. The decked car park design is functional and its presence and scale will change quite significantly the current setting. Change in itself does not constitute harm and your Officers do not consider that there is substantial harm in this instance as defined by NPPF with the proposed development.

In response to these concerns the Heritage Consultant has submitted that,

*In relation to the Civic Area, the proposals will be a positive contribution to this specifically defined zone in the Conservation Area Appraisal. As a new Civic Building, taking the definition of a facility which serves the people of a town, the proposals respond to the scale and proportion of the existing Civic Area, interpreting it in a contemporary manner.*

*Civic Areas of most towns tend to be set in blocks and the development completes this block, currently the site of an open car park which does not appropriately resolve an important corner site. The car park does not enhance the existing Civic Area nor the adjoining buildings. The proposal, however, creates attractive routes between the existing heritage assets and the development, which is a positive contribution to the Civic Area within the Conservation Area. It also positively impacts the Conservation Area to its west, which, although this is smaller scale, and largely residential, will benefit from the improved visual impact of the development including landscaping and materials which are sympathetic towards the existing local palette.*

#### ***Heritage Assets in Proximity to the Study Site;***

*The proposals do not cause harm to the significance of the heritage assets in proximity to the site, but have the potential to impact this significance by development in their setting.*

*The rear (west) elevation to the Town Hall, which comprises the Assembly Hall and Worthing Room, are currently facing the car park and assorted facilities. Although this is the less ceremonial elevation of the Town Hall, its setting will be considerably improved by the considered hard and soft landscaping and relationship to other buildings rather than the amorphous open car park. The proposals complete the contextual setting for the Heritage Assets. They relate in a similar though less profound manner to the Worthing Museum and Art Gallery, in that the intervening*

*spaces enhance the Civic Area by extending it westwards. Other heritage assets are at such a distance as not to be impacted but some have long oblique views of the site which will be improved by the landscaping and design of the development.*

*There will undoubtedly be significant impact but it is an impact which I do not believe to be detrimental. It is a positive contribution to the Civic Area Conservation Area and to the setting of the heritage assets in its proximity by replacing the car park with buildings which create logical intervening spaces, considered views and appropriate scale. However, if there is strong objection to this assessment, it might, without prejudice, be classed as less than substantial harm, at the lower end of the scale in that range, outweighed by the public benefits afforded by the proposals. I would not disagree with this assessment.*

Your Officers do agree that any harm is less than substantial but feel that there is a need to seek the implementation of the Masterplan proposal for improving the intervening space between the development and the listed building (extract below).



The Applicant has stressed that this is beyond the current application site boundary and improvements would need engagement with other partners notably WSCC and the Theatres Trust. It is also stressed that the cost of implementing additional public realm improvements would affect the viability of this important project to improve health facilities for the local community.

These concerns are recognised and your Officers accept that the 'less than substantial harm' identified would be outweighed by the wider public realm benefits of the scheme. Paragraph 196 of the NPPF outlines that where a proposed development results in less than substantial harm to the significance of a heritage asset, the harm arising should be weighed against the public benefits accruing from the proposed development. Paragraph 18a-020 of the NPPG outlines what is meant by public benefits: Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (Paragraph 7).

The public benefits in this case are clearly set out in the supporting statements and the commitment of all partners to make a step change to health provision within the town is a significant and compelling benefit of the development. Nevertheless, it would be important to ensure that the Council pursues the implementation of improved public realm as this would further assist in mitigating the impact of the development on heritage assets. The design of the car park at ground floor level is important but the space available for tree planting is limited.

As indicated by the Councils Tree and landscape Officer it would be beneficial to replace the large Oak tree with something more substantial than ornamental planting as suggested. The area to the east of the decked car park includes two areas of lawn and a large hedge running adjacent to the ramped access to the library and this would provide scope for more significant tree planting to help filter views of the car and enhance biodiversity. There may be scope to use other s106 funding to deliver these improvements and your Officers are talking to WSCC to see whether further public realm improvements within the wider civic hub could be committed in parallel with the development.

### **Impact on the residential amenities of neighbours and adjoining land uses.**

As indicated earlier in this report the scheme has sought to respond to adjoining neighbours by stepping the building back from the road frontages and stepping down the height of the north elevation onto Stoke Abbott Road. The design process had regard to design and sunlight considerations and this revised the scheme during its development as the following cross section illustrates:



The building would result in a significant change to the appearance of the street scene which has been left underdeveloped as a surface car park. However, it is not considered that it would have an overbearing impact. The separation distances of over 22 metres to properties on the north side of Stoke Abbott Road and 25 metres to properties on Christchurch Road would ensure that the development would not cause unacceptable overlooking or overshadowing. Furthermore, as a health facility the extent of overlooking would be less than if it was a residential development.



The application has submitted a noise report which concludes that the development would not impact on the amenities of adjoining residents. The Councils Environmental Health Officer has raised some questions about the methodology used to assess noise levels and the hours that plant may be running to service both the decked care park and Care Centre. The applicant's Noise Consultant is addressing these issues together with the concerns raised on behalf of the Law Courts that its building should be considered a noise 'sensitive receptor' in its noise assessment. Members will be updated at the meeting in respect of these matters. To protect adjoining uses and residential properties it will be important to set maximum noise levels for plant and equipment on the site and this can be incorporated in appropriate worded conditions.

In terms of noise from the decked car park it is accepted that there will be noise generated at a higher level compared to the surface car park, however, the decked car park will be located 56 metres away from residential properties and effectively screened by the Care Centre building. Whilst the concerns of the Law Courts are noted the car park would be located 23 metres away and it is not considered that noise from cars would cause any noise and disruption to Court activities. An hours of use condition on the car park would be appropriate albeit it would be important not to restrict the public use of the car particularly linked to weekend use (midnight to 7.00 am is recommended).

It would be important to address potential disturbance to residents and the Law Courts during the construction phase and matters such as noise, dust and vibration can be adequately addressed through a Construction Management Plan condition.

### **Transport and Accessibility**

As indicated previously the transport strategy has been influenced by a number of factors, not least the need to preserve existing access rights for other public sector partners (Law Courts, Library and the Theatres Trust). Whilst, it would have been preferable to try and rationalise some of these access points to improve pedestrian permeability through the site and increase soft landscaping, the design team have concentrated on providing the safest route and for expediency retained existing accesses. The letter on behalf of the Law Courts perhaps highlights some of the issues in terms of altering existing rights of way.

The Highway Authority raises no objection to the replacement parking and the retention of public parking on the site addresses the need identified in the Councils Car Parking strategy and will help to mitigate parking on surrounding roads. The concerns of local residents that patients potentially would park on surrounding roads rather than pay is noted, however, it is likely that the convenience of parking immediately adjacent to the Care Centre, particularly with direct level access to the building, would encourage use of the decked car park and it should be noted that Worthing Medical Group at Shelley Road operate with very limited on site car parking (and no parking at Heene Road).

The precise management of the new decked car park and the split between health use, Council staff and the public has not been finalised and it is proposed to be dealt with by planning condition (requiring details prior to its first use). However, the

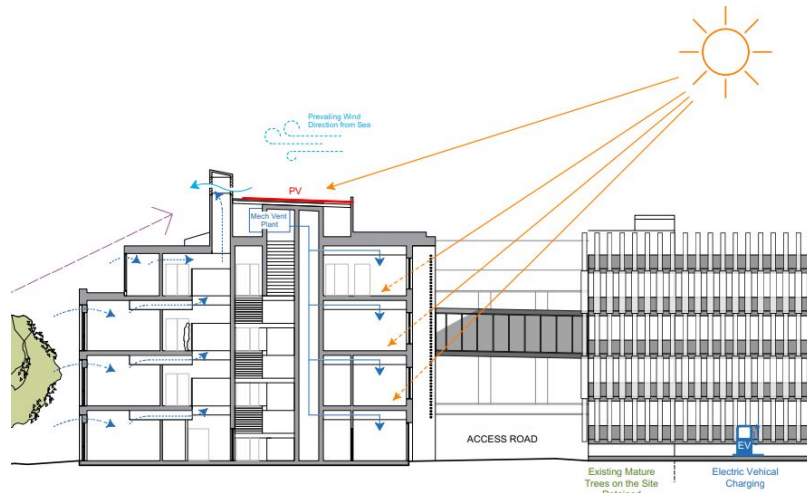
level of parking demand for the existing surface car park has reduced dramatically with home working for Council staff and new ways of working introduced by many GP practices are likely to be continued ensuring that more public parking is available during the week and not just at evenings and weekends. Ideally the car park would just provide spaces for pool cars to be used by various public sector partners on the site to reduce vehicle movements and maximise the sustainability of the site. The provision of EV points would also encourage the use of electric vehicles and the applicant has agreed to increase provision in line with WSCC standards (24% of spaces provided).

In terms of vehicle movements the replacement car park is similar in capacity to the existing and the proposed one way arrangement, with access off Richmond Road, would reduce traffic movements in Stoke Abbott Road. The Transport Assessment includes a number of measures to promote more sustainable modes of transport and the requirement for a detailed Travel Plan will help to deliver these measures and ensure ongoing monitoring.

The Highway Authority has asked the applicant to investigate providing a segregated cyclepath link along Stoke Abbott Road to link to the new A24 cyclepath leading into the town centre. The A24 route is one of the key routes identified in the Local Cycling and Walking Improvement Plan (LCWiP) and forms part of the emerging Sustainable Transport Plan for Worthing. The applicants Highway Consultant has challenged the requirement for this link given that the cyclepath is only at feasibility stage and that the link is not necessary given that cyclists can join the segregated route using Stoke Abbott Road. It is also questioned whether this link is essential to make the development acceptable in highway terms. The response of the Highway Authority is awaited and will be reported at the meeting.

## **Sustainability**

The sustainability credentials for this development are understandably high given that the Council and NHS as public sector bodies are keen to meet the challenges of climate change. The requirement for BREEAM Excellent rating has required the Design Team to fully embrace sustainability and for it to be embedded into the design process from the outset. The design incorporates passive ventilation strategy for the north-facing rooms with air drawn in and discharged out through the atrium via a series of wind catchers positioned along the length of the building. This together with the use of *brise soleil* along the south elevation provides shading to the accommodation and a PV array on the south facing section of roof will ensure the use of renewable energy.



Members will be aware that the Council is investigating the development of a District Heat Network to serve the civic quarter and space has been provided for a possible energy centre on the ground floor of the decked car park. As mentioned earlier this could provide opportunities for a public facing display area highlighting the benefits of district heat network systems and the Council is assessing various energy generation options.

Overall the sustainable credentials of this development are very high and the design has been future proofed to facilitate other sustainable features such as a district heat network but also the incorporation of a PV array on the top deck of the car park.

### **Conclusion and Recommendation**

The proposed development has been designed to a very high standard and has successfully dealt with the constraints of the site and a demanding brief from different health partners coming together to share a facility for the first time. The new integrated health facility will significantly improve local health facilities and help to improve health outcomes for the local community.

The development has been designed to successfully relate to the lower residential character of Stoke Abbott Road and provide an appropriate relationship with heritage assets. Whilst the scale of the car park and Care Centre would have some adverse impact on the setting of the Assembly Hall this is less than substantial and would be outweighed by the significant public benefits of the scheme. The impact of the development would be further mitigated by implementing the wider Masterplan and your Officers would be keen to see this implemented by the Council working with West Sussex County Council as part of its commitment to improve public realm.

**Subject to the receipt of the satisfactory comments of the Highway Authority and Environmental Health Manager it is recommended that the decision be delegated to the Head of Planning to grant planning permission subject to a s106 planning obligation seeking a contribution towards sustainable transport measures and the following conditions:-**

1. Standard 3 year time limit
2. This permission relates to the following approved plans (to be inserted).
3. Submission of details of all materials (including samples).
4. Standard Landscaping condition.
5. Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any Infiltration drainage. No building/No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.
6. Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.
7. Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity. Construction of
8. No development shall 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.
9. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The

Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

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

10. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times.

Monday - Friday 08:00 - 18:00 Hours

Saturday 09:00 - 13:00 Hours

Sundays and Bank Holidays no work permitted

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.

- 11 Details of the proposed lighting scheme for the development shall be provided to and approved in writing by the planning authority prior to any installation.
- 12 The decked car park shall only be open to the public between the hours of 7.am and midnight.
- 13 Implementation of Travel Plan and subsequent monitoring.
- 14 Standard ground contamination condition.
- 15 Any other conditions recommended by Consultees.**

**Application Number: AWDM/0632/20**

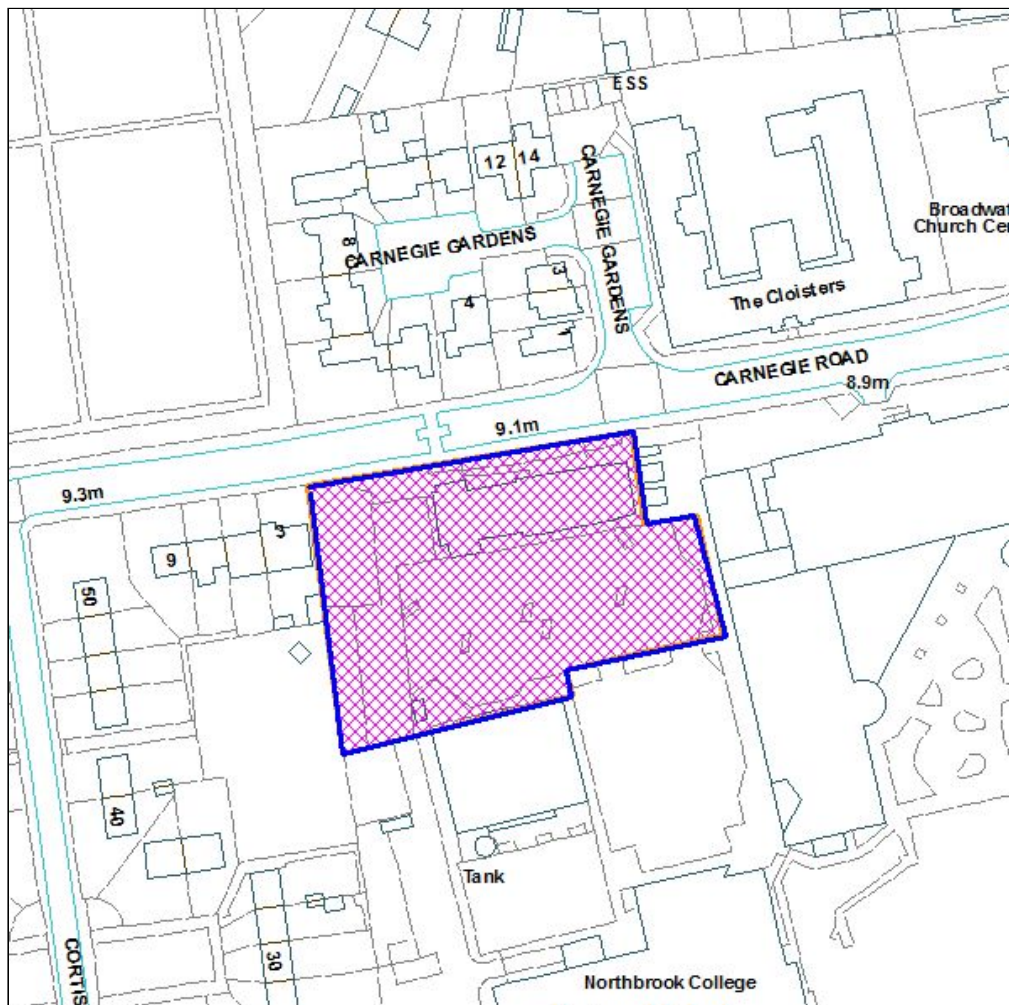
**Recommendation – APPROVE**

**Site: Site of former canteen at Northbrook College  
1 Carnegie Road, Worthing**

**Proposal: Demolition and removal of the former College refectory building and construction of a two, three and four-storey residential apartment block consisting of 23no. residential apartments (C3 use Class) (7 affordable) with vehicle parking, secure cycle storage, bin storage and landscaping; and the rationalisation of the existing staff parking and access arrangements at Northbrook Metropolitan College.**

**Applicant: Greater Brighton Metropolitan College  
Case Officer: Jay Singh**

**Ward: Gaisford**



**Not to Scale**

## **Proposal Summary**

This is an application on behalf of the Greater Brighton Metropolitan College which seeks full planning permission for the demolition and removal of a former College refectory building at Northbrook Metropolitan College and replacement with a two, three and four storey residential apartment block consisting of 23no. residential apartments (C3 use Class) (7 affordable) with vehicle parking, secure cycle storage, bin storage and landscaping. Other elements of the scheme include reconfiguration of the existing staff parking and revised access arrangements to Carnegie Road.

