



**WORTHING BOROUGH
COUNCIL**

**Planning Committee
16 February 2022**

Agenda Item 6

Ward: ALL

Key Decision: Yes / No

Report by the Director for Economy

Planning Applications

1

Application Number: AWDM/2309/21 Recommendation – Approve

Site: Development Site At 52 Ann Street And 1 To 7 High Street, Worthing

Proposal: Full planning permission for the demolition of 2-7 High Street and 52 Ann Street and creation of a mixed-use development comprising 5.no residential flats with roof terrace (C3 Use Class) and a new Digital and Creative Hub consisting of office and meeting room space (Use Class E), reception areas, art studios, exhibition space (Use Class E), cafe facilities (Use Class E) and associated cycle parking and waste storage facilities at the site of Colonnade House. (Resubmission of AWDM/0141/21)

2

Application Number: AWDM/2212/21 Recommendation – APPROVE

Site: 9 Gratwicke Road, Worthing, West Sussex, BN11 4BH

Proposal: Change of use from small HMO (Class C4) to proposed large HMO with 8 bedrooms (Sui Generis)

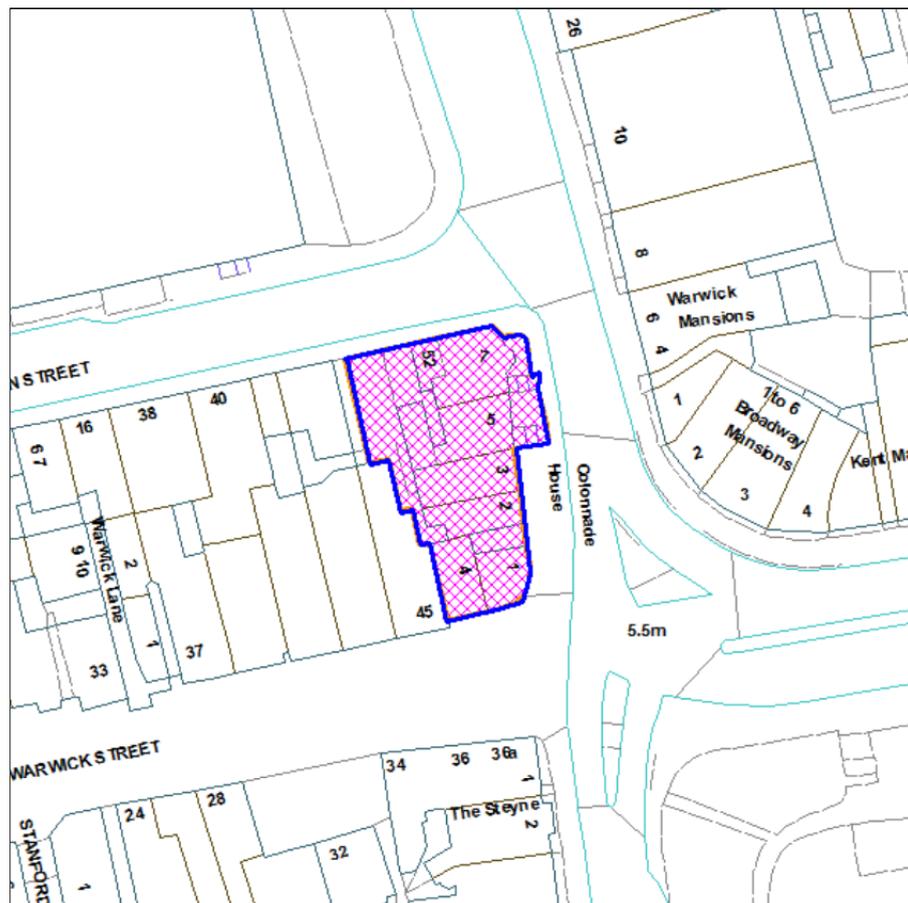
3

Application Number: AWDM/1554/21 Recommendation – APPROVE

Site: 19 Manor Road, Worthing, West Sussex, BN11 3RT

Proposal: Application to Vary Condition 1 of previously approved AWDM/0762/19. Amendments: position of lift shaft, reconstructed wall in fair face brick along Manor Road, refuse/recycle store relocated, alterations to approved balconies and new feature stone frame around window on south eastern corner

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Site:	Development Site At 52 Ann Street And 1 To 7 High Street, Worthing	
Proposal:	Full planning permission for the demolition of 2-7 High Street and 52 Ann Street and creation of a mixed-use development comprising 5.no residential flats with roof terrace (C3 Use Class) and a new Digital and Creative Hub consisting of office and meeting room space (Use Class E), reception areas, art studios, exhibition space (Use Class E), cafe facilities (Use Class E) and associated cycle parking and waste storage facilities at the site of Colonnade House. (Resubmission of AWDM/0141/21)	
Applicant:	Worthing Borough Council	Ward: Central
Agent:	ECE Planning	
Case Officer:	James Appleton	



Not to Scale

The Site and Surroundings

The site consists of Colonnade House (no. 47 Warwick Street), nos. 2-7 High Street and no. 52 Ann Street. The existing site consists of a group of buildings with varying sized plots and building heights. The site has a total area of 0.084 ha.

The site is located on the north western corner of Steyne Gardens in Worthing to the north of Warwick Street. The site is bordered by Ann Street to the north, the A259 (High Street) to the east, Warwick Street to the south and no.45 Warwick Street, a listed building to the west.

Colonnade House is a four storey building located on the corner of Warwick Street and the junction between the High Street and Brighton Road. It is used as a creative workspace building containing art galleries on the ground floor with studio offices contained on the upper floors. Nos.2 and 3 High Street consists of a two-storey building and contains flexible E use class facilities on the ground floor and first floor.

No. 5 High Street is located to the immediate north of No.3 High Street and consists of a redundant building damaged by fire. No. 7 High Street is a four storey building and incorporates a cant bay, extending across all floors on the east elevation. Both buildings incorporate semi basement areas and steps leading up to the front doors. No 7 is currently occupied by a clothing repair business. No. 52 Ann Street located to the north of the site is a single storey flat roof building containing a small shop occupied as a hairdressers.

The site is within the identified built-up area boundary of Worthing and is located within the defined Town Centre boundary. The site is also designated within the Worthing Central Shopping Area (Primary Zone B). Warwick Street is a pedestrianised street offering a range of restaurants, cafes and smaller independent shops.

The site is situated within the South Street Conservation Area and adjacent to the western border of Steyne Gardens Conservation Area. The buildings are all indicated as positive indicators to the character of the Conservation Area. The adjoining building to the west (No 45 Warwick Street) is a grade II listed building and there are other designated heritage buildings further to the west and south of the site.

The Proposal

This is a re-submitted application following the withdrawal of application reference AWDM/01421/21. The proposal seeks the demolition of nos. 2 & 3 High Street, nos. 5 - 7 High Street and No.52 Ann Street and a replacement building providing a new entrance and additional creative workspace facilities on the ground floor and 5 residential apartments on the upper floors. The replacement building for Nos 2 & 3 The plan below shows the extent of demolition shaded grey:



Applicant's Supporting Statements

Planning Statement

The Planning Application has been prepared on behalf of Worthing Borough Council in support of the application and concludes that,

'The proposed redevelopment represents an opportunity to make best use of a historic building located on a prominent site within Worthing. It would reuse a building which has fallen in disrepair and continues to deteriorate, while creating a bespoke unified and purposefully designed space. The aim is to provide a creative space tailored to the needs of small creative businesses, where they can operate from, network, expand their potential and grow into their own independent businesses. In this regard the proposals are considered to make efficient use out of a vacant building and also make best use of existing floorspace, while creating additional employment opportunities; these are both supported by local and national planning policies.

The existing use of Colonnade House has been very successful and current occupiers have expressed their support towards the proposals, as they wish to see the space grow to better respond to local needs. The proposed use therefore seeks to support economic growth within the Borough by vastly improving employment at the site.

In relation to residential provision on site, given the limited land capacity in Worthing to provide housing, residential opportunities are considered of high value, especially within highly sustainable locations such as this. The proposed development would make a valid contribution towards Worthing's housing needs, and is intended to be used as emergency accommodation.

Residential amenity has been assessed and it can be concluded that the development would have a limited, but acceptable effect on surrounding residential properties, especially when considering the site's town centre location, neighbouring use classes and their associated opening hours.

The new design will significantly enhance the run-down appearance of the premises and will restore the buildings' image, while introducing new contemporary and creative elements, thus making an architectural statement appropriate to the site's history, proposed use and prominent location on the gateway to the Town Centre. The building is expected to increase footfall and create a link between the east and west sides of Worthing.

To conclude, in light of all the evidence as presented within this document the reuse of this currently restricted and partially vacant and dilapidated site, will tangibly enhance the vitality and viability of the immediate area and is considered to be consistent fully with the aims and objectives of the National Planning Policy Framework, the Worthing Core Strategy and the saved policies of the Worthing Local Plan.

It is therefore respectfully requested that the Council grants this application full planning permission without delay.'

Heritage Significance Statement

"The overall conclusion of this assessment is that, while the building group has some notable qualities, it has been much diminished by change over time. The significant values and attributes of the building group are considered under the various (and relevant) heritage criteria. It is also acknowledged that a number of elements have historical value, which is considered at a local level of significance. The overall heritage significance of the buildings group, however, has been somewhat diminished by works especially the late 19th century changes, which involved the loss of notable features such as a large section of the original colonnade or veranda, a feature that unified the buildings group aesthetically at ground level (with the remaining part of this feature removed in the 1930s). Number 3 High Street was also rebuilt as a two-storey element at this time, which compromised the architectural unity and balance of the group.

The architectural quality of the group was also further eroded following the remodelling works that occurred during the 1930s, such as the removal of the ground level to Colonnade House and the introduction of a rationalised ground level consistent with those properties on Warwick Street. The changes also involved the loss of notable features to nos. 5 and 7 High Street, such as the removal of the distinctive original oriel window bay to the principal elevation of no. 5, which was likely removed in the 1930s during the remodelling works and its replacement with enlarged flush window openings. The original entrance portico to no. 5 was also likely removed at this time. Similarly, the principal High Street elevation to no. 7 was also reconfigured in the late 19th century, with the original windows to the corner removed and the openings infilled. Additionally, a new projecting window bay was introduced between lower ground level and third floor level. The effect of these

works has been to, collectively, lessen the architectural impact of the buildings group.

With the above in mind, the heritage values identified do not elevate the buildings group to a level of significance that would warrant statutory listing. While parts of the group do display some attributes that are considered significant when assessed against locally Listed Building criteria, such as the landmark qualities associated with the remodelled Colonnade House, it is considered that collectively nos. 5 and 7 High Street, in particular, have been diminished to such an extent that they do not warrant their "Local Interest Building" listing status. Number 5 has been heavily compromised and the original design intent of number 7 has also been eroded by subsequent chance."