## **Site and Surroundings**

The site covers some 0.35 HA and forms part of the wider Northbrook Metropolitan Broadwater Campus which contains a range of college buildings and associated facilities. The wider Campus site occupies 3.7 hectares which is bounded by Broadwater Road along its eastern boundary and Carnegie Road to the north. It is one of three primary campus locations, the others being at West Durrington and Shoreham Airport.

As discussed further below, The College site is identified as an Area of Change within the Worthing Core Strategy 2011, and has previously undergone significant redevelopment (in 2013) as part of the College Masterplan redevelopment. The previous redevelopment proposals sought to provide upgraded educational facilities including a new cafeteria space, which is now located within the main college building to the east of the site.

The components of the application site include a former refectory building (D1 use), which became surplus to requirements when the new cafeteria was constructed in 2013, an area of informal landscaping and part of the existing college park comprising 55 spaces. The existing refectory building is of broadly rectangular shape and covers some 400m<sup>2</sup> with a max height of approx. 6.5m and width to the Carnegie road frontage of approx. 39m. The building frontage is setback from the footpath to Carnegie Road by between 4m (western end) to 5.5m (eastern end).

The site has existing pedestrian and vehicular access to Carnegie Road. This part of Carnegie Road is subject to restrictions which means vehicular traffic can only travel west along Carnegie Road. The surrounding uses and built form include college buildings to the east, with a recent modern extension to the college building located adjacent to the eastern site boundary, and further college buildings to the south, 2-storey housing to the west and on the opposite side of the road at Carnegie Gardens. It is noted that that wider college Campus contains buildings of significant scale and massing fronting the A24.





Aerial View of the site, looking south west

The surrounding built form includes housing constructed with facing brick with features such as hanging tiles and white render to the elevations. To the east of the site is a contemporary extension to the college building finished in white render with grey cladding (visible in the above photograph).

In respect of heritage assets, the site is located with an area of potential archaeological significance, a conservation area is located approximately 115m to the east of the site beyond the A24, a Grade II listed Chapel is located approx. 300m to the north-west and Grade II Listed South Farm Cottages on South Farm Road are located approx. 260m to the west.

The site is recognised to be within an accessible location, with a range of facilities and services being available within the locality including public open space, schools, public transport, Worthing Train Station (1km away) and the Worthing Town Centre (2km away).

## **Proposal**

### *Apartment Building*

The proposal would replace the redundant refectory building with a part two, three and four storey residential apartment block to provide 23no apartments comprising 16 open market units (4x1 bed, 10x2 bed and 2x3 bed) and 7 affordable units (2x1 bed, 3x2 bed and 2x3bed). The apartment sizes would vary from 52sq.m to 82 sq.m area. The block would be broadly rectangular in shape with a recessed 4<sup>th</sup> floor and at the western shoulder dropping down to 2-storey. The approx. dimensions of the building include a 48m width to Carnegie Road, depth of 15m (with set back from footway of approx. 5.5m at eastern end to 7m at western end) and max height of 11.5m.



As discussed further below, a contemporary design approach is proposed using facing brick with projecting bays. The recessed 4 floor would be a brown 'bronze effect' metal cladding. The plans show associated facilities including 20 internal cycle spaces, patio areas, balconies (of which 3 face Carnegie Gardens), recycling/bin storage, soft landscaping and gas enclosure. A package of sustainable measures would also be secured including measures such as solar PV panels, green roofs, electric car charging points, amongst other elements as discussed further below.

#### *Rationalisation of the existing staff parking*

As indicated above, part of the site includes part of the existing college car park. This would be reconfigured to provide a 23 car park dedicated to serving the proposed apartments with the college car park effectively being reduced from 132 spaces down to 100 spaces.

#### *Proposed access arrangements*

As part of the rationalisation of the college car park, the existing access in to the site from Carnegie Road would be realigned moving it approx. 6m further west. The access width would be 5m with a landscaping strip to its west, 2 car club parking bays, gas enclosure and pedestrian footpath to its east.

A full suite of supporting information and technical reports can be found on the council's website comprising:

- Application Forms and Notices
- Suite of Drawings
- Design and Access Statement
- Preliminary Ecology Appraisal
- Bat Emergence Survey
- Flood Risk and Drainage Assessment
- Statement of Community Involvement
- Transport Statement
- Framework Travel Plan
- Phase 1 Contaminated Assessment
- Air Quality Assessment
- Noise Assessment
- Archaeology Assessment

#### **Relevant Planning History**

- AWDM/0145/14 - Demolition of existing accommodation comprising 1610 sq. metres and replacement with a new single storey building comprising new classrooms, workshops and staff room comprising 360 sq metres plus the upgrading of the remaining E block with a new canopy, windows, doors, rooflights and associated hard and soft landscaping.

Approved on 07 May 14.

- AWDM/0527/12 - The demolition of 3911m2 GIA poor quality single storey timber Nissan-type hut college buildings and the construction of a 2 storey building which includes a double height refectory, with an internal bridge link to the existing College building (R Block), general teaching classrooms, exam suites, employment zone, an LLDD facility for students with learning difficulties, new staff accommodation and associated external hard and soft landscaping works, signage and associated ancillary accommodation.

Approved on 13 October 12.

- 10/0826/FULL. Demolition of four single storey mobile hut college buildings, garage and greenhouse (approximately 370m2), and construction of a single storey building of 516m2 Links College teaching facility for out of school learning for 40-60 challenging pupils for use by WSCC, with associated external hard and soft landscaping works including south facing external social space, play area, water tank storage area and signage.

Approved on 1 December 2010

- 07/1041/FULL. Demolition of all existing college buildings and erection of new build development consisting of 3 storey building(s) with 6 storey "tower" as new Further, Higher & Adult Education college on existing college site, inclusive of associated on site car parking and hard & soft landscaping.

Approved on 18 August 2009

### **Procedural Matters**

The application has been publicised in accordance with the legal requirements of the Town and Country Planning (Development Management Procedure) Order 2015, and the Council's Statement of Community Involvement. This has involved the display of site notices and neighbour notification letters.

The proposed development would create new residential floor space that would be liable to CIL payments in accordance with the Council's CIL Charging Schedule.

### **Consultations**

Re-notification of neighbours and re-consultation of amended plans runs until 21 August 2020 and further updates will be provided.

Below is a summary of the responses available at the time of writing this report.

### **Statutory and non-statutory consultation**

A summary of the consultation responses received during the consideration of the application are provided below. The full responses may be viewed within the application documents on the Council's website.

**West Sussex County Council Highways:** Final comments on the amended scheme awaited and shall be reported in late committee update papers but previously advised no objection in principle to the scheme with the following comments:

- Access - the site has an existing access onto Carnegie Road that serves 132 car parking spaces for the college. Proposal seeks a new access located a short distance further west again onto Carnegie Road. Road safety audit not required. There are no in principle concerns with the proposed access subject to details.
- Trips: During the peak hours when the network is at its busiest, the development is expected to result in 8 two way trips in the AM and PM peaks respectively - very modest increase in trips by all modes on the local highway network.
- Sustainable Access - location offers residents good opportunities to travel by sustainable modes. Travel Plan should be secured for the proposal and existing college.
- Car parking – Provision in accordance with WSCC standards. Level of car parking is being reduced for the college from 132 to 100 spaces. The loss of spaces could be accommodated within the existing car park through spaces that are presently unused or on-street. 2 Car club spaces also provided
- Recommended potential planning conditions in relation to detailed access design, car parking provision, cycle parking, construction management plan, car club and travel plan.

**West Sussex Fire and Rescue Service:** No objection

**Environmental Health Officer (Public Health):** No objection

Recommends conditions for:

- Noise: implementation of a scheme to protect against elevated external noise levels
- Construction Management Plan: including measures to minimise air quality impacts of construction works, such as dust suppression, provision for deliveries and storage of materials.
- Land Contamination: Further investigations are required to be secured via planning condition.

**Environmental Health Officer (Air Quality):** No objection

- The development would have not have an adverse impact on local air quality subject to air quality mitigation, equivalent to £10,391, being secured (such as contributions towards car club and electric vehicle charging points) and measures within a construction management plan to reduce air quality impacts on local receptors during the construction process.

**Private Sector Housing:** No objection.

**Lead Local Flood Authority:** No objection

Proposed site at low risk of surface water and groundwater flooding with no historical flooding recorded within the site. The SUDS strategy includes green roof and permeable paving. Infiltration testing needs to be undertaken. Discharging surface water into the sewer is not supported. Details of surface water drainage, calculations, verification of completed works and details of future management to be agreed with the LPA.

**Borough Drainage Engineer:** No objection

Not within an area at risk of flooding. Sustainable drainage to be secured through green roofs, permeable surfacing and other ground infiltration techniques subject to further ground investigations.

Recommends conditions:

- Final details of surface water drainage, verification of completed works and details of future management.

**Southern Water Services:** No objection - Request informative notes for the applicant in respect of development proposals affecting water mains and sewerage infrastructure.

**Historic England** – Do not wish to offer any heritage comments. Refer to your local conservation adviser.

**County Archaeologist:** No objection – The site is located within an Archaeological Notification Area, centered on the recorded location of early prehistoric refuse pits of the period 6300 – 6600 years Before Present (Early Neolithic period), rare in West Sussex, and the sites of former World War 2 air raid shelters for schoolchildren. Further remains of prehistoric and wartime occupation may exist within the site. Archaeological mitigation measures involving a programme of investigation and recording should be secured via planning condition.

**Worthing Conservation Advisory Committee:** No comments received at the time of the writing this report.

**Worthing Society:** Broadly supportive. However, there are concerns that the darker coloured brick elevations of the bays, particularly as shown on the north facing elevation could appear over dominant. These elements could appear somewhat oppressive when viewed from the residential properties directly opposite. Whilst we appreciate a colour contrast may add definition to the design, we consider a somewhat lighter colour palette would be desirable for this element and would still produce a pleasing contrast.

**Worthing Archaeological Society:** No comments received at the time of the writing this report

**Natural England:** No objection

## **Police Design Advisor: Comments**

No major concerns with the proposals. However, additional measures to mitigate against any identified local crime trends and site specific requirements based on Secured by Design principles should be considered such as visitor door entry systems, access control systems with audio-visual communication between the occupant and the visitor.

Comments made regarding the permeability surrounding the site. The access into the site is going to be shared with the college. Privacy of the residents could be affected. It is important that the boundary between public space and private areas is clearly indicated. Consideration should be given to limiting access into the residential site to only those who reside there.

## **Public representations**

At the time of writing this report, a total of 11 neighbour representations have been received on behalf of the occupiers of Carnegie Gardens, all of which object to the proposal on the following grounds (Re-notification of neighbours of amended plans runs until 21 August 2020 and further updates will be provided).

- Amended plans received 7 August do not address the fundamental issues with this scheme of 23 flats with 2,3 and 4 storey height in terms of its being out of keeping with surrounding properties, overdevelopment, noise and disturbance, overshadowing, overbearing, loss of privacy through overlooking with neighbours, highways impact
- None of the amended plans show the front elevation, i.e. from Carnegie Road.
- Excessive scale, height, massing and overly dominant in relation to surrounding 2-storey development including existing college buildings and housing on Carnegie Road and Carnegie Gardens.
- Overdevelopment of the site.
- Adverse impact on the occupiers of Carnegie Gardens by way of loss of light and privacy (from proposed windows and balconies) and through increased noise and disturbance from the comings and goings of future occupiers.
- Taking into account the loss of college car parking provision, insufficient off road car parking being proposed to meet the needs of future occupiers, average car ownership levels and taking into account cumulative impacts, the proposal would result in an adverse impact on on-street parking demand to the detriment of highway safety.
- Inappropriate use of the site which should be reserved for educational, recreational, community uses or commercial uses.
- More appropriate sites for the college to dispose of that are better suited for housing development.
- Adverse impact on highway safety through increased traffic generation on Carnegie Road, inappropriate access arrangements/design and lack of on-road turning areas.

## Other comments

- Proposal should be reduced to 2-storey development and set back further into the site
- Removal of car parking in line with the colleges green travel plan but in reality students will still drive to the college site creating on-street parking demand.
- The former canteen contains asbestos which needs to be removed appropriately and mitigation to protect neighbours should be put in place.
- Potential restrictive covenant on the application site which restricts the use of land to educational use only.
- Construction materials - some of the proposal illustrations indicate dark brickwork elements for the north elevation while others suggest a consistent light coloured brick being used throughout this undulating façade, can it be stipulated that this largely shaded element of the building be constructed from light materials only.
- Landscaping - the proposal illustrates mature landscaping along the full extent of the Carnegie Road elevation, can a similar mature planting of trees and shrubs be a condition of any approved scheme, thus adding an established character to this new development.
- Shading during winter months - the proposals illustrate shadows cast by the proposed building midway between the shortest and longest days of the year, can illustrations of the mid-winter shadow cast towards the properties in Carnegie Gardens be investigated, as this may impact these properties detrimentally.
- Construction traffic – to be routed via Western/South Farm Road end of Carnegie Road including relevant signage at Broadwater Road traffic lights to advertise this.
- Car park – can spaces be provided for visitor parking, service and home deliveries to reduce impact on Carnegie Road and Carnegie Gardens.
- Police recommendations relating to crime prevention and good neighbour policies - can all of these, especially the regular maintenance of planting and constant lighting, be made conditions of any approval.
- Principle of residential redevelopment is acceptable but concerns must be addressed.

## Relevant Planning Policies and Guidance

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Worthing Core Strategy 2006-2026 (WBC 2011): Policies 2, 3, 11, 12, 13, 14, 15, 16, 17, 18, 19 and Area of Change 11
- Worthing Local Plan (WBC 2003) (saved policies): RES7, RES9, TR9 and H18

The following material considerations are relevant to the assessment of this application:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)  
Guidance on Parking Standards at New Development (WSCC 2019)  
SPD 'Residential Development' (WBC 2013)  
SPD 'Sustainable Economy' (2012)  
SPD 'Space Standards' (WBC 2012)  
National Prescribed Space Standards (2015)  
Community Infrastructure Levy Charging Schedule (WBC 2015)  
Adur and Worthing Open Space Study (2019)

### **Approach to decision making**

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

Paragraph 73 of the revised NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum 5 years' worth of housing against their housing requirement set out in adopted strategic policies, or against local housing need where the strategic policies are more than five years old. The Council has acknowledged that it cannot currently demonstrate a 5 year supply of housing based on objectively assessed housing need. As such the proposal should principally be assessed in relation to the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF and informed by saved Worthing Local Plan policies H18, TR9, RES7, RES9 and Core Strategy policies 2, 8, 10, 11, 12, 13, 14, 15, 16, 17, 19, Area of Change 11 and the policies set out in National Planning Policy Framework and allied Practice Guidance.

### **Relevant Legislation**

Planning law in section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Proposed development that accords with an up-to-date Local Plan should be approved without delay, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The NPPF indicates where policies which are the most important for determining the application are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.  
In respect of Listed Buildings and Conservation areas:

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 indicates that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 (1) states: indicates In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

## **Planning Assessment**

The main issues raised by this proposal include:-

- Principle of Development;
- Sustainability;
- Design and Form
- Housing Mix and Affordability;
- Residential Amenity – Neighbours and Future Residents;
- Land Contamination and Air Quality
- Access and Highways;
- Flood risk and Drainage;
- Ecology;
- Heritage and Archaeology.

### ***Principle of development***

Core Strategy Policy 11 seeks to protect community facilities and indicates development will not be permitted which would lead to the loss of for community purposes unless, amongst other criteria, adequate alternative accommodation is available locally that is as accessible and at least equivalent in terms of quality replacement facilities are proposed.

As explained above, the wider College has been subject to redevelopment in recent years through which new upgraded college facilities, including a new cafeteria, have been provided within the main College building to the east of the site. As a better quality alternative facility has been provided within the Campus as part of the wider college masterplan, the application site is no longer required for D1 refectory or educational purposes, and currently lies underutilised.

The NPPF at para 117 supports the effective use of brownfield land and at para 118 further goes to say planning decisions should support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained.

The proposal would therefore not result in the loss of any community facilities (education facilities in this case) in accordance with policy 11 and would provide housing on redundant brownfield land in accordance with paragraphs 117 and 118 of NPPF.



The application site is located within an Area of Change where Core Strategy 2 indicates development proposals will be supported if they contribute towards delivering the Core Strategy vision and strategic objectives. The Worthing Core Strategy (2011) states in its vision for Worthing in 2026 that there will be an adequate supply of housing that will meet the needs of all residents. A range of dwellings (mix, type and affordability) will be supplied that seeks to match the income and locational needs of residents. This is also supported by Core Strategy 8 which seeks a wide choice of homes to address the needs of the community and para 59 of NPPF which seeks to significantly boost the supply of housing.

The proposal through the provision of 23 homes which comprises a mixture of house types including family accommodation would accord with the aims of Core Strategy 2, Area of Change 11 and para 59 NPPF.

Policy 2(11) refers to Northbrook College, and in respect of the Broadwater site indicates it is bordered on three sides by residential development and is close to existing shopping and community facilities. The policy indicates this lends itself to a predominantly residential development, again addressing the need for family accommodation. The policy indicates the main objective is to ensure that any development delivers the required investment in educational facilities.

It is recognised the proposal would generate additional revenue (through the sale of housing land) that would be re-invested in the college to help secure longer term investment for the future of the College in order to help maintain high quality educational facilities in accordance with Policy 2(11)

Taking into account the above, and recognising that the provision of education has been improved by recent consolidation within the campus site, the application site is considered to be a sustainable location for new housing which is within a predominantly residential area where new housing would harmonise in terms of adjoining land uses.

### ***Sustainability***

The supporting information indicates that the proposal would incorporate a package of measures that would be secured via planning condition including solar PV panels which could potentially facilitate between 10-20% renewable energy provision on-site, Mechanical Ventilation with Heat Recovery (MVHR) to ensure heat is recovered from exhausted air, electric vehicle charging points provided to 8 car parking spaces (including disabled and Car Club bays) with 4No. charging posts with twin charging cables, and with infrastructure to be installed to allow for future EVCP's to be installed to all parking spaces. The proposal would also incorporate sustainable drainage measures including green roofs and ground infiltration.

Whilst other elements would be considered under the building regulations, the proposal would follow a fabric first strategy that provides an enhanced thermal performance of the building which allows for improved U-values and airtightness that minimises heat loss. Other elements include the incorporation of high efficiency condensing boiler systems for each dwelling and internal specification to reduce

internal potable water use through dual flush toilets and flow restrictor taps and showers to all dwellings. Whilst outside planning control the applicant also states that they will endeavour to use low impact, locally sourced and renewable materials as far as possible.

The development is considered to make a good use of an accessible site, close to public transport and numerous services. The inclusion of a travel package, including cycle storage, car club membership and public transport information will assist in widening transport options in line with the Council's declared climate emergency and planning policies.

### *Conclusion on principle of development*

For the reasons and subject to the material considerations set out below, the proposal is therefore considered acceptable in principle.

### ***Design and Form (Scale, Appearance Layout and Landscaping)***

Core Strategy Policy 16 seeks to ensure high quality design that is responsive to its environment. Paragraph 127 of the NPPF indicates that planning decisions should ensure that developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. The Council's SPD 'Residential Development' provides detailed design guidance on residential development.

### *Scale and Massing*



As set out above, the site occupies a prominent position on the south side of Carnegie Road with the existing canteen building being close to the pavement edge. Development of this part of the road is in linear form with existing buildings set back from Carnegie Road.

To the east of the site is an existing, tall 2-storey modern extension to the college, to the west at 3 Carnegie Road is a two-storey house with further 2-storey housing on the opposite side of road at Carnegie Gardens. It is noted that that wider college Campus contains buildings of significant scale.

As illustrated above, the key elements of the proposed approach to scale and massing of the scheme are recessed 4<sup>th</sup> floor, with the majority of the building comprising mainly 3-storey massing, projecting northern bays and stepped massing down to 2-storey to the west. This approach has sought to ensure elements articulate the building form and break up the overall mass of the building in seeking to respond to the surrounding built form.



As shown above, the height of adjoining buildings; to the east a tall 2 storey college building, and to the west No.3 Carnegie Road, a detached 2 storey dwelling. The proposed western shoulder steps down from 3 to 2 stories and the eastern shoulder is 3 stories. These heights are commensurate with the height of the adjacent college building and residential dwelling respectively. This approach allows a stepping in scale as you move east responding sensitively to the neighbouring residential dwellings. This would create a transition from the college buildings on the east of the site, down to the residential properties to the west of the site.

The above approach would assist in breaking up the scale of the building and the provision of new frontage tree planting, discussed further below, would help soften how this scale would be experienced at street level once landscaping matures. However, even taking the above into consideration, there is still some reservation that the 4<sup>th</sup> floor element is taller than existing development in Carnegie Road generally and the siting of a building of this scale some 5.5 - 7m from the edge of the footway on Carnegie Road would increase its prominence.

It is also noted the existing housing on the opposite side of road at Carnegie Gardens (elevation to elevation) would be some 25-29m from the apartment block and 3 Carnegie Road adjacent to the 2-storey shoulder (side to side elevation) would be some 14 metres away; this relationship is considered further below under 'Residential Amenity'.

Taking into account the above, as well as acknowledging the wider variation in the scale of built form within the wider college campus, on balance, the scale is considered acceptable in relation to the character of the area.

### *Appearance*

It is noted that existing development along the northern side of Carnegie Road is largely characterised by two-storey dwellings. Existing dwellings include variety in design but typical of this suburban residential context. Features include dormer

windows, projecting gables, hipped roofs as well as a range of external materials from different brick types, render and tile hanging.

On the southern side of Carnegie Road, adjacent to the west is a modern extension to the college building finished in white render and metal cladding. To the east is a 2-storey dwelling constructed in facing brick with hipped roof at 3 Carnegie Road.



Looking West on Carnegie Road

The development proposes a modern flat-roofed form for residential design constructed in facing brick. It has been designed to reflect the adjacent college buildings style incorporating a flat roof contemporary design structure and is in contrast to the pitched roof two-storey houses in Carnegie Road. The elevations would have projected bays in response to the repeating forms of the existing adjacent college and residential buildings. Large windows which reflect the windows to the College building to the east of the site, that also provide high levels of natural light with the dwellings. The provisions of balconies would provide further visual interest as well as external amenity space.

As set out above, the proposal would have variation of 2, 3 and 4 storey scale and massing with proposed 4<sup>th</sup> floor façade being metal standing seam cladding - brown 'bronze effect' colour, which adds a new element into the street scene.

The frontage of the site would include a variety of soft and hard landscaping including to Carnegie Road frontage which would enhance the overall appearance of the scheme.

#### Brick Texture

Providing rhythm, scale and expression to add visual interest, the projecting bays are formed by using brickwork with a projecting bond or textured using cut bricks within the wells.

#### Light Brick

Drawing inspiration from the modern contemporary buildings, a light brick is proposed.

#### Grey Windows and Ironwork

Dark grey windows reflect those of the adjacent College building and feature metal balcony ironwork in a matching colour.

#### Balcony Privacy

Solid end walls have been incorporated where screening is required from the adjacent College.



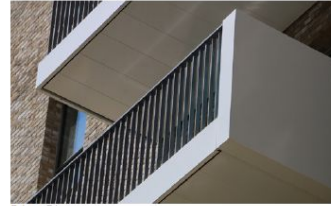
Brick Texture



Light Brick



Grey Windows and Ironwork



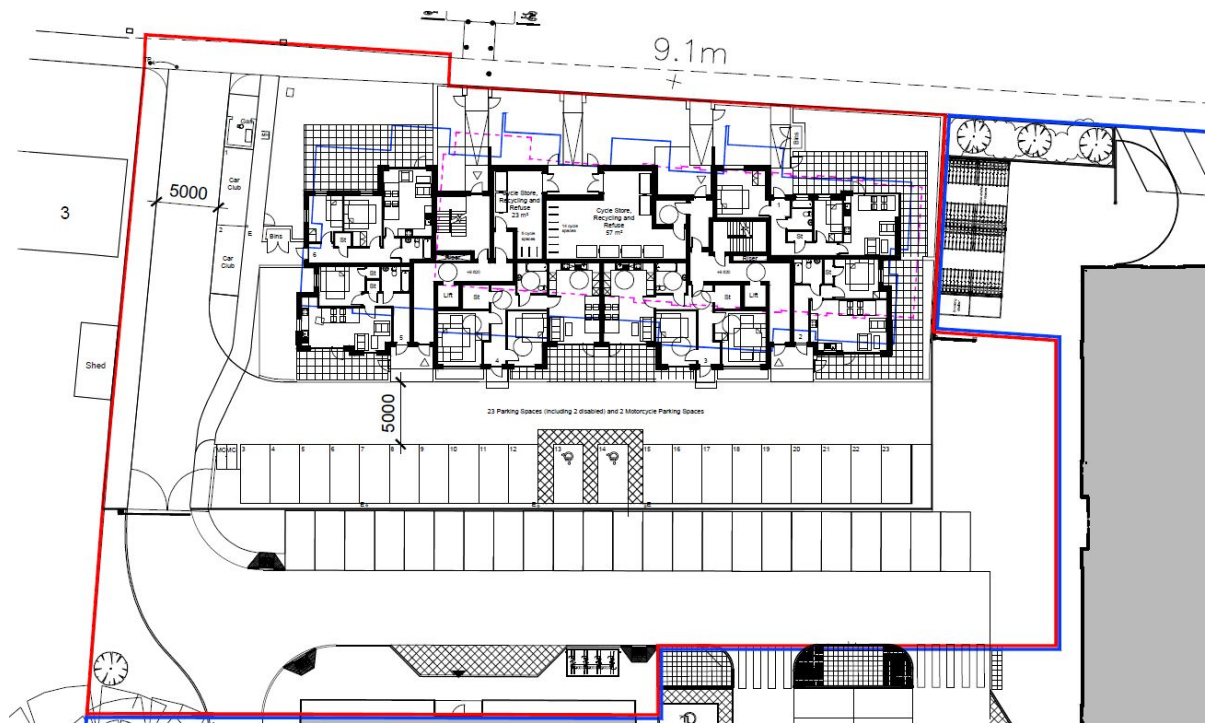
Balcony Privacy

A contemporary materials palette is adopted and applied throughout the elevations, with a light coloured brick with areas of projecting/textured brick detailing. In this regard, the Worthing Society indicates they are broadly supportive of the proposal but comment the darker coloured brick elevations of the projecting bays, particularly as shown on the north facing elevation could appear over dominant and oppressive when viewed from the residential properties directly opposite. They go on to say, whilst we appreciate a colour contrast may add definition to the design, we consider a somewhat lighter colour palette would be desirable for this element and would still produce a pleasing contrast.

To address this concern, planning conditions can be imposed that the brick samples (as well other facing materials) are submitted to and approved in writing by the Local Planning Authority to the high quality appearance of the scheme.

For the above reasons, the proposal is considered to have a high quality appearance which would create visual interest within the street scene of Carnegie Road enhancing the character and appearance of the area.





The proposed external layout of the scheme responds to the constraints of the site including residential properties to the north and west of the site, the existing college car park to the south and existing college buildings through the retention of reasonable separation distances to the residential properties, the reconfiguration of the college park and realignment of the new access whilst meeting relevant highways parking standards and ensuring satisfactory space is retained for new landscaping on the eastern boundary to ensure an appropriate interface with the college buildings to the east.

The layout of the apartment block further responds to the prominent site frontage location by being set back and angled slightly to reflect the positioning of adjacent college buildings (although still being relatively close at 5.5m – 7m from the Carnegie Road footway). The layout around the apartment block makes efficient use of space to accommodate the external amenity space, patio areas, pedestrian footways, entrances and bin stores. The internal layout makes efficient use of the floorplate to provide a satisfactory living space for future occupiers with associated internal facilities.

For these reasons, the proposed layout is considered acceptable.

## Landscaping



As illustrated above, the proposed landscape strategy allows for new soft landscaping including new species-rich hedging to the site boundaries, new trees located to the northern site boundary to provide privacy to the apartments and to form a green corridor along Carnegie Road, new trees to the eastern site boundary acting a buffer to the adjacent college and creation of a landscape buffer along the western boundary of the site adjacent to 3 Carnegie Road. The soft landscaping would be incorporated into the communal and private amenity space along Carnegie Road providing enhancing the uses of these areas of future occupiers. This approach would facilitate substantial new tree planting with the site resulting in a net gain in the site overall.

The hard landscaping plans show a mixture of tarmac, block paving, granite paviors (of varying colours), granite setts which would ensure the creation of a good quality landscaped environment.

Overall, the proposed landscaping is considered acceptable.

For the above reasons, whilst the matter relating to the proposed scale is more balanced, it is considered that the proposal, overall, would be an enhancement to the character and appearance of area in terms of design and form in accordance with the provisions of Core Strategy Policy 16, SPD Residential Development and the NPPF.

## ***Housing Mix and Affordable Housing***

### *Housing mix*

The proposal would provide a mix of one, two and three bedroom units, with 2 units at ground floor being wheelchair accessible, and 4 family sized units being provided. The proposal would therefore accord with the provisions of Core Strategy Policy 8.