Design and Access Statement

The DAS sets out the options considered and why conversion was not feasible on viability grounds and the key design considerations. The Executive Summary states that,

Project Overview: The proposed commercial development will set out to deliver a clear design vision which specifically provides the following benefits:

- Provide a development of the highest architectural quality.*
- Maintain and enhance the character of the setting of Colonnade House by proposing a contextual design, responding to the style and materiality of the area, while also providing a benchmark for all future development.*
- Limited impact on neighbouring properties by carefully considering scale, mass and views in and out of the site.*
- Providing a sustainable solution for the site that responds to the opportunities and constraints of the site.*

Design Approach: The design approach aims to respect the site's setting adjacent to the boundaries of two conservation areas within Worthing drawing upon the architectural vernacular and materials used in both the neighbouring properties and elsewhere in the surrounding area. The close proximity to the coast has also influenced the overall design, helping to inform mass, scale, design and material choice. These influences have been utilised in an interesting and creative way to provide an individual and dynamic commercial development of the highest architectural quality.

Scheme Summary: The site is currently occupied by a collection of buildings of varying condition, use and scale. The proposed development comprises a single unifying form (informed by the existing established building lines) with a new Digital Creative Hub, Cafe and a total of six residential units. In addition to the building the site has provision for a service bay, cycle storage and on-site refuse storage facilities within a central location

The revised scheme alters the design of the new entrance facade and the treatment for the replacement of No.s 5 - 7. The DAS states that,

'The material palette for the scheme has been derived from existing materials around Worthing Town Centre to give the proposal a strong grounding. The existing Colonnade House material palette of off-white render and black window frames and infill panels is a simple yet striking design which can be seen all over Worthing. To tie the northern element of the new proposal (footprints of No.s 5 & 7) into the existing Colonnade House similar materials have been selected.

Together with the proposed curved corner with full height curtain walling from first to third floor, mimicking the existing, it provides book ends uniting the scheme as one.'

To provide a positive transition from the existing building to the new rendered element, profiled pre-oxidised green copper has been proposed. The design of the link element creates a statement to the new creative hub entrance and reflects the artistic use of the building. The colour 'green' has lots of references in Worthing, including green oxidised copper, and picks up on the green trees lining the Steyne Gardens to the south east of the site.

The most obvious use of copper in Worthing is the Splashpoint Leisure Centre which is 400m west of Colonnade House, along Brighton Road. Currently a brown copper, in time this will gradually turn green and will create a strong relationship with the green copper on Colonnade House. Other references to the colour 'green' in Worthing include the Worthing Dome with its green window frames and guttering, the green canopy detail to the Assembly Room and perhaps most importantly to Worthing, the green/blue sea!'

Daylight for Neighbouring Properties

The results demonstrate that the proposed development will have a relatively low impact on the light receivable by its neighbouring properties. Non-compliance with the BRE recommendations is limited to the daylight test in respect of window 89 at 45 Warwick Street. In our opinion, taking into account the overall high level of compliance with the BRE recommendations, and the mitigating factors set out in section 4, the proposed development is acceptable in terms of daylight and sunlight.

Transport Statement

The site is located in a well established residential and retail area and has excellent links to public transport infrastructure as well as cyclist and pedestrian facilities. There are numerous amenities within walking distance of the site and the location is highly sustainable for residential development.

A replacement access for delivery vehicles is proposed. Visibility will remain as per the existing vehicle crossover point.

Given the highly accessible location of the site no further on-site car parking is proposed. Cycle parking will be provided in accordance with the minimum requirements for residential use as set out in West Sussex County Council's current parking standards.

Consultations

West Sussex County Council Highways Authority comments that, WSCC previously asked for more information relating to the extent of the adoptable highway boundary, the retainable width of the footway in High Street, and the inclusion of tactile paving on the corner of Ann Street.

Plans submitted within the Design and Access Statement page 58, section 11.01 'Access and Crime Prevention' show the retainable width of High Street to be 3m. However; WSCC would still require a plan showing the extent of the newly adoptable highway, once the development is completed, and tactile paving locations on Ann Street. The location of street furniture could also cause narrowing of the footway and a licence may be required for these, depending on where they are located.

The site is located at Colonnade House, a corner plot situated between Warwick Street to the south, A259 High Street to the east, and Ann Street to the north. Since 2014 the site has been used as a creative workspace hub, and this application seeks to expand its offer by re-developing the adjacent land into additional digital and creative space, and 5 residential flats. (a reduction in 1 flat over the last application.

The development will be car free, other than 1 off road parking space, designed into the building for deliveries. Plans show this can be used by a delivery vehicle, and visibility splays are set back 2.4m and provide clear lines of sight over the footway. We have consulted the Parking Team at WSCC regarding the relocation of 1 parking space to accommodate the new dropped kerb. This will require the developer to absorb any costs associated with these works and any changes required to the existing TRO.

The site is in proximity of a multi-storey car park, open 24 hrs and, on-street parking is available for residents although they will require a permit. (It is important to note that on-street parking may not be guaranteed via the controlled parking permit scheme and it has been brought to our attention that the waiting list for zone z is extensive.) Nevertheless, the site is highly sustainable within proximity to local bus stops and Worthing Train Station. Cycle storage will be provided in line with the latest WSCC guidance.

The national cycle route 2 is also located close by on Marine Parade, and the High Street has been identified as a secondary cycle route within the adopted Adur and Worthing Local Cycling and Infrastructure Plan. Whilst not yet adopted, WSCC has been considering proposals for a shared use pedestrian/cycle route on High Street, adjacent to Colonnade House, which would link into this. The residential part of the building will be accessible on foot via an entrance from Ann Street, which also provides access to 5 additional cycle storage spaces. These will be secure and covered and meet current guidance.

The re-development of this area will move the existing parking space to the west of the current dropped kerb access, requiring a new dropped crossover, and reinstatement of the existing dropped kerb to full height. New dropped crossing points would be required with tactile paving where the footway meets the Junction of Ann Street on either side. This can be progressed as part of a s278 agreement/TRO

Lastly a S38 agreement will be required for the adoption of the footway on the High Street which were created to replace the basement areas.

Informatives to be added to any planning permission:

Residents Parking Permits in Controlled Parking Zones (CPZs)

The applicant and potential future occupiers of the development are advised that future tenants/homeowners may not be entitled to purchase Resident or Visitor Permits that entitle users to park on-street in the roads around the development site. Alternatively, Non-Resident permits may be available in some roads where capacity allows or some tenants/homeowners may have to join a waiting list before permits are issued. Eligibility for permits will be in accordance with existing WSCC parking policy and procedures. Tenants/homeowners are advised to contact the local District/Borough Parking Services Team for further clarification. Further information and key questions and answers about how Controlled Parking Zones work can be found here:

<https://www.westsussex.gov.uk/roads-and-travel/parking/residents-parking-schemes/how-parkingschemes-work/>

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.

Works within the Highway – Implementation Team

The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.”

Adur & Worthing Councils:

The **Environmental Health** Officer, Private Sector Housing has no objections to the proposed development.

The **Technical Services** Officer comments that,

“Thank you for the opportunity to comment upon this application. We have the following comments on flood risk and surface water drainage.

Flood risk - The application is within flood zone 1, the site is shown to be at risk from surface water flooding. We would recommend consideration of raising of FFLs to ensure the development is safe from surface water flooding throughout its lifetime. We Would recommend a condition is applied to ensure that sleeping accommodation is never provided below predicted flood elevations.

Surface water drainage - A short surface water drainage statement has been provided as part of this application. The application states that it is proposed to attenuate surface water prior to discharge to surface water sewer. The application does not go into detail on what storage may be required and where connections to the sewer are proposed. The statement appears to imply that storage beneath the building is being considered, we wish to state that this is not appropriate due to a number of factors including unacceptable loadings, and difficulties with future maintenance. The use of blue/ green roofs and walls should be considered. Any external hard surfaces must also be drained in a sustainable manner, including the treatment of surface water prior to discharge. We Would recommend that the use of permeable surfaces is considered. We also wish to confirm that discharge must be restricted to as close to greenfield QBar as possible for all events up to and including the 1 in 100 year plus 40% climate change event. ACCTV survey of existing drainage arrangements should be completed prior to demolition.

If you are minded to approve this application please apply the following conditions to ensure the proposal is adequately drained and does not increase flood risk:

“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.”

“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."

"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."

and the accompanying informative:

"Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE DG365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Further detail regarding our requirements are available on the following webpage

<https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms>. A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions"

Southern Water comment as follows,

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

Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer.

To make an application visit: southernwater.co.uk/developing and please read our New Connections Services Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/connection-charging-arrangements

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this

hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse / Infiltration / Watercourse / Storm sewer / Combined Sewer

Guidance on Building Regulations is here:

gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

We would like to engage with you on the design for disposal of surface water for this development at the earliest opportunity and we recommend that civil engineers and landscape architects work together and with Southern Water. In many cases this may negate or reduce the need for network reinforcement and allow earlier completion of the development.

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

The **Council for British Archaeology** has not responded to the current application but raised the following comments on the previous application:

“Summary

The CBA supports the principle of redeveloping the application site, however we strongly object to the proposed scheme, specifically the demolition of 5 and 7 High Street. In its current form this application is contrary to the multiple requirements of section 16 of the NPPF, section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as national and local commitments to sustainability in the built environment.

Significance

The application site is in the South Street Conservation Area and adjacent to the western border of Steyne Gardens Conservation Area. The South Street conservation area is characterised by the late 18th, early 19th century development of Worthing as a fashionable genteel seaside resort. 5 and 7 High Street form a group with Colonnade House and are locally listed buildings that represent the historic development of Worthing and express identified qualities noted in the character appraisal of the South Street Conservation Area. As such they contribute to the character and appearance of the conservation area. They are identified as ‘Local Interest Buildings’ in Appendix 8 of the Worthing Local Plan, 2003. Their dilapidated state means there is opportunity to better reveal their significance and contribution to the character and appearance of the conservation area, as set out in paragraph 185 of the NPPF.

The heritage interest of 5 and 7 High Street stems from their group value with Colonnade House. The curved corner of No. 7 holds symmetry with that of Colonnade House at the other end of the block and is prominent as a corner plot within the conservation area. These buildings contribute to the 19th century character of the South Street Conservation Area in illustrating the development of Worthing in this period as a fashionable seaside resort, which is an important aspect of Worthing's cultural heritage and identity. In their period character the application site also contributes to the setting of a number of designated and undesignated heritage assets within the immediate vicinity, that share these character attributes. These include; No.45 Warwick Street (Grade II), No.34,36,36a Warwick Street (Grade II), No.30,32,32a Warwick Street (Grade II), No.28 Warwick Street (Grade II), No.24 and 26 Warwick Street (Grade II), Chatsworth Hotel Steyne Hotel (Grade II), Building at rear of No.35 Warwick Street (Grade II) and No.8 Ann Street (GII).