## Affordable Housing

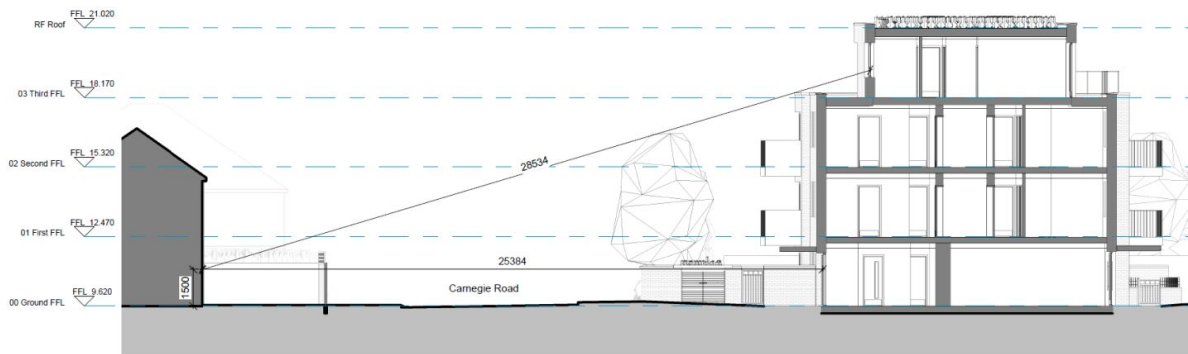
The proposal would provide 30% of the total number of units as affordable housing consisting of a mix of one, two and three bedroom units in accordance with the requirements of Core Strategy Policy 10. This would be secured via s106 legal agreement which would confirm the final tenure mix but potentially could be 75% affordable rented accommodation and 25% Intermediate.

## Residential Amenity

### Neighbours

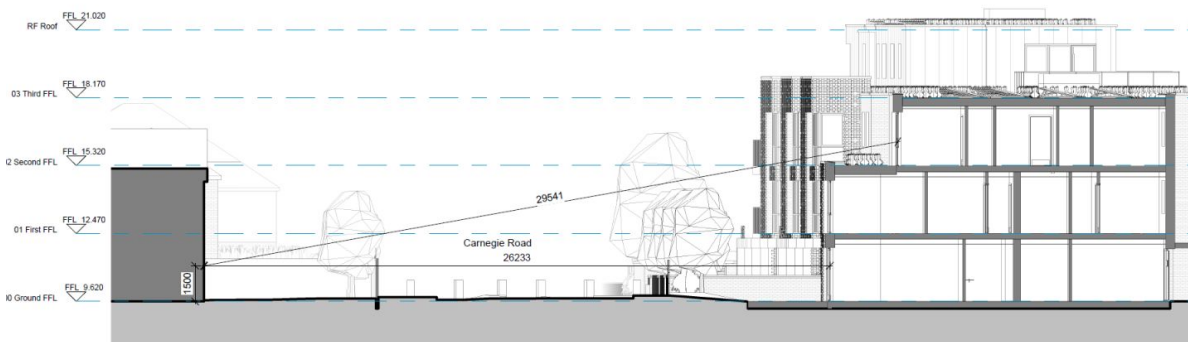
Amongst the neighbour representations, occupiers of Carnegie Gardens refer to concerns for privacy, overshadowing and the outlook from their homes and gardens. Saved policy H18 requires that intensification of development should not lead to unacceptable reduction in neighbouring amenity.

Amended plans have subsequently been provided that rotates the apartment building by 3 degrees with a further 0.9m setback into the site. The proposed fourth floor northern and east facades have been set in from the parapet edge by 0.5m south and west respectively. This has resulted in an increase in the separation distance from the proposed apartment block to the rear elevations of Carnegie Gardens to between 25m at ground to third floor and 29m at the top floor as illustrated below.



Section AA

### Separation distances at eastern of block with Carnegies Gardens (cross section AA)



Section BB

### Separation distances at eastern of block with Carnegies Gardens (cross section BB)

These revised separation distances coupled with the use of frosted or opaque balcony screens up to 1.2m height would limit a line of sight from seating positions



in the rooms and balconies. Whilst this would still allow for lines of sight from standing positions, the combined effect of these and distance is, on balance, considered to maintain a reasonable degree of privacy for the occupiers of Carnegie Gardens.

In respect of existing property at 3 Carnegie Road beyond the western boundary of the site, this end of the apartment block reduces to a 2-storey shoulder and would have a side to side relationship with this property with approx. intervening separation distances of 14m at two-storey level. Taking into account this is a side-on relationship and the use of balcony screens and obscure glazing, the separation distance is considered sufficient to ensure privacy is preserved.

In terms of loss of outlook/overbearing impact, it is recognised that the occupiers of Carnegie Gardens and 3 Carnegie Road would experience change to their outlooks as a result of the proposal. However, taking into account the 4-storey element would be partially recessed, part of the building would be 2-storey and the increased separation distances of 25-29m (to Carnegie Gardens) and 14m to 3 Carnegie Road, and further recognising the apartment block would be seen within the context of the college buildings, the degree of change, whilst important, is not considered to be material harmful to their living conditions

As regards to overshadowing, an assessment has been provided which demonstrates there would not be a unreasonable degree of overshadowing to the occupiers of Carnegie Gardens or other properties in accordance with the guidance set out within BRE guidance "Site layout planning for daylight and sunlight: a guide to good practice (BR209).

In terms of noise and disturbance associated with the proposed housing, the proposal would result in a modest increase in traffic within the context of the noise and amenity impacts associated with the use of the existing college Campus, as such the proposal would not result in any significant increase in noise and disturbance to the occupiers of neighbouring properties. However, additional landscaping and boundary treatment would be secured along the western boundary, adjacent to the proposed re-aligned access way, which would assist but the degree of impact is not considered so significant as to be harmful to the occupiers of 3 Carnegie Road.

To address any concerns associated with the construction process, a Construction Management Plan can be imposed via planning condition. This could also include measures to minimise noise & vibration, such as by switching off plant and machinery when idle, using baffling against particular noise-generating activities.

### *Future Occupiers*

The proposed apartments would meet national space standards in terms of internal living space and would be provided with 570 sq.m of external amenity space through a combination of individual balconies/patios and 102 sq.m communal space at ground floor which accord with Council's external space standards set out with the SPD. Access to public open space is also available within walking distance of the site. However, it is recognised that there is a deficiency in open space provision

within the locality relating to allotments, amenity green space, parks & recreation grounds, play space (youth and adult and natural green space as identified in the recent district-wide Open Space Study (2019) and therefore the proposal would generate a requirement for off-site financial contributions towards the improvement of local facilities. Further updates will be provided in the late committee papers.

In terms of creating a satisfactory internal noise environment for future occupiers, planning conditions can be imposed to address any potential noise and vibration from the proposed internal lift as well as ensuring a general noise management scheme. This could include appropriate glazing, ventilation controls and associated management of overheating risk. A condition to require site management would also be reasonable in order to ensure that communal areas, bin stores and surface water drainage are adequately maintained.

### *Crime and Disorder*

The Police Crime and Design Officer has advised, taking into account permeability around the site and an access that will be shared with the college, further measures should be secured to ensure the privacy of future occupiers. To address these concerns appropriate boundary treatment (which may also include a gated access into the 23 space car park) can be secured via planning condition to ensure public and private space is clearly indicated. In addition, further 'secured by design' measures such as visitor door entry systems/access control systems with audio-visual communications between the occupant and the visitors can be secured via planning condition to ensure access is limited to those who reside there.

For these reasons, the proposal would preserve neighbouring residential amenity and ensure the creation of a satisfactory living environment for future occupiers in accordance with saved local plan policy H18.

### ***Land Contamination and Air Quality***

#### *Land Contamination*

The application is supported by Geo-Environmental Study which indicates that the further investigations should be undertaken to address any contamination within the site (including the presence of Asbestos) associated with its historical uses. The Council's Environmental Officer has carefully considered the supporting information and advice subject to the imposition of planning conditions to secure further investigations and remediation (where appropriate) the risk to human health can be adequately mitigated.

For these reasons, the proposal is capable of addressing any contamination within the site in accordance with the provisions of saved local plan policy RES9.

#### *Air Quality*

The application is supported by an air quality assessment which indicates that overall, increases in pollution concentrations as a result of proposal generated by

traffic are not expected to have a significant impact on local air quality as the vehicle trip generation is below the harmful threshold.

In order to offset potential damage costs arising from the development, mitigation measures will be incorporated into the development including the following, 2 car club vehicle spaces and secure cycle storage.

For the reasons, the proposal is therefore considered acceptable in terms of its impact on air quality in accordance with the provisions of Core Strategy Policy 17.

### ***Access and Highways***

Final comments are currently awaited from WSCC Highways on the amended plans and further updates shall be provided in the late committee update papers. However, WSCC Highways have previously advised no objection in principle to the proposed development for the following reasons:

#### *Access arrangements:*

The site has an existing access onto Carnegie Road that serves 132 car parking spaces for the college. This proposal seeks a new access located a short distance further west again onto Carnegie Road. The access would be 5m wide with adjacent footpath. There are no in principle concerns with the proposed access subject to details.

#### *Trip Generation:*

During the peak hours when the network is at its busiest, the development is expected to result in 8 two way trips in the AM and PM peaks respectively which is considered to be a very modest increase in trips by all modes on the local highway network.

#### *Sustainable Access:*

The location offers residents good opportunities to travel by sustainable modes. A Travel Plan should be secured for the proposal and the use of the existing college.

#### *Car parking provision:*

The proposed scheme would comply with WSCC parking standards. Whilst the level of car parking is being reduced for the college from 132 to 100 spaces, the loss of spaces could be accommodated within the existing car park through spaces that are presently unused or on-street. 2 Car club spaces and funding for 2 vehicles with at least 2 years membership paid with a £50/flat drive time paid would also be provided which is a benefit of the scheme and addresses sustainable transport policies. The level of the overall parking provision for the proposal and that retained for the college is considered acceptable in principle.

For the above reasons, taking into account any cumulative impacts, and subject to the imposition of relevant planning conditions relating to detailed access design, car

parking provision, cycle parking, construction management plan, car club and travel plan, the application site appears capable of accommodating the proposed development whilst ensuring no material impact on the local highways infrastructure in accordance with saved local plan policy TR9 and Core Strategy Policy CS19.

### ***Flood risk and Drainage***

The site is located in Flood Risk Zone 1 where there is a low risk of flooding which is considered to be sequentially preferable in terms of locating new housing.

A Flood risk and Drainage Assessment has been provided in support of the proposal which provides information on the proposed surface and foul drainage strategy for the site. In terms of surface water drainage, in order to attenuate surface water from the site permeable paving is proposed to allow rainwater to infiltrate through the surface and into underlying layers subject to further soakaway tests. The surface water would then be temporarily stored before infiltration to the ground. A Green roof is also proposed to collect rainwater thus reducing the volume of runoff and attenuating peak flows. In terms of foul water infrastructure, the proposal would utilise the same foul water connection into the site, subject to confirmation from Southern Water, which will connect into the existing public manhole.

For these reasons, the proposal would not have an adverse impact on flooding the site or locality in accordance with Core Strategy Policy 15.

### ***Ecology***

The application is supported by Ecological Assessments that demonstrate the proposal would not harm any biodiversity within the site (including any protected species). In addition, a number of biodiversity enhancements are proposed to be incorporated into the site to provide a net gain in biodiversity within the site through the provision of a number of measures including the provision of new green roofs, planting and nesting boxes within proposed planting.

The proposal would therefore not harm any biodiversity within the site and would allow for a net gain in the longer term in accordance with Core Strategy Policy CS13 and the NPPF.

### ***Heritage and Archaeology***

#### ***Archaeology:***

The County Archaeologist advises the site is located within an Archaeological Notification Area, centered on the recorded location of early prehistoric refuse pits of the period 6300 – 6600 years Before Present (Early Neolithic period), rare in West Sussex, and the sites of former World War 2 air raid shelters for school children. Further remains of prehistoric and wartime occupation may exist within the site. Archaeological mitigation measures involving a programme of investigation and recording should be secured via planning condition.

### *Heritage:*

A Conservation Area is located approximately 115m to the east of the site beyond the college buildings and A24, a Grade II listed Chapel is located approx. 300m to the north-west beyond a cemetery and existing tree screening and Grade II Listed South Farm Cottages on South Farm Road are located approx. 260m to the west beyond existing housing. Taking into account intervening features and built form as well as the identified separation distances, the settings of these heritage assets would be preserved overall.

The proposal would therefore accord with the provisions of Core Strategy Policy CS16 in terms of impact on any features of archaeological and heritage value.

### ***Planning Balance and Conclusion***

Having regard to social, economic and environmental considerations there are demonstrable benefits associated with proposal including:

- provision of 23 new homes to assist with under-supply of housing within the District which must be afforded significant weight;
- provision of 30% affordable homes
- the positive and efficient re-use of redundant brownfield land within an accessible location which benefits from local services and sustainable transport;
- the improvement to the character and appearance of the area through the redevelopment of a building which is in poor condition with good quality architecture;
- the provision of financial subsidy (from housing land sale) that would be recycled back into the college to help fund its long term future;
- Additional tree planting and soft planting that would enhance the biodiversity in the long term with the site;
- the social and economic benefits of increasing the number of people living and being economically active within the town;
- The package of sustainable construction and renewable energy measures that would facilitate an energy efficient form of development that is responsive to the climate emergency;

The dis-benefits relating to:

- Permanent loss of education land;
- Increased prominence and some lines of sight/overlooking to neighbouring residents

Other matters are considered to be neutral.

When weighing these matters overall, it is considered the harm identified would not outweigh the benefits; the loss of education land is a consequence of a masterplan led development which has updated and improved provision on the campus overall; the lines of sight towards neighbours can be partially mitigated by a combination of balcony screens and obscure glass to some windows. On the balance of all factors

taken together the proposal is considered an acceptable form of sustainable development.

Having taken account of all the relevant planning policy considerations and other material considerations set out above, , it is considered that the proposed development complies with the development plan when considered as a whole and is therefore recommended for approval.