Comments

The CBA are broadly supportive towards the redevelopment of the application site. We note the historical alterations to the entire block, which relate to historical events, including a fire, as well as changes in taste, building design and technologies. The 1930s façade to Colonnade House leads the way in expressing the group's evolution and the potential for further remodelling of these historic buildings.

However, the CBA objects to the quantity of demolition proposed by the current scheme, specifically the total demolition of 5 and 7 High Street. We note the options appraisal within the Design and Access statement and question the criteria by which option C has been selected as the preferred option. The Viability Report referenced on p.35 does not appear on the Planning Portal. The CBA would support a scheme that involved substantial remodelling of No.s 2 and 3 (which do not make such a contribution to the streetscape and are not locally listed), but retained No.s 5 and 7 High Street.

Demolition of 5 and 7 High Street is based on the premise that their significant values and attributes have diminished over time. The CBA recognises their rundown condition and that the historical alterations to the principal elevations has impacted on their aesthetic values. However, the CBA disagree that the late 19th century bay windows detract from the significance of number 7, as they express the building's evolution as a continued part of Worthing's Victorian heyday, and such bays are noted as a characteristic of the conservation area. The loss of significant fabric, including the colonnade that unified this block of buildings at ground level until the 1930s is regrettable, however their reduced aesthetic appearance, which is likely to explain why these buildings are not designated, opens up more possibilities and potential for altering the buildings in order to better reveal, without harming, their significance. The CBA strongly believes that adding a contemporary phase of development as a continuation of the block's legible evolution can be best achieved by retaining and refurbishing 5 and 7 High Street, avoiding causing substantial harm to this historic block through the total loss of these buildings.

5 and 7 High Street exhibit a number of design qualities that characterise the South Street Conservation Area, including:

- *Individual properties built on narrow plots.*
- *Elevations which feature bays, dormers, cornices and render or yellow brick.*
- *Mansard or pitched roofs in slate.*
- *Timber sliding sash windows which provide a vertical emphasis to the street.*
- *Co-ordinated black metal street furniture.*

In comparison, the principal elevation of their proposed replacement would not only lose a number of these period characteristics but also blend the 2 narrow plots into 1, eroding the historic grain of the site. The innocuous design is reminiscent of residential blocks that the CBA sees proposed in cities across the country. It says nothing of the place's identity, character or qualities that make Worthing special or reveal its heritage and significance. As a corner plot it would be highly visible within the conservation area without making a positive contribution to its character and appearance.

In terms of sustainable development, the adaptive reuse of standing buildings far outweighs their demolition and rebuilding. The mindset that old buildings are inefficient in terms of energy usage focuses on the daily emissions created by heating and powering a building, overlooking the carbon embodied within the building and the carbon lost through demolition. 5 and 7 High Street already embody significant CO2 emissions in their materials. The fact they have been standing for over 200 years supports the truism 'The greenest building is one that's already built'. New buildings are a major source of resource use and waste production. A key tenant of a sustainable built environment is effectively extending the useful life of existing buildings by improving them because the CO2 emissions already embodied within existing buildings would not be lost through demolition. There are also many ways to reduce the daily emissions in historic building stock through retrofitting.

Compelling research into the embodied carbon in pre-1919 building stock, commissioned by Historic England, demonstrates the imperative of not wasting the embodied carbon in standing buildings if the UK is to reach its legally binding commitment to be carbon neutral by 2050. Recent Historic England research has found that "Compared to refurbishing a traditional Victorian terrace, a new building of the same size produces up to thirteen times more embodied carbon. This equates to around 16.4 tonnes of CO2, which is the equivalent of the emissions released by driving 60,000km, or 300 times round the M25, in a large petrol car."

The CBA fully supports the proposed contemporary design of the replacement structure at 2 and 3 High Street, which would add an interesting 21st century component to the streetscape. We would also support the introduction of a mansard roof to 5 and 7, which is noted as a characteristic within the conservation area, if it would support the viability of the scheme.

Recommendation

The CBA objects to this application, specifically the proposed demolition of 5 and 7 High Street, two locally listed buildings which exhibit positive characteristics of the South Street Conservation Area and form a historic group with Colonnade House. Their demolition would be contrary to section 72 of the Planning (Listed Building and

Conservation Areas) Act, 1990 and paragraphs 184, 185, 192, 197 and 200 of the NPPF.

The CBA questions the criteria behind the options appraisal which favours the demolition of 5 and 7 High Street. Not only would their demolition cause harm to the historic environment, but it would also be contrary to national and local climate change commitments including the sustainability commitment of Worthing Council.”

The **Victorian Society** objects to the application on the grounds that,

The site of the proposed development is a historically complex collection of buildings within the South Street Conservation Area. Despite fire damage and reconstructions the buildings continue to be of interest and make a positive contribution to the Conservation Area. The Society cannot accept the demolition and new buildings that are proposed. The loss of historic buildings, one of which is a non-designated heritage asset, would harm the significance of the Conservation Area. Likewise, no justification is provided that the existing buildings are no longer viable from a structural point of view. Therefore, the proposal does not fulfil the criteria of the NPPF which states that clear and convincing justification must be provided when harm is proposed (para 200).

Also considering the climate emergency (declared by your authority in July 2019), demolition and new construction is not a responsible course of action unless strictly necessary. The buildings proposed for demolition contain embodied carbon and should be restored. This would safeguard the significance of the non-designated heritage assets and the Conservation Area. The NPPF states that it is desirable to enhance and sustain the significance of heritage assets (para 190a) and that development in Conservation Areas should better reveal their significance (para 206). These proposals do not enhance significance and do not better reveal the significance of the Conservation Area. We recommend the proposals are refused or withdrawn.

The **Worthing Society** objects to the application on the following grounds:

- 1) *The previous application AWD/1461/21 was withdrawn. We consider the present application and revised design does not show a significant improvement. It does not, in our view, complement the character of the Steyne Gardens Conservation Area and in particular the Georgian buildings in the Steyne. There are no classical features in the proposed new buildings.*
- 2) *The loss of the original upper storeys due to fire regulations has, in our view, had the effect of making the design feature in the middle section appear over-dominant and somewhat out of scale. Aluminium windows do not enhance the new buildings. If the Planning Committee is minded, in principle, to approve this application where heritage buildings are lost, the new design should be of the highest specification and, unfortunately, our opinion is that this has not been achieved.*
- 3) *Whilst we appreciate that the existing buildings would not qualify for Statutory Listing and have been much altered over time, they remain on the Local Interest*

List. Although some of their architectural features have been lost, they retain group value and represent the last surviving part of the original Georgian High Street on the west side. They also relate to the listed buildings on the south side of Ann Street.

- 4) *Since the original proposal, we have received an increasing number of representations from concerned members about the potential loss of these buildings, particularly as Worthing has lost so many heritage assets in the past. We do support bringing this site back into productive use and acknowledge the considerable viability issues here. Nevertheless, would the architects be able to consider reviewing the scheme to look at 'middle way' by retaining No.7 High Street as part of the scheme. No.5 is in a more serious condition although the level of asbestos does not seem as serious as first thought.*

Historic England: *No response received.*

The **Chairman of the Coastal West Sussex Partnership** comments that,

“As Chairman of the Coastal West Sussex Partnership, I am writing to express our support for the creation of a mixed use development which includes a new Digital and Creative Hub on the site of Colonnade House. We are a business-led economic partnership that brings together senior leaders from industry and the public sector to collaborate on economic issues affecting the region.

The Creative and Digital Tech Industry is particularly important to the coastal economy. Across the UK, the sector employs over 2.1M people and directly contributes over £115.9b to the economy (DCMS 2021). Between 2017-18 the sector has grown by 7.4% compared to a 1.4% growth for the UK economy as a whole. The Creative Industries now make up 5.8% of the UK economy.

The majority of research focuses on cities with relatively little attention paid to towns and rural creative clusters. However, there is a growing recognition of the role of towns in supporting clusters of Creative Industry activity and this is evidenced in Worthing. Data suggests that Chichester and Worthing have a growing creative industries presence with the Worthing micro cluster being the fastest growing cluster across coastal West Sussex.

For the economic prosperity of the coastal economy, these businesses need the environment and space in which to continue to grow and flourish. In recent years, Colonnade House has played a key role in supporting the growth of these businesses and the wider creative community and it's critical that this facility should be able to be redeveloped, grow and expand to continue to support this important business sector.”

Representations

Letters of Objection

A total of 28 letters of objection have been received raising the following concerns:

- The proposed design is ruining the current architecture and Worthing's heritage with the overdevelopment and unsympathetic designs to the surrounding buildings
- There is already a creative hub which stands empty and unused why would you create another
- More time and money should be spent on finishing the other projects like Teville Gate and Union Place
- Carolyn Keyes Dress Shop runs a very successful business which has been trading over 30 years serving the local community helping a number of high profile events. Subbase should be allocated with this development for well respected creative sector businesses.
- The design and particularly be inappropriate treatment to the east elevation façade is totally out of keeping with its appearance and materials at odds with the existing
- The proposed east elevation should retain and extend the existing first floor structure over units two and three with a light weight structure to form the top floor. Unit seven should be less slab like and include some articulation to reflect the full two Storey height with the bay windows being removed.
- The buildings should be restored and there is plenty at ground floor vacant space for a creative hub such as in the Guildbourne Centre all worthing library where there are rooms available or the temporary library space.
- There is no need for another café on the site with so many good quality cafes in the town centre
- The design of a 200 year old building is being glossed over when it should be fully restored potentially securing grant funding
- The steps up to the buildings with railings should be retained with level access created to the rear. The proposed five flats could be provided in the upper floors of the building.
- The plans are an eyesore and forcing an established business to move out
- The town should be supporting small local creative businesses which are the lifeblood of the community not literally knocking down their long held premises
- We are privileged to have a Victorian heritage. We have been bullied four decades to pull down such beautiful structures and have been left with white elephants and eyesores
- The town has lost most of its soul and now another wrecking ball to the little heritage that remains
- The flats are too small and inappropriate close to a 24 hour multi Storey car park and in an area of poor air quality. There is no parking proposed and they would be unsuitable for the disabled.
- The Council condemned these buildings in 2019. They instructed consultants to prepare a viability study but they are not accredited heritage consultants. From the outset the Council has sought to justify the demolition of the buildings.

- Some of the reasons for demolition are not valid. Historic features can be restored, asbestos removed and problems with floor levels does not justify demolition as basements can be used
- I am saddened that so many historic buildings have been demolished under the council's of them watch in the 20th century and hope this trend is not to be repeated in the 21st century
- The disruption of a new build will cause chaos whilst at renovation less so and results in a more aesthetically pleasing result.
- WSCC intended to widen the high street and when this did not happen rather than restore the neglected Georgian Group of buildings. Number five was boarded up and languished without restoration repairs
- The Council is due to borrow a large amount of money to demolish these buildings with little financial return. A new approach is required and the council should engage specialists in restoration of historic buildings to deliver a more satisfactory and profitable conclusion
- The buildings were built by Edward Ogle in 1903 and a one of the few extant buildings which made up the newly developing resort known by Jane Austen. The famous author would have been very familiar with of the colonnade library and adjacent buildings
- It is a disgrace the plans proposed to alter this prominent corner to look somewhat like a generic a concrete jungle of a building with a rather ugly modern slab of green metal as a central division
- The development is not at all in-keeping with the current age, architecture, materials or design
- The creative hub is empty for large periods of time with a 'sorry we are closed' sign on the door. This is a prime window as you enter the town and it looks abandoned, not thriving or inspiring for visitors to the town let alone residents.

Letters of Support

A total of **15 letters of support** for the application have been submitted as follows:

- This is an incredible project, the sense of community that is fostered around the hub, the wide variety of work displayed and the sheer hard work that is put in by the team should be more widely recognized
- Worthing really blossoms into a real creative and innovative community. Creative hub needs chance to represent this change
- The current space is not best placed for further growth and showcase the huge scale of differing creative and digital mediums that the community has to offer
- One thing is no longer poor relation to Brighton we have our own identity sense of civic pride and huge amount of social impact to offer
- The proposed development can only serve to take forward the good work creative hub has done to promote local artists
- The design is clearly empathetic to the surrounding area, provides town centre housing, exhibition space and a community meeting place

- That development will significantly and to tourism the local economy and social wellbeing of the town
- The new digital hub and related development will breathe new life and creativity to part of the town that desperately needs it
- The new design had addressed concerns over the façade and is now in keeping with similar buildings in this historic area
- An expansion of the creative hub will reduce operating costs and be more efficient than locating across multiple sites
- The reason for the galleries and the development of the arts here is overwhelming. This is an excellent investment after years of neglect by Wscc (and some by WBC).

The **Chairperson of the Adur and Worthing Trust** has also written in supporting the application and submits that:

'I watched the planning meeting in October where the resubmission was rejected and identified 3 main areas of concern

1.Loss of Heritage Unfortunately 25 plus years of neglect have made the building irredeemable and unsafe. This assessment was supported by the much revered Worthing Society who approved the planned redevelopment.

2.The design Committee members seemed happy with the internal arrangements especially the Emergency Temporary Housing aspect which is much needed and will save WBC a lot of money currently spent on B&Bs etc It was the external façade that some judged inappropriate. The new application has addressed this and I hope you will find it more in keeping with this historic area.

3.Expansion of the Cultural and Digital Hub

Some members questioned whether it needed expanding and if so on this site. Firstly it is more cost effective in terms of staffing etc to expand rather than develop another site. Being in the Town Centre is desirable and advantageous for a Cultural and Digital Hub as it facilitates networking and collaboration.It supports the regeneration of challenged High Streets and encourages Tourism and the Visitor Economy. The new plans include new meeting space, a cafe, more studios, lift access to all floors, a roof terrace and access to the high speed gigabit network - so imagine how much more will be possible with these new facilities!

Most areas of The Creative and Digital sectors are recovering well from COVID. Since opening in 2016 Colonnade House has maintained high occupancy of studio space - currently over 90% and the 2 Galleries are fully booked for the foreseeable future There are waiting lists for both so we anticipate high demand for the proposed new work spaces.

4.Creative Digital Sector

This is a vital part of our national economy generating £115.9 billion in 2019 and providing locally in the Kent, East & West Sussex and Surrey area 16% of the 2.1

million national jobs in the creative industries. The UK is famous throughout the world for creativity and this mind set fuels other entrepreneurial activity. Video and Computer gaming generated £45.5 billion in 2019 -this area has held up particularly well and expanded during the pandemic. Independent Film and TV, Fashion, Music , Immersive and Virtual tech and of course more traditional arts and crafts can be supported at Colonnade House with not only work space and facilities but also training and workshops This proposed expansion is such a great opportunity for our local economy , our young people and our Visitor economy!’

Another Trust Member comments that,

‘As a member of the Adur and Worthing Trust, and previous Principal of Northbrook College, I would like to put forward my support for this planning proposal. Colonnade House has significantly improved the opportunities for creatives, especially those setting up new businesses, as well as providing a focal point in the town for new and innovative exhibitions. This attracts interest both from residents and from visitors helping the economy and the reputation of the town. The proposal will extend this capacity as well as focussing on the important and growing aspect of digital creative skills. It will also further regenerate this part of the town, replacing some very down at heel buildings, as well as providing much needed social housing.’

Relevant Planning History

- AWDM/1351/15 - Replacement shopfront at land at Colonnade House. Permitted October 2015.
- 01/01108/CCR3 - Application under Regulation 3 for the use of the premises as an information shop for young people at land at 3-4 Colonnade House. Permitted 17 December 2001.
- 91/05378/FULL – Change of use of ground floor from retail shop to a restaurant with takeaway facilities on land at Colonnade House. Refused 13 May 1991 3.8.1. No.7 High Street.
- 07/0742/FULL - Change of use of basement to a care agency office (Class A2) at land at Shop Basement 7 High Street Worthing West Sussex BN11 1NY. Permitted on 29 August 2007.
- 07/0382/WBR3 - Application under Regulation 3 for continued use of premises as a retail shop, (Class A1), permanent permission sought at land at Basement 7 High Street Worthing West Sussex BN11 1NY. Permitted on 4 May 2007.
- 99/00372/FULL First Floor 7 High Street Worthing West Sussex BN11 1NY. Continued use of the first floor as a tailors (renewal of temporary planning permission WB/96/0207 dated 29th April 1996) Permitted on 25 July 2000.
- 03/00948/FULL First Floor 7 High Street Worthing West Sussex BN11 1NY Continued use of first floor as a tailors - renewal of temporary planning permission WB/00/00503/FULL.
- 02/01363/WBR3 Basement 7 High Street Worthing West Sussex BN11 1NY Application under Regulation 3 for continued use of premises as a retail shop (Class A1).
- 00/00503/FULL First Floor 7 High Street Worthing West Sussex Continued use of first floor as a tailors (Renewal of temporary planning permission WB/99/00372/Full dated 7th June 1999).

- 98/00698/FULL Basement 7 High Street Worthing West Sussex Continued use of premises as a retail shop (Class A1).
- 96/05366/FULL First Floor 7 High Street Worthing West Sussex Continued use of first floor as tailors (renewal of temporary permission WB/92/0007 dated 17 February 1992).
- 96/00563/WBR47 (Ground Floor) 7 High Street Worthing West Sussex Application under regulation 4 for change of use to retail (Use Class A1).
- 93/05330/FULL Basement 7 High Street Worthing West Sussex Change of use to a retail shop.
- 92/05313/FULL First Floor 7 High Street Worthing West Sussex Continued use of first floor tailors (renewal of temporary permission WB/1347/88 dated 30TH DECEMBER 1988) 3.8.2. No.52 Ann Street.
- 00/00140/FULL 52 Ann Street Worthing West Sussex Continued use of premises as a hairdressers.
- 97/05018/WBR4 52 Ann Street Worthing West Sussex Application under regulation 4 for change of use to retail (Use Class A1).
- 97/05019/WBR4 52 Ann Street Worthing West Sussex Application under Regulation 4 change of use to office (use class A2).

AWDM/01421/21 - Application Withdrawn, however the Committee considered the application on two occasions:

In April 2021 the Committee resolved that,

'The majority of Members agreed to approve the application with proposed additional conditions which were key and historical details and photos to be incorporated with the creative hub and/or proposed cafe; construction to take place in accordance with National Space Standards; an archaeological watching brief to take place during construction; and details to be submitted as to the size and design of dormers on the north and east elevation and details of the string course on the replacement of 5 and 7 High Street to be approved prior to commencement of the development.'

Following amended plans the application was re-considered in October 2021 and the Committee then resolved

'The Planning Committee overturned the Officer's recommendation to approve the application and agreed to delegate the decision to Officers to prepare REFUSAL reasons based on concerns about the loss of the heritage assets and that the benefits of the scheme (including the quality of the design) did not outweigh the harm caused by the loss of those assets.'

Relevant Planning Policies and Guidance

Worthing Core Strategy (2011):

Policy 3 Providing for a Diverse and Sustainable Economy.

Policy 4 Protecting Employment Opportunities

Policy 5 The Visitor Economy

Policy 6 Retail

Policy 7 Meeting Housing Need

Policy 8 Getting the Right Mix of Homes Policy
9 Existing Housing Stock
Policy 10 Affordable Housing
Policy 11 Protecting and Enhancing Recreation and Community Uses
Policy 12 New Infrastructure
Policy 15 Flood Risk and Sustainable Water Management
Policy 16 Built Environment and Design
Policy 17 Sustainable Construction
Policy 18 Sustainable Energy
Policy 19 Sustainable Travel

Worthing Local Plan (WBC 2003) - List of Locally Listed Buildings.
Supplementary Planning Document 'Space Standards' (WBC 2012)
Supplementary Planning Document 'Sustainable Economy' (WBC 2012)
'Infrastructure Delivery Plan' (WBC 2010)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

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. Section 66(1) states: *In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority.....shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*

Section 69 of the Act requires local authorities to define as conservation areas any areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance and Section 72 gives local authorities 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.

Planning Assessment

The main planning issues in this case are:

- The principle of development - including the proposed uses and the loss of heritage assets;

- ❑ Design and impact of the development on the setting of the Conservation Area and adjoining heritage assets;
- ❑ Whether the public benefits of the scheme outweigh any harm to heritage assets
- ❑ Residential amenity (existing and proposed residential dwellings)
- ❑ Sustainability
- ❑ Transport and Accessibility

Principle of Development

In principle, there is no objection to the uses proposed for the site. The application site is a very prominent corner site and on the eastern edge of the defined town centre. The principle of active ground floor uses is supported as well as the expansion of the creative workshops in Colonnade House. Although some concerns have been raised about the loss of existing businesses, the application proposes an increase in commercial floorspace and therefore there is no loss of employment floorspace. The provision of 6 residential flats would be welcomed in this town centre location, particularly given that the Council cannot currently demonstrate a 5 year supply of housing. There is no policy objection to the mixed use development proposed.

The Council's Estates Section is dealing with the current leases in accordance with its duties under the Landlord and Tenant Act and it is understood that these have been resolved to the extent that there is no legal impediment to redeveloping the site. If existing businesses need relocating, your Officers are aware of other vacant floorspace within the town centre which is currently available for these existing businesses.

The Consultee responses from the Victorian Society and the Worthing Society (and previously the Council for British Architecture (CBA) as well as a number of objections highlight the policy considerations involving the loss of heritage assets and the sustainability benefits of retaining and renovating existing buildings.