### **Recommendation**

To delegate the decision to the Head of Planning to **GRANT PLANNING PERMISSION** subject to the satisfactory completion of a s106 planning obligation requiring 30% affordable housing, open space contribution and transport contribution (including to a car club) and the following planning conditions:

1. List of approved Plans
2. 3 Year time limit
3. External materials
4. 1:20 scale details, including important intersections and other details; also rainwater goods
5. Obscure glazing – upper floor windows facing Carnegie Road
6. Notwithstanding information shown, details of upper floor balcony screens – details, implementation and retention facing Carnegie Road
7. Notwithstanding information shown, detailed design of all boundary treatment (including all vehicular gates/electric vehicular barriers)
8. Notwithstanding information shown, details of secured by design measures for crime prevention/enhance security of the future occupiers (including restriction on noise levels for any audio-visual communication systems for access control).
9. Noise & vibration: a scheme to protect against external noise & lift mechanism and control of overheating
10. Travel plan – submission and implementation
11. Notwithstanding information shown, access construction/details to Carnegie Road
12. Implement car parking layout
13. Implement cycle parking
14. Site levels – details and adherence to
15. Air quality mitigation measures
16. Foul and sustainable (SUDS) surface water drainage – details and implementation
17. Sustainable drainage verification
18. Sustainable drainage management
19. Site management – communal areas and refuse management (including provision of bins in accordance with plans)
20. Archaeological recording of building and site survey work.
21. Land contamination - further investigations (including dealing with Asbestos)

22. Construction management plan –
23. Hours of development works
24. Roof area shall not be used as residential amenity space/garden
25. No demolition of the building until contract entered into for redevelopment in implementing this planning permission
26. External lighting
27. Hard and soft landscaping with maintenance
28. Vehicular gates to college car park
29. Ecological enhancement measures
30. Tree protection measures
31. Roof top plant and associated noise levels
32. Notwithstanding information shown, details and maintenance of roof top solar panels and green/blue roof infrastructure and other sustainable construction measures
33. Details of renewable energy measures

26<sup>th</sup> August 2020

Application Numbers:  
AWDM//0903/20 and AWDM/0906/20

Recommendation – APPROVE

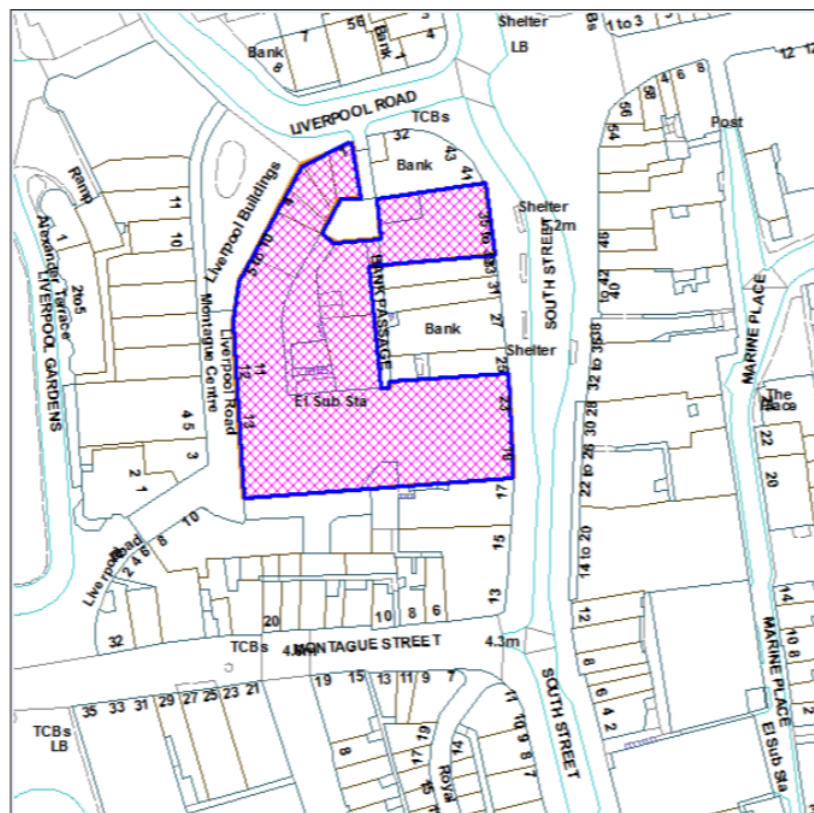
Site: 19 – 23 South Street, Worthing, West Sussex BN11 3AW

Proposals: AWDM/0903/20 - Change of Use at first and second floors from retail (Class A1) to flexible commercial floor space (Use Classes A1, A3, B1 and D2), provision of new windows and roof lights at second floor, provision of roof plant at second floor and associated works.

AWDM/0906/20 - Application to Vary Condition 1 of previously approved AWDM/1529/18. Amendments: Removal of the previously approved fourth floor and the redistribution of the three residential units at fourth floor across the first second and third floors of Block 9.

Applicant:  
Case Officer: James Appleton

Ward: Central

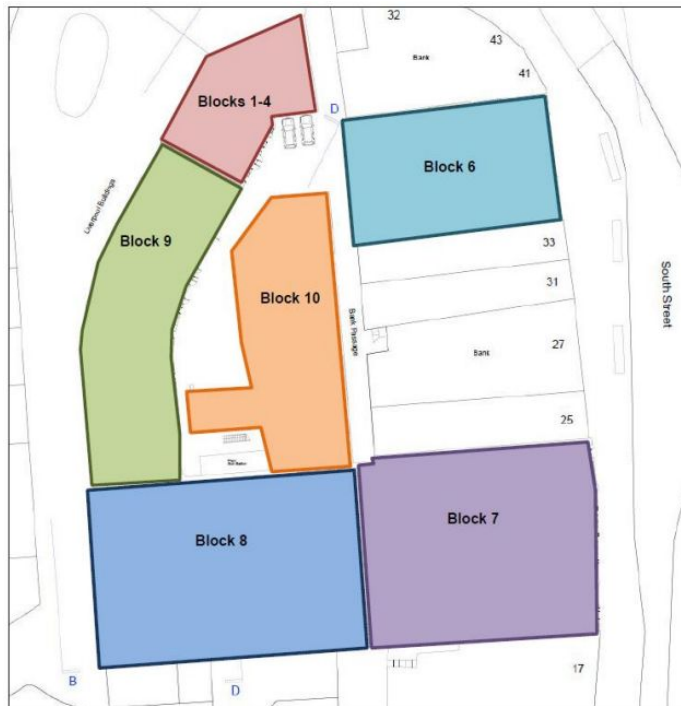


**Not to Scale**



## Site and Surroundings

The above planning applications propose revisions to Block 7, 8 and 9 which formed part of a wider permission which covered the different elements of the former Beales department store (including 19-23 South Street and 5–13 Liverpool Buildings). The original permission (AWDM/1529/18 refers) sought a total of 45 residential apartments formed by converting upper floors and adding additional floors to create new build apartments over the Beales department store. The plan below highlights the different elements of the previous application.



## Proposals

The previous approval sought to provide finance to enhance the retained but smaller department store and a new 15 year lease was signed but unfortunately despite these efforts Beales went into administration on the 20<sup>th</sup> January 2020.

The applicant is seeking a change of use of part of the first and second floor of block 7 and 8 to allow flexible commercial uses (with the retention of ground floor retail floorspace on the ground floor). The applicant is also seeking an amendment to the original planning permission to remove one floor of residential accommodation approved at fourth floor level above the former retail arm of Beales (Block 9) and relocate these units across the first and second floors a reduction of the height of the approved new build element above block 9. The two applications are set out in further detail below:

### **AWDM/0903/20**

Planning permission is sought for the change of use of the former Beales Store at first and second floor from retail (Class A1) to flexible commercial floorspace (Use

Classes A1, A3, B1 and D2), provision of new windows and roof lights at second floor, provision of roof plant at second floor and associated works. The applicant submits that,

*'This application represents ongoing investment in the town centre by St Clair Developments Ltd and is one of several applications to help to secure the future of this key site within Worthing town centre. The proposed change of use of the upper floors of Blocks 7 and 8 will help to create a more resilient offering at the site. It responds to the shift from traditional retail on the high street to providing alternative uses that remain appropriate to the site's town centre location and include spaces for working, socialising, eating and leisure. The flexibility which is sought between these uses will allow the applicant to respond rapidly to the changing market and aims to avoid any significant periods of vacancy in the future.'*

### **AWDM/0906/20**

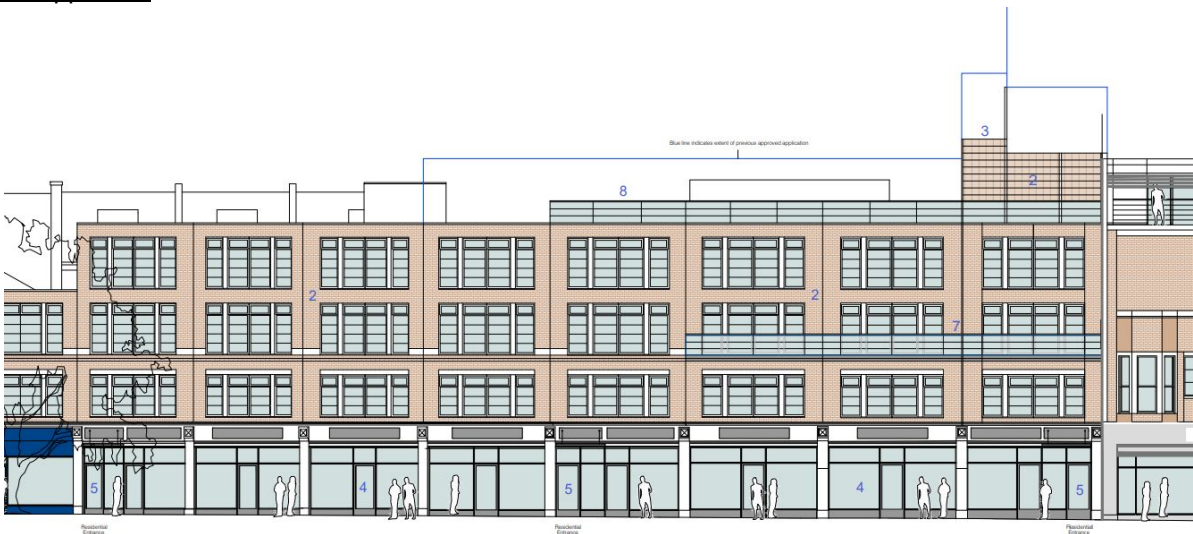
This second application seeks planning permission for the removal of the previously approved fourth floor and the redistribution of the three residential units previously approved, to the first second and third floors of Block 9. The agent submits that there will be no net change in the number of residential units and all the units will be contained within the approved building envelope.

The minor amendment also includes the removal of the previously approved single access core from ground floor and retention of the existing three access cores. The agent submits that this arrangement makes more efficient use of the building and allows all properties to be dual-aspect, through the removal of the access corridor to the rear of the properties at first, second and third floors. In addition, external stairs are proposed to the rear of Blocks 1-4 to provide access to the approved residential units on the second floor of Blocks 1-4 without relying on access through Block 9, which was the case in the originally approved layout. This will ensure these residential units can continue to be accessed following the removal of the access corridor to the rear of the residential units in Block 9.

The previously approved elevations compared to the currently proposed are indicated below:



As approved



As Proposed (Blue line indicates outline of approved scheme).

It is submitted that,

*'all residential units will continue to comply with internal space standards, whilst making more efficient use of the building. The proposed revisions are required to make the scheme financially viable and will therefore ensure the delivery of these much-needed residential units within the town centre.'*

As the above elevations indicate the applicant is proposing a different treatment for elevations and although the relevant materials condition has not been discharged he indicates that,

*'the external materials of the building have been revisited as part of these proposals to ensure that Block 9 will continue to be of high architectural quality following the proposed reduction in massing (through the removal of the previously approved fourth floor). Brickwork to match the existing building is proposed, ensuring the building is in keeping with the existing site and surrounding 4 Figure 1- Block plan of the wider site. Area'.*

## **Supporting Statement**

### **AWDM/0903/20**

#### *Retention of Ground Floor Retail*

*'The proposals include the retention of the ground floor retail use (Class A1) and will therefore continue to contribute to the Primary Zone A function of Worthing town centre, in accordance with Core Strategy Policy 6. However, in order to adapt to meet the changing requirements of the retail market, the floorspace will be occupied by a variety of small businesses / concessions, lending themselves primarily to SMEs.*

*The design of the ground floor will follow a high-quality arcade approach. This model will allow small, local businesses to have a high street presence, including those for which it may not be financially possible to take on a larger, more traditional high street unit. The proposal will maximise the prospect that this key town centre site is not left vacant, providing the potential for vibrant retail use that will enhance the vitality and viability of the site and wider town centre. The proposal includes the provision of a small Class B1 office lobby area and access cores for the upper floor uses.*

#### *Principle of Flexible Commercial Floorspace (Class A1, A3, B1 and D2) at First and Second Floors*

*As set out above, changes to high street retail patterns and shopping habits have rendered the provision of such a large quantum of retail floorspace unviable. To maximise the prospect of the site remaining vibrant and continuing to add to the town centre footfall, the proposal seeks consent for flexible commercial floorspace (Use Classes A1, A3, B1 and D2) on the first and second floors. At present, the applicant has occupiers with interest in providing a street food-style food hall at first floor and a gym and office floorspace at second floor. However, in order for the site to adapt to future uncertain market changes, particularly as a result of COVID-19, a flexible commercial use class for both the first and second floors is proposed.*

*St Clair Developments is keen to do all it can to stimulate economic development within Worthing and help secure the future success of this important town centre site. The provision of flexible uses is a key part of this strategy, helping to diversify the offer of the site within the town centre, adding to the site's resilience and reducing the potential for further periods of vacancy. The variety of outlets that would occupy the space would help to draw people to the site and wider town centre, whilst helping to promote local businesses. The wide range of uses will also add to the vitality and vibrancy of the town centre, providing a more varied consumer experience, with the aim of continuing to attract people to the town centre.*

## *Food Hall*

*There are numerous examples of food halls which have been operating successfully in the UK, providing customers with access to a variety of different eating and drinking establishments in one space with communal seating. The variety of food and drink on offer acts as a significant draw for customers and is a more modern model of eating out.*

## *Demand for Office Space*

*There is an identified need for approximately 240,000 sqft of office floorspace in Worthing up to 2026, which is to be delivered mainly through the refurbishment or redevelopment of existing vacant buildings, as stated at paragraph 6.28 of the Core Strategy (2011). Furthermore, there is a recognised lack of serviced office space in Worthing, as noted at paragraph 6.29 of the Core Strategy (2011), which indicates that additional serviced office space would support potential start-up business and help develop a more diverse local economy. Core Strategy Policy 3 seeks to ensure the right conditions are created to deliver sustainable economic growth, including promoting the delivery of new town centre office space through major new mixed-use schemes and promoting a greater choice of start-up / serviced offices. The proposal will meet these policy objectives through providing high quality new serviced office space within an accessible, mixed-use town centre building.*

## *Class D2 floorspace*

*Core Strategy Policy 6 states that new leisure development will be directed to the town centre. The provision of new, high quality leisure space within Worthing town centre that helps deliver a more competitive urban centre is also supported by Strategic Objective 2 of the Core Strategy (2011). As aforementioned, the applicant has an occupier with interest in providing a gym (Class D2) at second floor level, which will help to attract additional footfall to the site and surrounding area, in accordance with Core Strategy Strategic Objective 2. Any future occupier using the site as a gym will ensure that the amenity of surrounding occupiers is protected through the use of soundproofing. A secondary wall could be built between the gym and the other surrounding uses which is acoustically isolated from the other walls, floors and ceilings. A new 'floating' floor and ceiling could then be constructed, creating an acoustically isolated box within which the gym could be housed. Appropriate sound reduction measures could then be designed into the gym, such as the provision of a rubber floor and shock absorption pads to the feet of all exercise machines.*

*Access to the gym site would be via ground floor entrances on South Street and/or Montague Centre, providing suitable out of hours routes into the building.*

## *Loss of Class A1 Retail at Upper Floors*

*The proposal would result in the loss of the existing Class A1 retail floorspace at second floor, however, planning policy does not restrict the loss of retail floorspace on the upper floors of units within the Central Primary Zone A (which is recognised in the Delegated Report for planning permission AWDM/0941/16 at 40-42 South 7*

*Street): Mixed use is an appropriate form of development in the town centre and there is no policy objection to the loss of the retail floor space on the upper floors (currently partly used for storage/staff room accommodation) at upper floor level even in the Central Primary zone A designation. The proposed change of use at the upper floors to other town centre uses (those recognised and accepted by the NPPF) would support the long-term viability of the site in what are very uncertain times. Summary The proposal will retain A1 Class retail floorspace at ground floor level within Primary Shopping Zone A, adapting the existing building to create commercial space for which there is a greater demand.*

*The provision of flexible commercial floorspace (Class A1, A3, B1, and D2) will help secure the future of the site. The food hall, gym and co-working space are modern solutions to the difficult situation the high street has faced in recent years. These uses will contribute to the vitality and viability of a town centre, contributing to both the employment floorspace, increasing dwell time and contributing to the night-time economy in Worthing town centre. However, if markets change, a flexible use will ensure resilience of the key town centre location. The proposal therefore complies with Core Strategy Policy 3 and Policy 6. Conclusions The proposed development will maximise the prospect that this important town centre site is not left vacant, but instead is modernised and adapted to meet current market needs, which complies with all relevant aspects of the local development plan. The scheme will give rise to significant planning benefits as set out above, which, alongside Parag graph 11 of the NPPF, indicates that planning*

## **Relevant Planning History**

**AWDM/1529/18** - The creation of 45 new residential apartments through the extension and change of use of the existing buildings including 3 additional storeys to Liverpool Buildings, elevation balconies at second and third floor levels and roof terrace at fourth floor. New shopfronts and external alterations to the elevation of Liverpool Buildings. New shopfronts and additional floor to South Street elevation with new windows at third and fourth floor. The creation of up to seven new retail units from existing retail floorspace with flexible A1/A2 use and the change of use of an existing A1 unit to flexible A1/A2/A3 use, car parking and associated works. 19-23 and 35-39 South Street and 5-13 Liverpool Buildings.

**AWDM/1914/19** - Revisions to planning permission AWDM/1529/18 comprising internal alterations to Block 6 to increase the number of flats on upper floors from 9 units (as permitted) to 13 units. **Resolution to grant permission subject to a s106 legal agreement.**

**AWDM/0905/20** - Change of Use from Class A1 (retail) to provide 14 live/work units (Sui Generis), minor extension at third and fourth floor, external alterations and associated works.

## **Consultations**

The **Environmental Health Manager** comments that,

*The mixed use has potential to adversely affect the amenity of resident's proposed in and around the development site. Suitable and sufficient safeguards must therefore be put in place to ensure the effects are minimised. Noise and cooking odours are likely to affect amenity unless properly controlled.*

*Based on experience elsewhere it is almost impossible to control noise from a gym in a mixed commercial/residential setting without affecting residential amenity. I therefore **object** to the proposed use as a gym.*

*In relation to the food hall and other uses, I recommend the following are attached to any permission granted in order to protect residential amenity.*

*1. Construction work shall not commence until a scheme for protecting adjacent residential properties from noise from the proposed commercial spaces has been submitted to and approved by the local planning authority. All works which form part of the scheme shall be completed before any part of the noise sensitive development is occupied. The scheme shall be designed to achieve the recommended indoor noise levels for dwellings specified in BS8233:2014 and all floors and walls shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB). Before the commercial space is occupied a test shall be undertaken to demonstrate that any attenuation measures proposed in the scheme are effective and protect the residential unit from noise whilst also demonstrating compliance with the aforementioned standards and sound insulation criteria. Should this test show that the criteria has not been complied with and notwithstanding the development hereby approved, a further scheme of attenuation works capable of achieving the criteria shall be submitted to and agreed by the Local Planning Authority and completed within 3 months of the installation and thereafter retained.*

*2. The use hereby permitted shall not be carried on unless and until details of a suitable system for the extraction and disposal of cooking odours (including details of the extract fans, filters, fan units and ducting together with method of noise abatement, as well as details of grease traps and extraction hoods) has been submitted to and approved in writing by the Local Planning Authority. The equipment approved under this condition shall be installed before the use hereby permitted commences and thereafter shall be maintained in accordance with the manufacturer's instructions.*

*3. No plant or equipment, including the kitchen ventilation and extraction system, shall be operated on the premises except between the hours stipulated in condition ... of this permission*

## **Representations**

No representations have been received in connection with this application.

## **Relevant Planning Policies and Guidance**

Worthing Core Strategy 2011: Policies 6, 8, 15, 17, 18 & 19  
Worthing Local Plan, 2003 (saved policies): RES7, H18  
Local Plan Consultation Draft (Regulation 18) 2018

Supplementary Planning Document 'Space Standards' (WBC 2012)  
Community Infrastructure Levy Charging Schedule (WBC 2015)  
WSCC Parking Standards (October 2019)  
National Planning Policy Framework (MHCLG - Feb 2019)  
National Planning Practice Guidance (MHCLG)  
Nationally Described Space Standards (MHCLG)  
South Street Conservation Area Appraisal (WBC 2001)

The National Planning Policy Framework (NPPF) has considerable status as a material consideration which can outweigh Development Plan provisions if policies are out of date or silent on a relevant matter. In such circumstances paragraph 11 of the NPPF, states that development should be approved unless: it would cause adverse impacts which significantly and demonstrably outweigh benefits when assessed against NPPF policies overall; or if the NPPF affords particular protection to assets or areas of importance, (recent case law indicates approval of development which is contrary to the Development Plan will be the exception).

In assessing Development Plan policies relevant to this case alongside the recently published NPPF, it is considered that those which are relevant to the current case are in conformity with it (Policy 10 – Affordable Housing has been updated to reflect latest NPPF guidance). However, as informed by local evidence it is clear that the Council cannot demonstrate a current 5-year supply of housing in respect of Objectively Assessed Needs and that all relevant policies which relate to and constrain housing delivery in the Core Strategy are out of date in respect of the NPPF. Accordingly, the Council needs to assess its housing delivery strategy. To this end a Housing Study and Issues and Options document was published and a new Draft Local Plan was published on 31st October for consultation. The Council intends to publish its Regulation 19 Plan in autumn 2020.

### **Relevant Legislation**

The Committee should consider the planning application in accordance with:

- Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.
- Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 indicates that in considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- Section 72 (1) states: indicates in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.



## Planning Assessment

**AWDM/0903/20** - Change of Use at first and second floors from retail (Class A1) to flexible commercial floor space (Use Classes A1, A3, B1 and D2).

The loss of the Beales Store was a significant blow to the town centre, however, the applicant's desire to retain retail use on the ground floor of the former Beales Store is welcomed. The original planning permission sought the subdivision of the former retail arm of Beales into smaller A1 and A2 retail units and this conversion has been very successful with all 7 units being let.

This current application was submitted before the recent Government changes to the Use Classes Order which now introduces a new flexible commercial use for town centres – Use Class E. This new Use Class comes into effect on the 1<sup>st</sup> September and would effectively mean that the proposed uses could be undertaken without the need for planning permission. In introducing this new Use Classes Order the Government indicated that it wanted the use classes system to better reflect the diversity of uses on high streets and in town centres to give businesses the flexibility to adapt and diversify to meet changing demands.

Whilst, the ability to change a retail shop to the uses now proposed does not come into effect until after the 1<sup>st</sup> September, this new permitted development right is clearly a material planning consideration. The concerns of Environmental Health about the proposed gym are noted and these reflect recent experiences with new gyms causing nuisance to adjoining residential properties particularly when they relate to conversions of existing buildings. Nevertheless, the introduction of this new Class E provides significant flexibility of use and does prevent some major challenges for town centres seeking to on the one hand attract more town centre living whilst at the same time removing any planning controls to protect residential amenities for some noise generating uses. Future problems with noise disturbance would have to be dealt with by Environmental Health under the Environmental Protection Act (1990 as amended).

In this instance, the applicant is potentially introducing a use that could adversely affect the residential units being provided above both above and adjacent to the proposed gym. As a result the applicant is keen to ensure that the gym does not undermine the attractiveness of the proposed apartments and has suggested that any gym could be provided '*creating an acoustically isolated box within which the gym could be housed.*' The success or otherwise of the proposed gym would depend on demonstrating appropriate sound insulation measures and the effectiveness of such measures would also dictate the appropriate hours of use to ensure that adjoin noise sensitive uses (the residential apartments are not affected by the proposed gym. In light of the more flexible uses now permissible within Use Class E the Environmental Health Manager has been asked to reconsider his comments and provide appropriate conditions to safeguard residential amenities.

The introduction of a food hall at first floor level would also fall within the new Use Class E but there is also some potential for noise and smell nuisance to adjoining apartments. The applicant has identified an area on the top floor of the

development to provide appropriate extraction equipment and conditions are recommended to ensure appropriate extraction equipment can be installed prior to the first use of any A3 use (restaurant/café use). The proposed Food Hall is designed to help support the ground floor retail and office floorspace proposed and therefore this is likely to be a use that can be restricted to daytime and early evening use.

As the applicant indicates despite the impact of Covid there appears to be continued demand for new office floorspace. Whilst the need for large corporate office floorspace may decrease rapidly the likelihood of less commuting is likely to increased demand for more locally based flexible office floorspace.

**AWDM/0906/20** Variation of Condition 1 of previously approved AWDM/1529/18 relating to residential accommodation.

There is no objection to the loss of the fourth floor above block 9 and the re-provision of these flats on the lower floors. The original design approach of a more art deco inspired design incorporated a higher access feature which raised some concerns about its possible adverse impact on the Conservation Area to the west of the site. The Worthing Society also raised some concerns previously about the applied cladding to the existing brickwork in terms of its quality and weathering properties.

The revised design now proposes a simpler design approach with multiple circulation cores/entrances and brickwork replacing the previously proposed cladding. Whilst generally supportive of the revised design approach your Officers are slightly concerned about trying to match the generally poor quality brick that exists above the recently sub-divided retail units and this matter is being discussed further with the applicant. A condition is recommended, in any event, requiring full details of materials and samples to ensure that a high quality appearance can be secured.

## **Recommendations**

### **AWDM/0906/20**

It is recommended that the decision be delegated to the Head of Planning and Development to await the satisfactory comments of the Environmental Health Manager with a view to planning permission being granted subject to the following conditions:

1. Development in accordance with approved plans
2. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
3. Construction work shall not commence in relation to the first and second floor commercial uses until a scheme for protecting adjacent residential properties from noise from the proposed commercial spaces has been submitted to and approved by the local planning authority. All works which form part of the

scheme shall be completed before any part of the noise sensitive development is occupied. The scheme shall be designed to achieve the recommended indoor noise levels for dwellings specified in BS8233:2014 and all floors and walls shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB). Before the commercial space is occupied a test shall be undertaken to demonstrate that any attenuation measures proposed in the scheme are effective and protect the residential unit from noise whilst also demonstrating compliance with the aforementioned standards and sound insulation criteria. Should this test show that the criteria has not been complied with and notwithstanding the development hereby approved, a further scheme of attenuation works capable of achieving the criteria shall be submitted to and agreed by the Local Planning Authority and completed within 3 months of the installation and thereafter retained.

4. The use hereby permitted shall not be carried on unless and until details of a suitable system for the extraction and disposal of cooking odours (including details of the extract fans, filters, fan units and ducting together with method of noise abatement, as well as details of grease traps and extraction hoods) has been submitted to and approved in writing by the Local Planning Authority. The equipment approved under this condition shall be installed before the use hereby permitted commences and thereafter shall be maintained in accordance with the manufacturer's instructions.
5. No plant or equipment, including the kitchen ventilation and extraction system, shall be operated on the premises except between the hours stipulated in condition 8 of this permission.
6. The Food Hall (A3) and Gym (D2) shall not be occupied until hours of use have been agreed following the provision of appropriate noise and extraction mitigation measures have been submitted to and approved in accordance with conditions 5, 6, and 7. Thereafter, the uses hereby approved shall only be used in accordance with the approved hours of use.

**Any other conditions recommended by the Environmental Health Manager and the imposition of any conditions not discharged on AWDM/1529/20 relating to Block 7 and 8.**

**AWDM/0906/20**

Planning permission be granted subject to the following conditions:

1. Standard Time Limit
2. Plans hereby approved
3. Notwithstanding the information contained in the current application, no other development shall be carried out unless and until a schedule and samples of materials and finishes to be used for the external walls (including windows, doors, rainwater goods, safety rails and balustrades etc.) and roof of the proposed building have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule and samples.

4. Details of: joinery/frames some with 1:20 cross-sections, rainwater goods, fascias & roof intersections and window recesses. Notwithstanding the information contained in the current application, no other development shall be carried out unless and until 1:20 scale plans including annotated cross sections of have been submitted to and approved in writing by the Local Planning Authority for each of the following:
- i) window joinery and frames,
  - ii) window recesses, cills and surrounds at all floors of the east and north elevations,
  - iii) Intersections of roof and walls for each elevation of the penthouses and for the first and second floors of the east elevation,
  - iv) rainwater goods,
  - v) safety rails and balustrades, and the development shall be completed in full accordance with the details thereby approved.

**Imposition of any conditions not discharged on AWDM/1529/20 (as this is a s73 application it effectively grants a new planning permission for the entire development)**

26<sup>th</sup> August 2020

Application Number: **AWDM/0905/20**

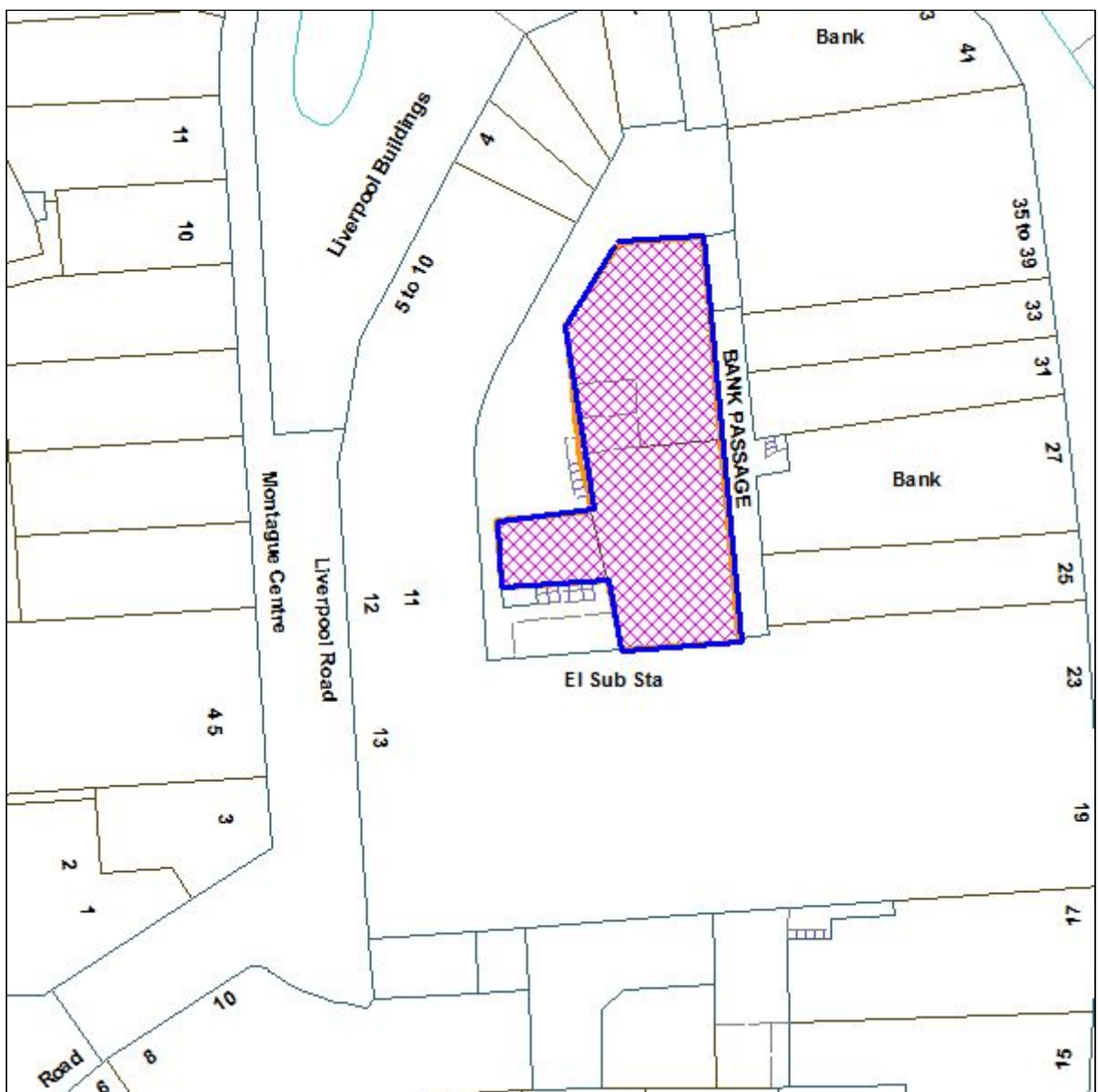
Recommendation – **APPROVE**

Site: **19 – 23 South Street, Worthing, West Sussex BN11 3AW**

Proposals: **AWDM/0905/20 | Change of Use from Class A1 (retail) to provide 14 live/work units (Sui Generis), minor extension at third and fourth floor, external alterations and associated works**

Applicant:  
Case Officer: **James Appleton**

Ward: **Central**



**Not to Scale**

## Site and Surroundings

The site relates to a store/office building used in connection with the former Beales Department Store. The building is accessed via Bank Passage, a narrow delivery access which leads onto Liverpool Road. To the east is the rear of commercial units fronting South Street and to the west is the rear of shop units (sub-divided from the previous Beales retail arm fronting the Montague Centre). Directly to the south is the former Beales Store.