As indicated previously the Planning Committee originally approved the previous application in April last year and the application was only presented back to Committee following the receipt of amended plans removing the top floor due the financial impact of changes to the Fire Regulations. At that stage the Committee accepted that the loss of the heritage assets was offset by the overall benefits of the scheme. At the subsequent meeting in October the Committee considered the revised scheme and raised some concerns about both the principle of allowing the demolition of heritage assets and questioned whether the design of the replacement building was of the design quality that justified the loss of existing historic buildings.

It is important that this matter is reassessed in light of the revised design approach and a reconsideration of the balancing act necessary when considering the demolition of heritage assets.

The application site is located in the north-eastern section of the South Street Conservation Area. The proposal involves the demolition of the central and northern part of the application site, Nos 2, 3, 5 and & 7 High Street and 52 Ann Street.

These buildings are local interest buildings and are positive contributors to the character of the Conservation Area and as such, there is a policy presumption in favour of retaining these heritage assets.

This is the key issue with this application and the applicant has sought to demonstrate that the loss of these buildings can be justified having regard to the viability issues of converting the existing buildings, the diminished significance of the heritage assets (as a result of subsequent alterations) and the public benefits of the overall development.

During pre-application discussions, the applicant was requested to investigate the scope to retain and renovate the existing buildings. Following the purchase of No 5 High Street from the County Council a structural survey was undertaken of the building which revealed the extent of fire damage and the presence of asbestos. A viability assessment was also undertaken that identified that the conversion of Nos 5 and 7, even for the optimum residential use (in terms of financial return) would not be viable. An extract from the financial appraisal is attached as Appendix 1 and shows that overall the project would result in a shortfall of over £90,000. As a result the proposed residential conversion would be unviable and would not provide any financial assistance towards the Council's objective of expanding the successful creative workshops occupying Colonnade House.

This financial viability case has not been reviewed. However, this revised scheme reduces the number of flats proposed to 5 and construction costs have increased significantly over the last 12 months.

The extremely poor condition of No 5 High Street, in particular and the significant conversion costs make this unviable as an option for the Council or any other commercial developer. It is also highly relevant that the current application is also not viable without significant financial investment by the Council as set out in the report to the Joint Strategic Committee (JSC). The project is only viable if the Council seeks to use the residential accommodation for temporary and emergency accommodation (this helps offset the current revenue strain on the Council in providing temporary bed and breakfast accommodation) and by investing both capital and revenue funding for the first 10 years of the project. The extract from the JSC report sets out the financial costs to the Council:

“7.3 The most financially viable option provides commercial workspace opportunities managed by a Trust and the provision of 6 residential units for use as temporary/emergency accommodation. This scheme proposal has a capital cost of £4.050m and an average revenue cost of £7,800 per annum over the first 10 years of operation. The capital and revenue costs are broken down further in the following sections:

7.4 Capital

	2021/22	2022/23	Total
	£	£	£
<i>Estimated Construction costs</i>	1,027,923	2,015,845	3,043,768
<i>Allowance for Optimism Bias</i>	253,647	507,293	760,940
<i>Right to Light</i>	50,000	0	50,000
<i>Overage</i>	33,333	66,667	100,000
<i>Capitalised interest</i>	15,950	79,580	92,440
<i>Total capital costs</i>	1,380,852	2,669,386	4,050,238"

The proposed residential use of the existing buildings would also not address the problems of different floor levels across the site and meet the applicants desire for a vibrant and active frontage with the ground floor providing enhanced meeting and creative space fronting the High Street.

Whilst, there is a viability argument which has influenced the preferred option to demolish the locally listed buildings, given the presumption in favour of retaining heritage assets there is also a need to assess the significance of these heritage assets and the impact of the new development on the setting of the Conservation Area and adjoining heritage buildings. The key test in NPPF paragraphs 193-196 is whether a proposed development will result in *substantial harm* or *less than substantial harm*. The following paragraphs of the NPPF are particularly important in determining whether the loss of these heritage assets can be justified.

Paragraph 193 states: *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

Paragraph 194 states: *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.*

The applicant commissioned a Conservation Consultant to prepare a detailed Heritage Statement and Heritage Significance report. The report identifies the significant changes to the buildings and the loss of architectural features and concludes that they do not warrant their '*local Interest building*' status. The Heritage Statement provides a very detailed historical breakdown of the various changes to the building and includes a photo circa 1888 which shows the significant fire damage to the 3/4 storey building subsequently replaced by the two storey element (Nos 2

and 3) as well as the subsequently removed verandah or raised colonnade which gave the building its name.



Although the Heritage Statement submitted with the application is very thorough it does rather over concentrate on the architectural merits of the individual buildings but does not, in the opinion of your Officers, have sufficient regard to the wider significance of the buildings.

As defined by NPPF, significance may be archaeological, architectural, artistic or historic interest and of course the Council designated Nos 5 and 7 local interest buildings after the alterations to the buildings had been carried out. The buildings were also identified as positive indicators to the Conservation Area. The Heritage Statement sets out the historical significance of the buildings and the link with Jane Austin gives the buildings added historical and community interest. As indicated by the CBA the alterations to No 7 with the addition of the Victorian cant bay shows the architectural evolution of the building and is a typical feature of the town and in this respect is an attractive addition in its own right.

Nonetheless, the condition of No 5 is significantly worse than expected following the purchase of the building by the Council and the difficulties of finding an economically viable use of the building are recognised and are a material planning consideration. The buildings are not statutorily listed and your Officers agree that their much altered form means that they are not worthy of formal designation.

Whilst there are some elements of the Heritage Significance report that your Officers disagree with overall, your Officers agree with the overall assessment that the harm caused by the loss of the buildings on the site is less than substantial in NPPF terms. As indicated by the Worthing Society in its response to the previous application these buildings have in many respects been blighted by the proposed road widening scheme which the County Council eventually withdrew. This road widening scheme prevented any investment in the buildings for a number of years and explains why some of the uses in No 7 such as the Tailors business were only initially granted temporary planning permission.

Design, appearance and impact of the development on the setting of the Conservation Area and adjoining heritage assets;

At the pre-application stage amendments were made to the scheme to address certain detailed points including ensuring that the scale of development deferred to the lower scale of Ann Street. The principle of a more contemporary approach to the replacement of Nos 2 & 3 was supported and encouraged as an appropriate transition between architectural styles, and to emphasise the new entrance to the creative and digital workshops. The modernist (cubist) and overtly contemporary style is considered to be appropriate being reflective of the use of the building as an art/creative studio space. The metal cladding set at different angles would create different shadows and colours.

The previous scheme shown below, indicated a gold cladding solution for the new entrance to the cultural hub and deliberately sought a less traditional approach to the layout of fenestration. Concerns were also raised about the brickwork proposed for the replacement of No's 5 - 7 and the Worthing Society questioned the lack of bays, a traditional feature of the town centre.



In response to the concerns raised by the Planning Committee the applicant's architect has reviewed the approach to the scheme, in particular style of fenestration, materials and finishes. The DAS sets out the revised design approach and this is set out below:

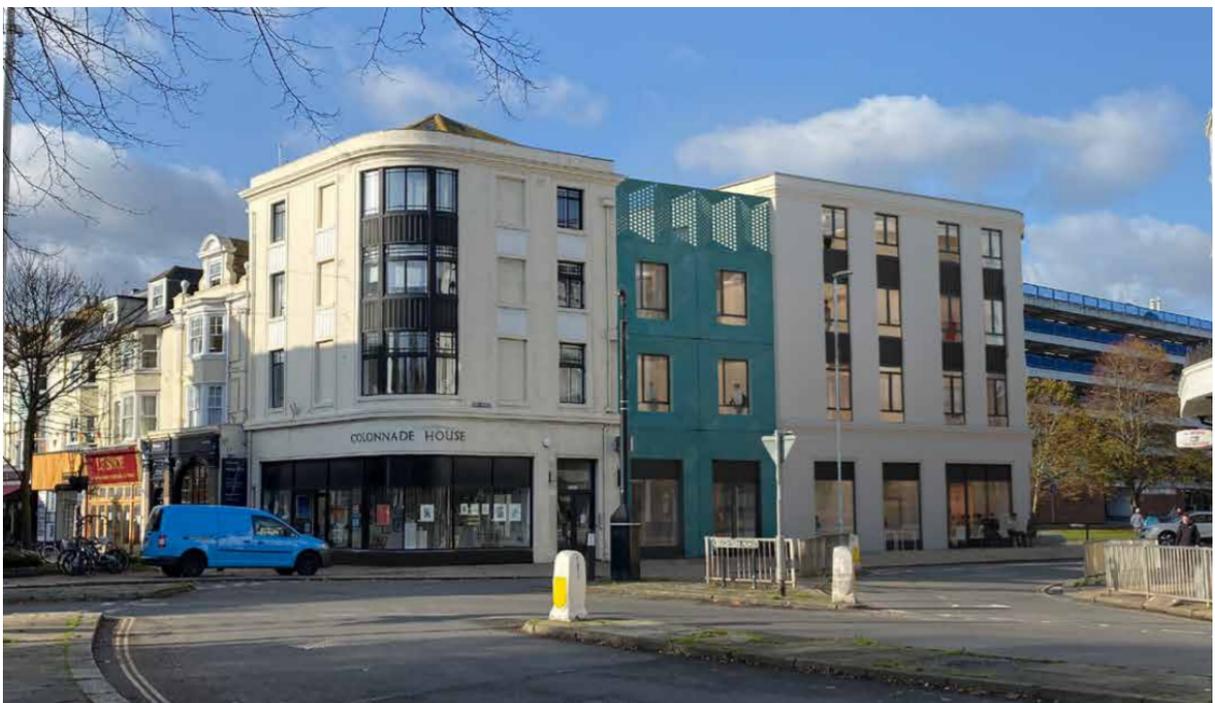
To provide a positive transition from the existing building to the new rendered element, profiled pre-oxidised green copper has been proposed. The design of the link element creates a statement to the new creative hub entrance and reflects the artistic use of the building.

The colour 'green' has lots of references in Worthing, including green oxidised copper, and picks up on the green trees lining the Steyne Gardens to the south east of the site. The most obvious use of copper in Worthing is the Splashpoint Leisure Centre which is 400m west of Colonnade House, along Brighton Road. Currently a brown copper, in time this will gradually turn green and will create a strong relationship with the green copper on Colonnade House.



Other references to the colour 'green' in Worthing include the Worthing Dome with its green window frames and guttering, the green canopy detail to the Assembly Room and perhaps most importantly to Worthing, the green/blue sea!

The revised CGI for the scheme is produced below and highlights the revised approach of a green copper cladding, a more conventional layout of fenestration for the 'link' and the use of render for the replacement of 5 - 7 and fenestration and detailed reflecting the approach used for the retained Colonnade House.



As before, your Officers support the bold form proposed, deliberately designed to act as a contrast and a transition to the replacement building for Nos 5 and 7. The further changes to the scheme have, in your Officers opinion, further enhanced the scheme and addressed previous residual design concerns.

Your Officers main concern with the original scheme was the scale and dominance of the mansard roof but this element of the scheme has been removed due to the implications of new Fire Regulations which would have made the development even more unviable.

In terms of the impact of the development on adjoining statutorily designated listed buildings your Officers agree with the applicants Heritage Consultant assessment that the proposal would have little overall effect on the setting of these buildings. The principal south elevation of No 45 Warwick Street immediately adjacent to the site would not be affected by the proposals as Colonnade House is retained. Whilst the greater height and bulk of the replacement buildings would restrict some views of the rear of No 45 Warwick Street, this would only represent some minor visual harm given the rear elevation is secondary in nature and the current views to the rear service yard is a less than attractive setting for the building. The setting of listed buildings on the south side of Warwick Street will have some limited impact in that the larger scale of the replacement buildings but the separation distances are such that any harm is minor in nature.

In terms of the wider Conservation Area your Officers also agree with the Heritage Statement which concludes that,

Overall, given the design approach to the new elements including their restrained scale and responsive materials palette, it is considered there will be very limited impact associated with the proposal on the character and appearance of the Conservation Area. While the marginal increase in height will result in some very minor harm to the designation (the retained part of Colonnade House, in particular), this is considered to be at the lower end of the less than substantial harm scale. The identified harm would also be outweighed by the public benefits associated with the proposal.

Whether the public benefits of the scheme outweigh any harm to heritage assets

As set out above the loss of heritage buildings on the site and the scale of the replacement buildings would cause some harm to the South Street Conservation Area and adjoining listed buildings but it is considered that the level of harm is less than substantial. 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. The National Planning Policy Guidance (NPPG) outlines what is meant by public benefits and this includes anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (Paragraph 7). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

In this case it is considered that there are clear and convincing public benefits of this development that would outweigh the harm identified to heritage assets.

Expanding the Creative and Digital Workshops: The expansion of Colonnade House is a key cross-cutting commitment in the Councils Platforms for Our Places 2020-22 that aims to develop the creative and digital sectors and skills base. In addition, the scheme is also identified to support the delivery of ultrafast broadband and the wider ambitions around the digital economy (1.4.3). The proposal also supports the Council's 'And Then' ambitions to develop the Councils capabilities to support our micro start ups and micro entrepreneurs in response to the Coronavirus pandemic.

Since the inception of Colonnade House as a cultural hub in 2016, the workshops have been established as a key creative component of the town centre. In partnership with the Adur & Worthing Trust, Colonnade House has maintained high occupancy levels with the gallery spaces near 100% capacity. Whilst the pandemic has restricted trading, the operation has seen 85% of the tenants retained and the gallery spaces still in demand, in readiness for the easing of restrictions. The expansion of Colonnade House will create new jobs and training opportunities and provide economic stimulus in a time of increased economic uncertainty.

Based on the additional floorspace, it is anticipated that a further 39 jobs will be created as a direct result of the project, when all studio/workshop spaces are occupied. The majority of these jobs will be created through the upgraded and new studio spaces, whilst the ground floor cafe is predicted to generate 4 new full time equivalent jobs. The existing Colonnade House has supported over 100 creative industry professionals, therefore the expansion also has the ability to support indirect job opportunities.

The Creative Industries currently have a disproportionate number of micro-businesses compared with other sectors. This gives the sector a distinctiveness in terms of commercial floorspace and other business support requirements. Despite this, micro businesses in the sector are considered 20% more productive in terms of GVA per worker and they are more important in terms of net job creation than similarly sized businesses in other sectors of the economy.

Whilst the concerns about the loss of heritage assets is recognised, the replacement buildings with level access will address mobility issues with the existing structures and create an active frontage enhancing the entrance to the town centre. The redevelopment of this tired site in need of investment would help to diversify and reinvent the town centre with its proposed mix of studio, workshop and gallery space. With the connection of ultrafast broadband and the inclusion of Citizens Wifi, the Council intends for the expanded Colonnade House to become a central point for digital innovation and experimentation. It is hoped that this will provide a focus for creative networks and learning providers (including local universities and colleges).

The proposed 5 flats are intended to be used to provide much needed temporary and emergency accommodation to meet local housing needs. Given the level of unmet housing needs within the town the provision of 5 flats in a highly sustainable town centre location is an important consideration and a significant benefit of the scheme. Members will be aware that demand for emergency accommodation has increased significantly over the last two years and there is an urgent need to provide additional accommodation.

Overall it is considered that the development would provide significant public benefits to outweigh concerns about the loss of heritage buildings. Although historically significant the buildings to be demolished lack architectural merit, there are viability concerns about renovation to other uses and the prominent site currently has a very run down appearance.

Residential amenity (existing and proposed residential dwellings)

The proposed development would provide well designed apartments meeting the national space standards and providing a good standard of daylight to all flats.

The submitted Daylight and Sunlight report assesses the impact of the development on the light received by neighbouring properties. The report concludes that the development will have a relatively low impact on the light received by neighbouring properties. However, the increased bulk and height of the replacement buildings would have some adverse impact on daylight levels to a window in an adjoining residential flat at No 45 Warwick Street when assessed against the Building Research Establishment (BRE) guidelines.. This window in the rear north elevation at first floor level falls slightly short of the BRE target of 0.8 in terms of the change to daylight levels post development (scoring 0.71).

The Daylight and Sunlight report however comments that, - *the BRE guide gives numerical guidelines, it states that these should be interpreted flexibly, since natural lighting is only one of many factors in site layout design.* Given that this is a high density town centre location it is not considered that this slight shortfall in daylight levels to this one window would result in any significant loss of amenity to justify a refusal of permission.

The development would not have any impact on gardens or open spaces as there are none to the north of the application site.

Transport and Accessibility

Whilst the development does not provide any parking, given its highly sustainable location it is not considered a problem. Nearby streets are within the Controlled Parking Zone. Secure cycle storage will be provided for the Colonnade House and the Hub users in the shared, dedicated storage area located within the service yard. Residential cycles will be stored within the secure entry lobby of the main residential stair core. Additional visitor spaces will be also provided in accordance with West Sussex cycle standards.. As a result the County Council as Highway Authority has raised no objection

A concern has been raised by the Highway Authority about the possible use of the highway by tables and chairs and a potential impact on a segregated cyclepath proposed along the western side of the High Street. As this would require separate consent for the siting of such tables and chairs this is not considered to be an issue and would be dealt with separately under the Highways Act.

Sustainability

The current Local Plan does not include specific guidelines for meeting BREEAM sustainability requirements, however, the emerging Plan which has just been out to consultation does require new development to meet a more exacting environmental standards in line with the United Nations sustainability goals. For non-residential development of at least 1,000 sqm floorspace and residential or mixed use development consisting of more than 200 residential units should achieve BREEAM New Construction or BREEAM Communities 'Very Good' as a minimum rating based on the latest BREEAM scheme.

This development falls below the 1,000 sqm threshold, however, the Council (as applicant) has stated that they are committed to delivering a scheme which applies best sustainable practices. The aspiration is to design a high quality, exemplary, highly sustainable, energy efficient and where possible, green solution. In this respect the new building will be designed to thermal standards in excess of current Building Regulation requirements which will aid high levels of thermal performance, and reduce the need for mechanical heating and cooling. The development is based on a fabric first approach, which will ensure that energy demand and CO2 emissions arising from space heating will be minimised, with a combination of low u-values and airtightness to minimise and avoid excessive heat loss from the building.

The submitted sustainability strategy has been designed to respond to the Adur and Worthing Councils Carbon Neutral Plan, working towards the 2030 target. Whilst the initial aim was to develop a solution for the commercial element of the building which would achieve a BREEAM 'Excellent' certification to respond to emerging council zero carbon policies. However, the constraints of the proposed location, the poor thermal and air leakage performance of the existing Colonnade House, and the limited opportunities for introducing a wide range of renewable energy solutions on the site result in the possibility of achieving such a certification unlikely.

Nevertheless the applicant has indicated a commitment to achieve high levels of energy performance and water consumption in order to target the levels of performance required to achieve the status of 'Excellent'. The range of sustainability measures adopted within the design include;

- Where possible, roofs have been designed to allow solar technology to be utilised if suitable.
- Large areas of glazing to work areas and habitable rooms and circulation spaces to allow for lower use of artificial lighting.
- Envelope thermal performance in excess of current Building Regulation requirements • Use of low carbon heating systems (heat pumps and heat networks)
- Mechanical Ventilation with Heat Recovery (MVHR) systems to the residential units
- Sub-metering of end-use categories
- Install energy metering systems
- Meter the energy consumption in buildings
- Sub-metering of high energy load and tenancy areas
- High air leakage performance
- Air source heat pumps

- Replacement of the existing windows to improve thermal performance and air leakage
- Water consumption in all units minimised through the use of practical and hygienic water-saving measures such as flow restrictors, reduced bath volumes, water-efficient white goods and dual flush toilets
- The orientation of buildings and aspect of the main spaces allows for good levels of daylight, with natural ventilation to all spaces provided by openable windows
- Sustainable drainage techniques will be used where practical to fully disperse surface water (SUDS)
- High-quality materials are proposed and will require the minimum of maintenance
- Materials will be specified where possible to minimise their travel distance to the site, ensuring where relevant materials are specified from recognised sustainable sources with the appropriate certification.

Other issues

Air Quality

An Air Quality Assessment has been submitted in support of the application, which demonstrates that subject to the implementation of mitigation measures the proposed development is considered acceptable in air quality terms. The mitigation relates to low carbon heating systems and encouragement for sustainable means of travel to and from the site. As the proposed development is not set to introduce receptors to an area of poor air quality, nor should it have a significant impact on air quality in the local area, it is accepted that there is no requirement for site specific air quality mitigation.

Drainage

As indicated by the Councils Drainage Engineer and Southern Water early engagement with the drainage bodies is encouraged to assess the scope for reuse and filtration to restrict the rate of surface water run off from the site, particularly as underground storage may be an issue on this site.

Conclusion

The site has been blighted by a road widening scheme that has affected investment in the existing buildings on the site. The fire damage to No 5 is significant and this property is in an extremely poor condition and it would not be viable to convert or renovate either No 5 or No 7 to residential use. The proposed redevelopment would also not be viable without additional capital and revenue investment by the Council as set out in the report to the Joint Strategic Committee.

Overall the site is in a very poor condition and seriously detracts from the current appearance of the Conservation Area and approach to the town centre. Whilst, retention of historic buildings is always preferable in this instance the loss can be justified given the significant public benefits that the development would bring in terms of new jobs, housing and activating this key and prominent town centre site. The development proposes sustainable development that will develop and expand the creative and digital sectors which are vital for the economic wellbeing of the town.