The building varies in height from 2 to 4 storeys. The two storey section is pitched roof and extends northwards from the larger 4 storey element. The buildings are in a poor condition and the rear delivery yard has a rather run down appearance.

The site is located in the Primary Shopping Area: Primary Zone A. The site is also within the South Street Conservation Area. The buildings are not listed but there are locally listed buildings in South Street and Lloyds Bank adjacent to the access is listed grade II.

## Proposal

Planning permission was previously granted in 2019 for the creation of 45 residential units, new shopfronts and external alterations at the Liverpool Buildings and South Street elevations, the creation of up to seven new retail units from the existing retail floorspace with flexible A1/A2 use and the change of use of an existing A1 unit to flexible A1/A2/A3 use, with car parking and associated works (AWDM/1529/18). Block 10 indicated below (and the subject of this application) was to be used for storage and delivery space for the retained Beales Store.



The previous approval sought to provide finance to enhance the retained but smaller department store and a new 15 year lease was signed but unfortunately despite these efforts Beales went into administration on the 20<sup>th</sup> January 2020.

Block 6 and part of Block 7 (fronting South Street) have been sold and are being developed by a local developer.

The current applicant has retained the former Beales store (the remaining parts of Block 7, Block 8 and Block 9) and is seeking to re-plan these areas following Beales going into administration. The previous agenda item deals with revised proposals for the former Beales Store. In particular, application reference AWDM/0903/20 proposes to replace the former Beales Store with retail on the ground floor and offices, food court and gym on the first floor (previous agenda item). The new smaller retail area does not require Block 10 to be retained for ancillary storage/office space and this application proposes the change of use from Class A1 to provide 14 live/work units (sui generis), a minor extension at third and fourth floors, external alterations and associated works. A small balcony is also proposed at first floor in the north-west corner of the building, providing some outdoor amenity space for one of the live/work units.

### **Supporting Statements**

The agent has submitted that,

*The proposed development would deliver 14 new live/work units at an accessible town centre site, helping to address the considerable local housing need and need for additional office space for small businesses, in accordance with Core Strategy Policy 7 and Policy 8. Live/work units will increase the viability of the site and enable it to respond to changing local market needs. The proposal also seeks consent for a small extension at the third and fourth floors, helping to maximise the potential of this town centre site and ensure the necessary internal space standards are achieved. These minor extensions improve the proportions of the building and have a positive impact on its appearance, in accordance with Core Strategy Policy 16.*

*The proposal would result in the loss of just 176 sqm (GIA) of Class A1 sales floorspace at first floor in Block 10, as the remaining 716 sqm of Block 10 was used for back of house functions, largely offices. The provision of live/work units in this location will therefore be similar to the previous predominant function of the building as offices for the Beales store. Live/work units are therefore entirely suitable for this site and would help to introduce a range of uses at the site. Furthermore, as Beales has now vacated the site, the provision of such a large quantum of retail floorspace at the site is unviable and the provision of the proposed live/work units will therefore help secure the future of the site. Furthermore, planning policy does not restrict the loss of retail floorspace on the upper floors of units within the Central Primary Zone A (which is recognised in the Delegated Report for planning permission AWDM/0941/16 at 40-42 South Street) and states: Mixed use is an appropriate form of development in the town centre and there is no policy objection to the loss of the retail floor space on the upper floors (currently partly used for storage/staff room accommodation) at upper floor level even in the Central Primary zone A designation.*



### *Access and Parking.*

*The site is accessed via Bank Passage which provides direct links to Liverpool Road and South Street. Given the highly accessible nature of this town centre site, the proposal does not include any car parking provision, adding to the sustainability of the proposal. West Sussex County Council Guidance on Parking at New Developments (August 2019) does not provide cycle parking standards for live/work units. As such, WSP has considered the cycle parking requirements for the site based on both Class C3 residential accommodation and Class B1 office space. Use Class Cycle standard Number of units / floorspace Cycle parking requirement C3 (1 and 2 bedroom flats) 0.5 spaces per 1 and 2 bed flat 13 x 1 bed unit 1 x 2 bed unit 7 B1 1 space per 150 sqm for staff and 1 space for visitors 978 sqm (GIA)*

*As outlined above, the cycle parking requirement is higher for the building in B1 use and this standard has therefore been applied, with a requirement for nine cycle parking spaces. Nine dedicated cycle parking spaces are provided in the secure cycle storage area at ground floor level (as shown on the accompanying Ground Floor Plans (drawing number 217(10)001 Rev A) and the proposal therefore complies with West Sussex County Council Guidance on Parking at New Developments (August 2019).*

### *Refuse storage*

*Dedicated refuse storage is provided for the live/work units at ground floor level as shown on the accompanying Ground Floor Plans (drawing number 217(10)001 Rev A).*

### *Residential amenity*

*The amenity of future occupiers at the site and in neighbouring buildings has been carefully considered through the design of the proposed development. To maintain the privacy of future occupiers and surrounding residents, the windows of living areas have been angled away from the opposite buildings. Obscure glazing up to 1600mm is also proposed in the majority of windows to avoid overlooking of surrounding buildings.*

### *Quality of Accommodation*

*The applicant, St Clair Developments Ltd, has a strong track record of delivering high quality residential accommodation throughout London and the south east. St Clair Developments Ltd specialises in residential loft apartments and live/work units. Live/work units are becoming a popular form of development in the surrounding area as a solution to help meet the need for additional residential accommodation and office space. One such example is the Orange Row development in Brighton. Brighton and Hove City Council granted planning permission in January 2005 for the redevelopment of a former terrace of lockup stores into thirteen high-quality live/work spaces, images of which are provided below.*

## Conclusions

*The proposal will deliver 14 live/work units in an accessible town centre site, which will secure the long-term viability of this key site. The scheme will give rise to significant planning benefits which are strongly supported by adopted development plan policy and which, alongside Paragraph 11 of the NPPF, indicates that planning permission should be granted.*

## Relevant Planning History

**AWDM/1529/18** - The creation of 45 new residential apartments through the extension and change of use of the existing buildings including 3 additional storeys to Liverpool Buildings, elevation balconies at second and third floor levels and roof terrace at fourth floor. New shopfronts and external alterations to the elevation of Liverpool Buildings. New shopfronts and additional floor to South Street elevation with new windows at third and fourth floor. The creation of up to seven new retail units from existing retail floorspace with flexible A1/A2 use and the change of use of an existing A1 unit to flexible A1/A2/A3 use, car parking and associated works. 19-23 and 35-39 South Street and 5-13 Liverpool Buildings.

AWDM/0903 and AWDM/0906/20 are considered elsewhere on the agenda and propose amendments to the original permission following Beales going into administration.

## Consultations

**West Sussex County Council - Highways Authority** comments that,

The above proposal has been considered by WSCC as the County Highway Authority (CHA). No objection is raised subject to any conditions attached.

The site is in a town centre location. No car parking is provided. Access is gained via a single access point, known as Bank Passage. This access is taken from Liverpool Road, and can accommodate a single vehicle, minimum width of 3.1m which widens out further into the passage, with space to turn and exit in forward gear. It is height restricted, but most delivery vehicles would most likely be able to gain access, as it seems this is what it has been used for in the past. The passage forms part of the public highway network and no TRO are associated with the passage. Pedestrian access is also taken from this passage. There are no pavements and it has a shared used feel. Once the units have been created it will be similar to a mews style development.

Cycle storage will be provided although it is not clear from plans where this will be located. However, provided they are covered and in a secure location this would be considered acceptable. Conversion of the site will require construction access and a construction management plan must be submitted to the LPA for approval prior to works commencing. This is to ensure any necessary licenses are acquired, given the sites constraints over space. There are plenty of pay and display car parks near to the site for construction vehicles to park and once occupied for visitors to the units. The main bus stops are also located on the high street, and Worthing train

station is under 2km walking distance from the site making this highly sustainable location.

#### 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 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,
- 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.

#### 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.

#### ***Adur & Worthing Councils:***

The ***Technical Services Officer*** comments that,

Flood risk - The application is within flood zone 3, the Environment Agency should be consulted. Sleeping accommodation is not proposed on the ground floor. This is acceptable, although we would suggest that it would be of benefit to the safety of future residents to produce an emergency evacuation plan.

Surface water - the proposals will not alter impermeable area. We therefore have no conditions to request. Any proposed alterations to surface water drainage must be designed and constructed in accordance with building regulations, any opportunities to reduce runoff should be considered.

***Southern Water*** comments that,

*The applicant has not stated details of means of disposal of foul drainage from the site.*

*Southern Water requires a formal application for any new connection to the foul sewer to be made by the applicant or developer. We request that should this*

*application receive planning approval, the following informative is attached to the consent:*

*A formal application for connection to the public sewerage system is required in order to service this development. Please 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: [southernwater.co.uk/developing-building/connection-charging-arrangements](http://southernwater.co.uk/developing-building/connection-charging-arrangements)*

*The disposal of surface water from this development shall follow the hierarchy within Part H3 of Building Regulations: a) An adequate soakaway or some other adequate infiltration system. b) A water course. c) Where neither of the above is practicable: a sewer*

*It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.*

The **Environmental Health Officer** comments are awaited and will be reported at the meeting.

## **Representations**

No representations have been received in connection with this application.

## **Relevant Planning Policies and Guidance**

Worthing Core Strategy 2011: Policies 6, 8, 15, 17, 18 & 19  
Worthing Local Plan, 2003 (saved policies): RES7, H18  
Local Plan Consultation Draft (Regulation 18) 2018  
Supplementary Planning Document 'Space Standards' (WBC 2012)  
Community Infrastructure Levy Charging Schedule (WBC 2015)  
WSCC Parking Standards (October 2019)  
National Planning Policy Framework (MHCLG - Feb 2019)  
National Planning Practice Guidance (MHCLG)  
Nationally Described Space Standards (MHCLG)  
South Street Conservation Area Appraisal (WBC 2001)

The National Planning Policy Framework (NPPF) has considerable status as a material consideration which can outweigh Development Plan provisions if policies are out of date or silent on a relevant matter. In such circumstances paragraph 11 of the NPPF, states that development should be approved unless: it would cause adverse impacts which significantly and demonstrably outweigh benefits when assessed against NPPF policies overall; or if the NPPF affords particular protection to assets or areas of importance, (recent case law indicates approval of development which is contrary to the Development Plan will be the exception).

In assessing Development Plan policies relevant to this case alongside the recently published NPPF, it is considered that those which are relevant to the current case

are in conformity with it (Policy 10 – Affordable Housing has been updated to reflect latest NPPF guidance). However, as informed by local evidence it is clear that the Council cannot demonstrate a current 5-year supply of housing in respect of Objectively Assessed Needs and that all relevant policies which relate to and constrain housing delivery in the Core Strategy are out of date in respect of the NPPF. Accordingly, the Council needs to assess its housing delivery strategy. To this end a Housing Study and Issues and Options document was published and a new Draft Local Plan was published on 31st October for consultation. The Council intends to publish its Regulation 19 Plan in autumn 2020.

### **Relevant Legislation**

The Committee should consider the planning application in accordance with:

- Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.
- Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 indicates that in considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- Section 72 (1) states: indicates in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

### **Planning Assessment**

The principle of residential use above the existing Beales Department Store has been established by the earlier permission. A high density scheme was allowed as part of a rescue plan for the Department Store, however, the Store eventually went into administration. The freeholder is now seeking to retain retail on the ground floor and commercial uses on the ground floor (see previous Committee agenda item) and is seeking to establish a new use for the redundant storage/office building.

This application proposes the conversion and extension of the former storage/office building into live/work units. These are a sui generis use being a mix of residential and B1 light industrial uses. Members may not be familiar with this concept as your Officers are not aware of live/work units being proposed or delivered previously within the town. The concept of live/work units is more common in larger cities and the applicant has provided examples of similar schemes he has delivered in London.

Current planning policies within the adopted Core Strategy or emerging Local Plan do not envisage any live work units coming forward and as such there are no policies directly relevant. However, as the agent indicates there is an urgent need for new housing and employment floorspace and live/work units can help to meet this demand. In principle, therefore there is no policy objection to the proposed live/work units subject to normal development control criteria and an assessment of the impact of the development on the character and visual amenities of the area. The main issues to consider are:

- whether the internal layout provides an appropriate standard of residential accommodation and workshop space;
- whether there is an acceptable relationship with proposed/approved residential developments;
- transport and accessibility issues and,
- any adverse impact on the character and appearance of the Conservation Area and setting of heritage assets;

### Residential Amenity

Given the backland location of the building and the fact that additional floors are proposed to the south and west to provide additional residential accommodation, your Officers have been concerned about the standard of residential accommodation proposed. The site appears very much as a rear service yard and there would be a lack of amenity space and considerable overlooking to the proposed live/work units. In some locations bedrooms approved above the retail units in the Montague Centre (Block 9) would be only 3-4 metres away from bedrooms in the proposed live/work units. In addition, whilst all of the proposed live/work units exceed the nationally described space standards, the smaller one bed units have shared living and workspace rather than a dedicated workspace area as proposed for the larger units (see extract from proposed first floor below).



In response to these concerns the applicant has reviewed the proposed layout plans and provided further information about what improvements would be made to the courtyard space as well as further images of similar live/work units that have been very successful in high density urban areas.