Recommendation

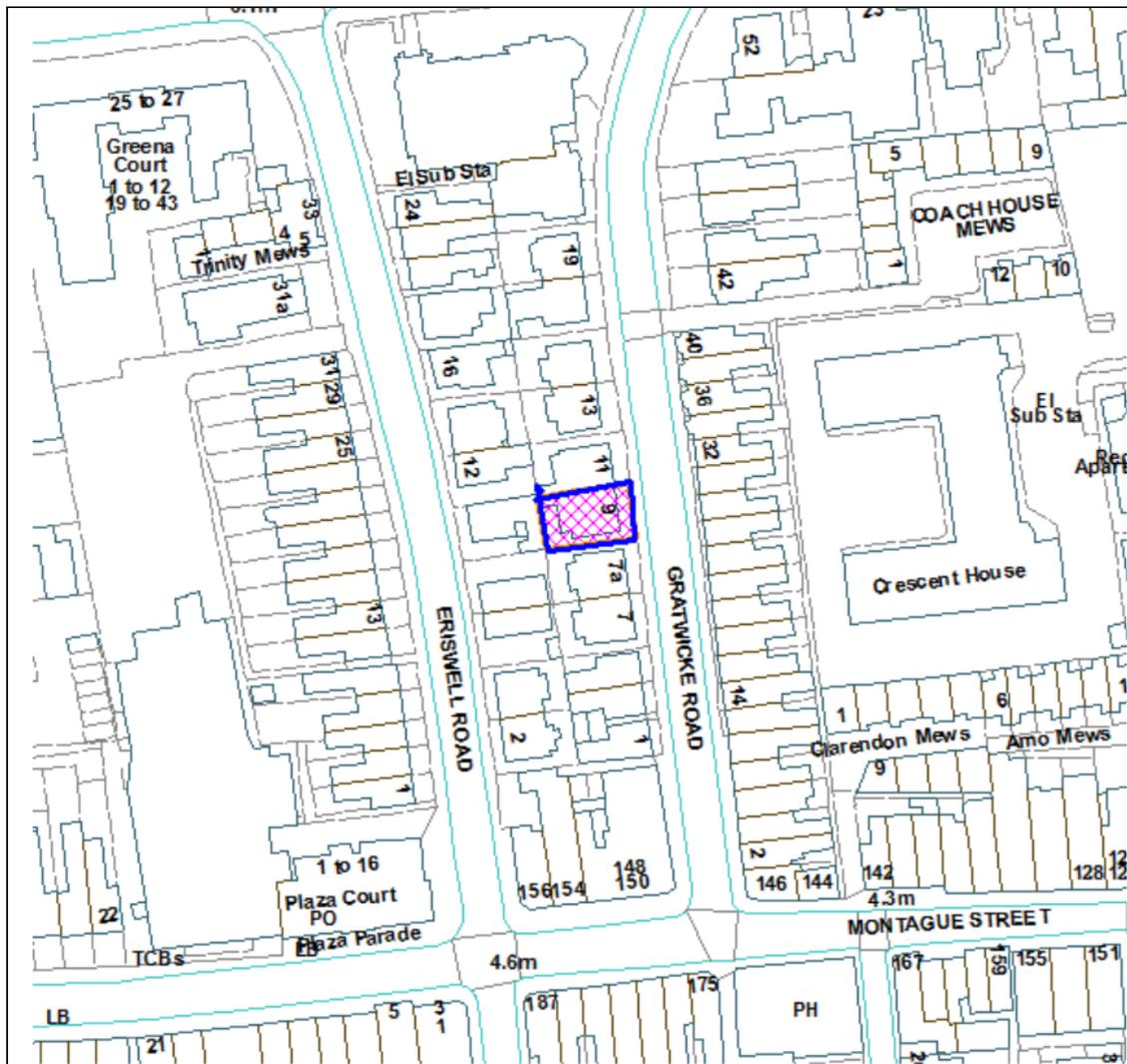
The Committee is recommended to **APPROVE** subject to the following conditions :-

1. Standard Full Permission (Time Period)
2. Approved Plans
3. Submission of materials cladding, windows, roofing and bricks (including sample panels).
4. Submission of surface water drainage scheme (as recommended by Technical Services)
5. Maintenance and management of surface water scheme (as recommended by Technical Services)
6. Details of as built scheme (as recommended by Technical Services)
7. Construction Management Plan ((as recommended by WSCC Highways).
8. No demolition until a contract has been let to secure the redevelopment of the site.
9. Details of architectural features - fenestration, sills, string courses and fascia details
10. Provision of cycle storage
11. Notwithstanding the submitted details, the aluminium roller shutter door is not hereby approved. Prior to the commencement of development alternative door details shall be submitted to and approved.
12. Details of extraction equipment in relation to any cafe use proposed.
13. Hours of use for the proposed cafe

INFORMATIVES - as recommended by Consultees.

Cost Estimate	Option 1	Option 2
Facilitating Works	58,113	65,975
Refurbishment Works	139,300	189,100
External Works & Connections	34,500	32,000
Main Contractor's Preliminaries	27,830	34,449
Main Contractor's Overheads and Profit	23,191	28,708
BREEAM Excellent	4,244	5,253
Risk Allowance	28,293	35,023
Project Fees	28,293	35,023
Total Project Cost	343,764	425,531
Revenue and Capital Receipt		
30m2 : Studio	460,000	92,000
41m2 : Studio / 1 Bed	-	375,000
Total Capital Receipt	460,000	467,000
Current Property Valuation	110,000	140,000
Profit from Capital Receipts	6,236	-£98,531

Application Number:	AWDM/2212/21	Recommendation - APPROVE
Site:	9 Gratwicke Road, Worthing, West Sussex, BN11 4BH	
Proposal:	Change of use from small HMO (Class C4) to proposed large HMO with 8 bedrooms (Sui Generis)	
Applicant:	Fiji Properties	Ward:Central
Agent:		
Case Officer:	Jackie Fox	



Not to Scale

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Site and Surroundings

The site is located on the west side of Gratwicke Road within a residential street. The property comprises a two-storey semi-detached double bay fronted Edwardian property with a dormer window in the southern roof slope meaning the property has accommodation over three floors. It has a small area to the frontage enclosed by a wall and railings and a side passage to the south. There is a small enclosed yard to the rear.

The property is surrounded by residential development with parking on street. Montague Street is at the southern end of the road.

Proposal

Permission is sought for change of use of the small House in Multiple Occupation (HMO) to a large HMO with 8 bedrooms.

The application proposes a kitchen/diner and three bedrooms and shower room on the ground floor. The L shaped kitchen/diner leads out to the rear garden. At first floor there are four further bedrooms and two further shower rooms and within the roofspace is a further bedroom with kitchenette and a further shower room.

Relevant Planning History:

None relevant

Consultations:

WSCC Highways

This application seeks change of use of 9 Gratwicke Road, Worthing from small 6 bed HMO (Class C4) to proposed large HMO with 8 bedrooms (Sui Generis).

The site is not provided with any off street car parking provision, all parking demand needs to be accommodated on street. For HMO's, WSCC anticipates that each bedroom will generate the parking demand for 0.5 parking spaces. As such, the net increase in parking demand created would be anticipated to be 1 space.

It should be noted that in highways terms additional on street car parking demand can only be used to resist development if the additional parking demand results in an unacceptable highway safety concern. For small levels of additional parking pressure this is extremely difficult to substantiate, particularly in urban areas where parking should be taking place in a safe location, in accordance with any existing traffic regulation orders.

As per current WSCC guidance, the HMO should be provided with a secure and covered cycle parking facility large enough to store 1 cycle per bedroom. This would be considered achievable, it would be requested that such a provision is secure via condition.

In conclusion the Local Highways Authority does not consider that the proposal would have and an unacceptable impact on highway safety or result in 'severe'

cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

If consent is to be granted the following conditions would be requested:

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 to be 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.

Sussex Police

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 – for example through the use of attractive, well designed, clear and legible pedestrian and cycle routes, and high-quality public space, which encourage the active and continual use of public areas.

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 always be considered.

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

I direct the applicant or their agent to our website at www.securedbydesign.com where the SBD Homes 2019 Version 2 document can be found. The Secured by Design scheme is a Police initiative to guide and encourage those engaged within the specification, design and build of new homes, and those undertaking major or minor property refurbishment, to adopt crime prevention measures. The advice given in this guide has been proven to reduce the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments.

Historically there are cases where houses of multiple occupancy (HMO) have given rise to instances of antisocial behaviour (ASB). To reduce the risk of this occurring there will need to be stringent management control of tenancies. This could be implemented as a condition of planning.

Whilst I have no concerns regarding the design and layout, I recommend the following security measures to be implemented within the development:

The front access door to the HMO will be subject to heavy and prolonged use so needs to be fit for purpose. I refer the applicant to Secured by Design Homes 2019 Version 2 Chapter 21 Paragraph 21.1 to 21.17 and 21.19 to 21.22.

With regards to windows and glazing I refer the applicant to Chapter 22 Paragraph 22.1 to 22.16 of SBD Homes 2019 Version 2. Any windows that are being retained are to have adequate fit for purpose locks or security measures fitted.

Where there are shared kitchen, dining and bathing facilities the paragraphs below are to be implemented where applicable from a Secured by Design perspective: Where a corridor contains no more than 8 bedrooms, the access door to the corridor is to be controlled and is to conform to (PAS 024:2016) or its equivalent. Each bedroom door off the controlled corridor (maximum of 8 bedrooms) must be a fire rated (FD30 or higher) door with a minimum lock certificated to (BS8621) or (PAS 8621), fitted with a minimum of two hinge bolts or hinges with a similar integral facility to ensure protection in the event of a hinge failure following a criminal attack. The bedroom doors must be installed with a securely fixed robust planted stop, door chain and door viewer.

I refer the applicant to SBD Homes 2019 Version 2 chapter 24 which discusses lightweight framed walls in houses and buildings containing multiple dwellings or bedrooms. Paragraphs 24.1 through to 24.2.3 will be of particular pertinence to this application.

I recommend the postal arrangements for the HMO is through the wall, external or lobby mounted secure post boxes. I strongly urge the applicant not to consider letter apertures within the front doors of the individual rooms. The absence of the letter aperture removes the opportunity for lock manipulation, fishing and arson attack and has the potential to reduce unnecessary access to the block.

With regards to lighting the communal areas to this application I refer the applicant to Chapter 25 SBD Homes 2019 Version 2 Paragraphs 25.3 through to 25.4.

Southern Water

Requires a formal connection to the public sewer.

Adur and Worthing Councils

Environmental Health

I have no adverse comment

Private Sector Housing Team

The applicant has consulted with us and we are satisfied that the use and layout of the rooms and the provision of facilities meets our requirements and would enable the property to be licenced.