With regard to landscaping the agent submits that,

*These applications seek to bring new life into this rear 'yard' area and transform it with greater residential and business activity both within the units themselves but also within the open 'yard' area. The outside space creates opportunity for interaction with other businesses and allows for the development and continued growth of these enterprises.*

*With this objective in mind, we've prepared preliminary proposals as to how the landscape will be designed (see extract below).*

*Consistent with the examples of St Clair's other schemes later in this document and other live/work mews type development, the landscape will be of generally hard variety with the use of good quality materials appropriate for hard landscape in Worthing, whilst also provide a suitable surface for the servicing of the cycle and refuse/recycling store and the rear access to the shops on the ground floor of Block 9. The proposed landscaping scheme will transform the existing back of house area to the rear of the former Beales store into an attractive courtyard which meets the needs of all the surrounding users, whilst also creating a new landscaped, greener space that can be enjoyed by both the occupiers of the live/work units and the retail units fronting Liverpool Buildings. The proposed landscaping scheme includes comprehensive resurfacing, with the existing tarmac replaced with flat cobbles to create a 'mews' style environment. Flat cobbles have been carefully selected to ensure that a level and obstacle-free route is maintained for the servicing of, and deliveries to, both the retail units and live/work units by hand trolley as delivery vehicles will no longer be able enter the main area of the courtyard (further details provided below).*

*The scheme also includes a central area of bonded gravel where seating is provided between two new trees. This creates a focal point in the courtyard and along with other seating areas around the perimeter of the space and provides an area in which future occupiers of the retail and live/work units can sit and relax. The landscaping scheme includes planting throughout the courtyard area, which will add substantial greenery to the space which currently has no planting. All planting will be well-suited to shady areas.*





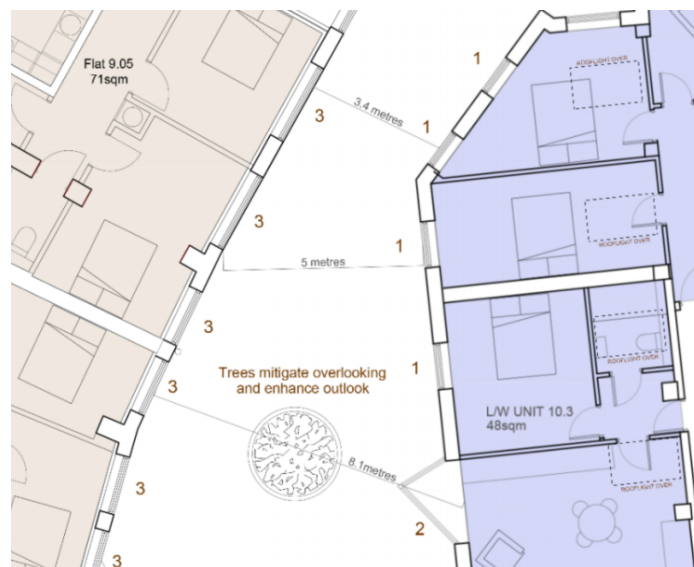
In relation to overlooking the agent stresses that all habitable living has been provided with angled windows (see below) which provide southerly light and avoid direct overlooking from apartments proposed to the west. In addition, it is submitted that to avoid overlooking between bedroom windows across the courtyard the proposed bedrooms could be fitted with high level windows. The agent states that,



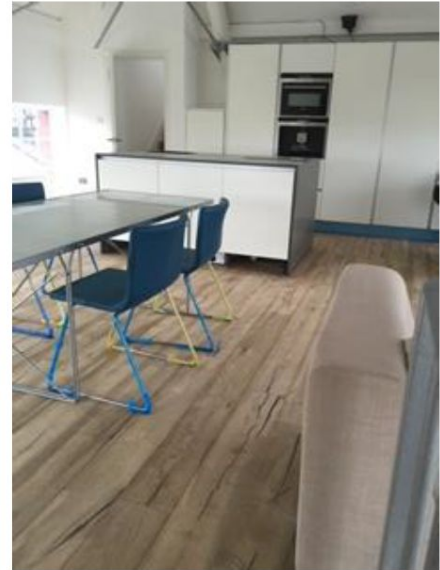
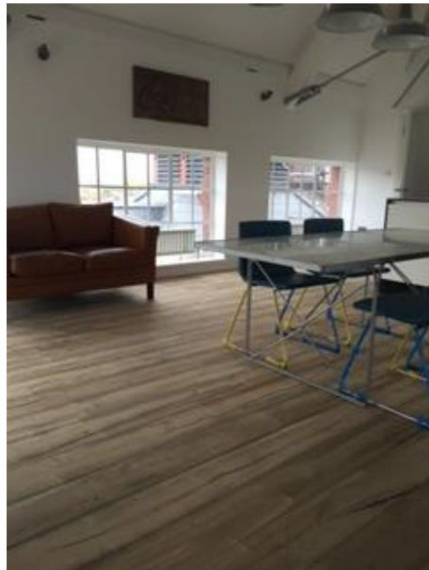
*‘Through the use of well-considered layouts to the live/work units themselves, the overwhelming majority of the main habitable accommodation and workspace has been designed to avoid issues of overlooking. The accompanying drawing demonstrates that minimal issues of overlooking or loss of privacy will occur in the proposed development due to the incorporation of various design measures, including the use of angled windows to avoid direct overlooking (an example of which is shown in the below image), obscure glazing, rooflights and planting to obstruct views. These design measures ensure that the bedrooms in the east of Block 9 and habitable accommodation in the west of Block 10 would maintain their privacy and provide high-quality spaces with good levels of natural light.’*

*Rooflights are provided in the three first floor live/work units in the northern part of Block 10, providing these units with high levels of natural light (L/W Units 10.1, 10.2 and 10.3). The provision of rooflights also contributes towards the post-industrial feel of the proposed live/work units, which is aligned with St Clair’s other, successful live/work schemes.’*

The extract from the approved plans with dimensions (included below) illustrates some of your Officers concerns, although it is accepted that the provision of rooflights will assist in terms of adequate levels of light and high level windows and or obscure glazing will assist avoid undue overlooking.



The applicant has the benefit of delivering a number of similar schemes and has found that live/work units are very popular and attract like-minded people who are attracted to mixed commercial/residential areas. The images inside some of the other live/work units provided by the applicant (see below) help to illustrate how these units are occupied mixing commercial and residential space.



Whilst, these images are compelling and it is likely that in a post Covid world home working will become the norm for many, there are concerns about how such units would be controlled in the future to ensure that they remain mixed use. Members will be aware that planning conditions need to meet the six tests (be reasonable, precise, enforceable, proportionate and there is concern about how the smaller units, without dedicated work space, could be controlled in the future. The agent has submitted examples of schemes that have been allowed at appeal and it is accepted that planning conditions can be used. Nevertheless, there are concerns about how enforceable these conditions are unless there is dedicated space and the agent has been advised that conditions restricting the use would only relate to the larger units. The applicant has agreed to this approach although he indicates that from a marketing point of view all units would be advertised as live/work as it is important to create a small community of businesses and like-minded residents.

Linked to the concerns about enforcing planning conditions is the concern that such live/work units could be promoted as a way of avoiding affordable housing and CIL contributions as they are not classified as residential dwellings. On this latter point there is scope to amend our emerging Local Plan and revised CIL Charging schedule to ensure that such schemes do contribute to both affordable housing and CIL in the future.

There are also some concerns about the potential for noise and smell nuisance from the proposed Food Hall and gym (proposed in connection with application reference AWDM/0903/20). However, the extraction equipment for these uses are proposed directly above Block 7 and are to be controlled to protect proposed residential units immediately adjacent to these uses. Whilst, the 7 retail units created in Block 9 (Montague Centre) are A1 (retail) and A2 (Financial and Professional) uses, the new Use Class E would allow for conversion to café/restaurants and leisure uses that would have the potential for nuisance to the proposed live/work units. The application has submitted an application to revise the design and layout of these retail units and the applicant has agreed to restrict the use of these units under this application to exclude A3 and D2 uses to address this concern.

### **Transport and Accessibility**

The site located in the heart of the town centre is highly sustainable and would be suited to a car free environment. It would be important to encourage sustainable modes of transport to the site and as with the wider scheme for residential development approved above the Beales Store, to encourage new residents to sign up to a town centre car club scheme (which is being actively discussed with WSCC). The provision of bike storage for up to 22 cycles is welcomed and this can be required by planning condition.

### **Impact on Heritage Assets**

As this application will improve the appearance of the run-down buildings and the courtyard area, there is the opportunity to enhance the appearance of the Conservation Area and the setting of the listed building (Lloyds Bank). The provision of a cobbled surface and an entrance gate will improve views into the site and the renovation of the buildings, including the insertion of windows in the large blank north elevation will create more visual interest and articulation.

The additions units at third and fourth floor will not project above the highest element within the existing roof-scape (existing stair and lift core) and in view of the set back from surrounding roads will not be visible or have any adverse impact from views within the surrounding Conservation Area. The additional floors are to be clad in a grey zinc material which will blend with the slate roof of many surrounding buildings.

### **Other Matters**

In terms of wider sustainability matters the application will make significant improvements to the thermal efficiency of the existing buildings by improving insulation and replacing existing windows. There are flat roof sections of the roof that could be suitable for a PV array and the applicant has been requested to consider the scope for any renewable energy generation and provide a supporting sustainability statement.

## **Conclusion**

This is the first live/work unit submitted to the Council and it does raise a number of issues not least about residential amenity and how to control such mixed use developments in the future. Nevertheless, the applicant has demonstrated that similar schemes have been very successful and there is the opportunity to improve a run-down area within the Conservation Area.

On balance subject to the applicant providing additional information addressing overlooking concerns and the live/work units being limited to the larger units it is considered that the scheme can be supported. The applicant has stressed the importance of this development to the overall package of proposals submitted to re-invigorate the former Beales Store and provide a mix of retail and other commercial and residential uses to contribute to the vitality and viability of the town centre.

## **Recommendation**

It is recommended that, subject to the receipt of satisfactory amended plans addressing overlooking concerns, the application be approved subject to the following conditions:

1. Development in accordance with approved plans
2. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3. Notwithstanding the information contained in the current application, no other development shall be carried out unless and until a schedule and samples of materials and finishes to be used for the external walls (including windows, doors, rainwater goods, safety rails and balustrades etc.) and roof of the proposed building have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule and samples.

Reason: In the interests of visual amenity, the character of the conservation area and setting of listed buildings and to comply with policy 16 of the Worthing Core Strategy.

4. The cycle storage area shall be provided and fitted out and made secure in accordance with the approved plans, prior to the occupation of any of the live/work units hereby approved. It shall thereafter be permanently retained and maintained only for use by the residents of the approved live/work units for the storage of cycles.

Reason: To ensure the provision of adequate cycle storage facilities as part of sustainable transport measures, in accordance with policy 19 of the Worthing Core Strategy 2011 and saved policy TR9.

5. The bin storage areas for the live/work units hereby approved shall be provided and fitted out and made secure in accordance with the approved Drawings, prior to the occupation of any of the units hereby approved. It shall thereafter be permanently retained and maintained only for use for the storage of bins.

Reason: To ensure the provision of adequate waste storage facilities, in accordance with policy 12 of the Worthing Core Strategy 2011.

6. No development shall be carried out unless and until details of the construction of the ground floor accesses and hallways to the live/work units hereby approved have been submitted to and approved in writing by the Local Planning Authority to show measures of flood resistance, to minimise the risk of floodwater ingress, to minimise the risk of damage in the event of a flood. The development shall be completed and permanently maintained in accordance with the details thereby approved, unless the Local Planning Authority gives further written approval for any variation.

Reason: To minimise risk from flooding in accordance with policy 15 of the Worthing Core Strategy 2011.

7. Prior to the first occupation of any of the flats hereby approved, details of arrangements for the disposal of surface and foul water shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Southern Water. No flat shall be occupied unless and until all works for the disposal of foul and surface water serving that dwelling have been fully implemented.

Reason: To ensure the provision of adequate drainage in accordance with policies 12 and 15 of the Worthing Core Strategy 2011.

8. Details of means to assess and manage historic ground contamination in the event of ground works. In the event that development necessitates the undertaking of groundworks, such as the construction of new or deeper foundations or the construction of any soakaway, and unless the Local Planning Authority first agrees in writing otherwise, details of a scheme to deal with the risks associated with any historic contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority to include:
  - i) a site investigation scheme, ii) the site investigation results and any further appraisal and remediation strategy,iii) a verification plan with timetable
  - iv) The scheme thereby approved shall be implemented concurrent with the undertaking of groundworks and a verification report shall be submitted to and approved in writing by the Local Planning Authority in accordance with the timetable thereby approved.

Reason: To minimise and manage any risks associated with any historic land contamination in the event of groundworks, in accordance with saved policy RES9 of the Worthing local Plan 2003.

9. Unless otherwise agreed in writing by the Local Planning Authority, prior to occupation of the first live/work unit the subject of this approval, details of arrangements for the provision of access to a car-club or other means of sustainable transport, shall be submitted to and approved in writing by the Local Planning Authority. Details shall cover the period and terms of the provision and shall thereafter be implemented and adhered to for that period.

Reason: To ensure the provision of sustainable transport measures, in accordance with policy 19 of the Worthing Core Strategy 2011 and saved policy TR9.

10. Prior to the occupation of the live/work units, hereby approved, details of an evacuation plan in the event of a potential flood event shall be submitted to and approved, in writing, with the LPA.

Reason: To ensure appropriate flood defence measures are secured in accordance with policy 15 of the Worthing Core Strategy and policies of the NPPF.

11. Construction Management Plan (proposed by WSCC).
12. Measures to avoid overlooking between the live/work units and apartments approved to the west of the site as indicated on the amended plan (drawing number) shall be implemented prior to the occupation of the units and thereafter maintained at all times.

Reason: In the interests of visual amenity.

13. Full details of the improvements to the surfacing and landscaping of the courtyard including the provision of gates at the entrance onto Liverpool Road indicated on the approved plans shall be submitted to and approved in writing by the LPA and implemented prior to the occupation of the first live/work unit.
14. The following units XXXX shall only be used as live work units and the workspace rooms indicated on the approved plans shall only be used for light industrial or office use falling within Use Class E of the Town and Country Planning (Use Classes Order 2020).

26<sup>th</sup> August 2020

**Local Government Act 1972**

**Background Papers:**

As referred to in individual application reports

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## **Schedule of other matters**

### **1.0 Council Priority**

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

### **2.0 Specific Action Plans**

- 2.1 As referred to in individual application reports.

### **3.0 Sustainability Issues**

- 3.1 As referred to in individual application reports.

### **4.0 Equality Issues**

- 4.1 As referred to in individual application reports.

### **5.0 Community Safety Issues (Section 17)**

- 5.1 As referred to in individual application reports.

### **6.0 Human Rights Issues**

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

### **7.0 Reputation**

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

### **8.0 Consultations**

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

### **9.0 Risk Assessment**

- 9.1 As referred to in individual application reports.



## **10.0 Health & Safety Issues**

10.1 As referred to in individual application reports.

## **11.0 Procurement Strategy**

11.1 Matter considered and no issues identified.

## **12.0 Partnership Working**

12.1 Matter considered and no issues identified.

## **13.0 Legal**

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

## **14.0 Financial implications**

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