We therefore have no objection to the development on PSH grounds

Technical services

Flood risk- The application is within flood zone 1, and is not at risk from surface water flooding.

Surface water drainage- the application is for change of use and does not include an increase to impermeable area, we therefore have no conditions to request

Representations:

Summary of representations:

11 Gratwicke Road

- Increased traffic on a narrow road leading to highway safety.
- Increased pressure on parking
- Increased noise and disturbance
- Increased anti-social behaviour
- Increased numbers of residents
- Concerns about the upkeep of the property.

Flat 1, 36 Gratwicke Road, 34 Gratwicke Road plus four further similar letters

- This was originally a 6-bedroom family dwelling house, as such has never been used as a 6 persons HMO.
- Change to the demographics, might be significant especially with regards to saturating this part of the Town Centre with HMOs
- Impact on highway safety
- Impact on parking
- Impact on antisocial behaviour
- Impact on noise and disturbance
- Impact on the appearance of the property

26 Gratwicke Road

- Not unsympathetic to the need for accommodation,
- There are already numerous HMOs/supported living in Gratwicke Road and other nearby roads/Wards
- There is a reasonable evidential basis for fear of crime and adverse effects of HMOs to be justified.
- Impact on emergency services
- Impact on Conservation and Heritage.
- Councillors have previously raised concerns about HMOs
- Highway safety, traffic and parking
- Management of increased bin storage and unsightly bin storage.
- Concern about the limited outdoor amenity space and inevitable spilling out onto the pavement with the potential to cause further disturbance as well as safety and intimidation of pedestrians and tourists.
- Noise, disturbance, traffic and smells

- Increased potential for anti social behaviour, crime and the fear of crime.
- Concerns about the management of occupancy.
- Design, appearance, materials, character, properties fall into unsightly disrepair.
- Overlooking, loss of privacy and light
- Effect on Listed Buildings and Conservation Areas
- An increase of HMOs will have a detrimental impact on the character of this area and will not enhance the quality or desirability of the adjoining conservation area

Ground Floor Flat, 20 Gratwicke Road

- Gratwicke Road is an extremely busy road.
- Impact on parking and road safety
- Increase in anti social behaviour
- Increased noise and disturbance
- Impact on the appearance of the property over time
- Impact and the requirement to have additional bins
- The plan was always to have an 8 bedroom HMO and the owners have played the system.

26 Gratwicke Road

- Everyone should have a home, but I think there are too many HMO properties on this road, let alone making one even bigger.
- Noise, disturbance, traffic and smells
- Increased emergency services
- Noise and disturbance
- Loss of family housing
- Impact on highway safety, traffic and parking
- Lack of respect for the property leading to an unsightly property over time
- Overlooking, loss of privacy and light
- Impact on the Conservation Areas from the overdevelopment of the property

26 Gratwicke Road

- Saturation of HMOs in this part of town, making the neighbourhood fearful each time a property becomes available. Negative impact of the existing HMOs on the neighbourhood is evidence enough to uphold concerns about the changing demographic; each application of this nature approved by the Council exacerbates the situation.
- The increasing number of HMOs and capacity of HMOs adjacent to the conservation area is a breach of the NPPF
- The strength of opposition to overdevelopment via HMOs in Wards adjoining the town was clearly expressed by Councillors at the Planning Committee meeting held Wednesday 12 August 2020 and reported in local press
- Highway safety, traffic and parking - Parking is already difficult for residents. Allowing a large HMO will further exacerbate the parking problem.
- Emergency services (particularly ambulance) frequently attend HMO properties in Gratwicke Road which affects the flow of traffic and general noise.

- Noise, disturbance, traffic and smells - The disturbance of increased activity during renovation of the property was time limited and largely within sociable hours, which raises concern about the impact once the accommodation is occupied by a far greater number of people 24/7. Increasing the number of bedrooms beyond 6 will exacerbate the disruption.
- Limited outdoor amenity space is not adequate enough for an increased number of occupants.
- Increased anti social behaviour and crime.
- The increasing number of HMOs saturating this area undermines quality of life and community cohesion.
- Design, appearance, materials, character - Although No 9 Gratwicke Road has been recently renovated, experience of existing HMOs in Gratwicke Road evidences damage caused by occupants is rarely rectified in a timely fashion and the properties fall into unsightly disrepair. This is especially disappointing in light of the close proximity to the conservation area.
- Overlooking, loss of privacy and light -
- No 9 Gratwicke Road overlooks and is in the immediate vicinity of a conservation area
- Appropriate housing should be provided in appropriate places. The Council should take responsibility not to overdevelop the town centre with HMOs.
- Existing HMOs already cause noise, disturbance, traffic and smells. Adding more HMOs/increasing capacity will compound the problem.
- Inadequate management of HMOs and increasing this type of accommodation will compound the issue of anti social behaviour which other neighbours have to endure.
- The occupants of existing HMOs don't respect the appearance of the accommodation and although 9 Gratwicke Road looks better for renovation, this I fear will be short lived.
- Overlooking, loss of privacy by such a large number of people living opposite our family home.
- The amount of outside space at 9 Gratwicke Road is limited for a large number of people to enjoy peacefully.
- Impact on the adjoining conservation area directly over the road.

Flat 2, 7 Gratwicke Road

- Inadequate Parking
- Anti social behaviour from the other HMO s down this road is getting worse.

21A Gratwicke Road

- There are 2 other HMOs in the road already. They cause enormous nuisance in the following ways: Little,waste left on the pavement all week, noise, smell, drug use, burglary
- Increased traffic, deliveries, cars construction work and repairs leading to safety and pollution concerns
- Increased parking problems
- Increased noise and disturbance
- Increased anti social behaviour

- Impact on the appearance of the property

42 Gratwicke Road

- Inadequate publicity of the application
- Impact on parking and traffic movements
- Impact from increased bins
- Increased noise and disturbance
- Threat of anti social behaviour
- Potential for poor management of the property

5 Gratwicke Road

- The property has never been used as a 6 bedroom HMO as it was a family house - with some private tenants - before it was sold.
- The work had already started on the change of use to 8 bedrooms.
- The application will increase occupants
- Impact on increased highway movements, parking and pollution
- There is already HMO accommodation in several houses and to further increase that will be to change the character of the neighbourhood.
- Potential hazard of the extra wheelie bins being left out on the pavement permanently
- The general appearance of the HMOs in an area in or abutting the Montague Conservation area is of concern.
- Antisocial and criminal behaviour.
- Increased traffic and parking

Further Letter from a resident (No address)

- Increased traffic and parking
- Concerns about smells, increased rubbish and appearance of the property
- Overlooking

Relevant Planning Policies

Saved Local Plan policies (WBC 2003): H16, H18, TR9, RES7

Worthing Core Strategy (WBC 2011): Policies 6, 7, 8, 9, 16

National Planning Policy Framework (CLG 2021)

Planning Practice Guidance (CLG)

DM1 - HOUSING MIX

DM2 - DENSITY

DM5 - QUALITY OF THE BUILT ENVIRONMENT

DM16 - SUSTAINABLE DESIGN

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant

conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

The main issues are:

- Policy Considerations
- Impacts on the character of the area
- The effects of the development on the residential amenities of existing and future occupiers;
- Highway safety and parking considerations.

Policy Considerations

The existing layout for the property is shown as a 6 bedroom dwelling over three floors, it is therefore a substantial property. There is dispute from neighbours accounts and the applicant whether the property was in use as a HMO but certainly work has been carried out recently to the property to convert it. The conversion of the property to a six bedroom house in multiple occupation (HMO) could be carried out under permitted development.

Government planning policy is set out in the National Planning Policy Framework (NPPF). At the centre of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 sets out the overarching objectives of economic, social and environmental. It indicates that a social objective is to support strong, vibrant and healthy communities, by ensuring that sufficient number and range of homes can be provided to meet the needs of the present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities health, social and cultural wellbeing.

The Worthing Core Strategy does not include any specific policies relating to HMOs although the following policies are of relevance: Policy 8 -Getting the right mix of homes -this policy seeks to ensure that a wide choice of high quality homes are delivered to meet the needs of the community, policy 9- Existing Housing Stock a key objective being to retain, where possible, existing family housing and Policy 16 - Built Environment and Design - this policy seeks to ensure that new development is of high quality. These, and other policies in the Core Strategy, are also supported by the Guide to Residential Development Supplementary Planning Document (2013). However, it should again be noted that this SPD does not specifically address any issues relating to HMOs.

The main objective of the Core Strategy policy approach was to redress the imbalance in the housing mix that has dominated new development at that time, namely smaller flats. The SHMA provides the evidence base for the housing policy approach. Worthing's housing offer was focused towards smaller properties. The

shift to the construction of 1-2 bed properties over the last 5 years (prior to Core Strategy adoption) had been significant. Flats accounted for almost one-third of Worthing's total housing stock. The majority of the flats are in purpose built blocks but a significant proportion of flats are in converted buildings (often resulting from the sub division of larger Victorian and Edwardian properties).

The SHMA found that between 2006-2011, just 9% of homes built in the borough had 3 or more bedrooms compared to an estimated need/demand closer to 40% provision of larger properties such as this. Therefore, the policy approach is one that seeks to increase the number of family homes through new development and to protect the existing stock. Whilst the policy acknowledges that there is still a valid role for flats to play and particularly in higher density, town centre developments they should not form the principal type of future housing stock in the Borough.

In addition, the spatial approach for development set out in the core strategy is one that reinforces the role of the town centre to provide higher density developments with new development outside the town centre provide for family housing. At para 8.11 of the Core Strategy it states that flats should not form the principle type of future housing stock in the borough.

Since the adoption of the Core Strategy (CS) there has been the emergence of the NPPF. The CS was assessed against the NPPF to ensure general compliance and was found that the policies were in general compliance. However, since that time changes to the way in which the housing need of an area are assessed has changed significantly (together with some other changes) and as a consequence the Core Strategy has been reviewed.

The Submission Draft Worthing Local Plan has been out for public consultation and recently been subject to examination with a final decision expected imminently. As part of the review a further Housing Needs Study was undertaken. The updated local housing evidence suggests that the demand for different types of homes over the plan period will be similar to the existing profile of stock with a slight shift in demand towards smaller homes in the future given that household size is expected to fall slightly reflecting the ageing population. The emerging policy recognises that there needs to be flexibility to respond to the characteristics of the available sites.

The supporting text to the emerging policy indicates that sites in and around the town centre and sites close to transport hubs are more suited to delivering one and two bed dwellings. Outside of these locations new development opportunities will be more suited to meeting the needs for larger family housing. This approach continues the approach taken in the CS.

The emerging plan furthermore indicates that shared accommodation, including Houses in Multiple Occupation, play an important role in providing housing for people on low incomes, those on benefit payments and young professionals. HMOs can often be the only choice of housing for people who would otherwise be homeless. Paragraph 5.21 goes on to state that: "Conversions from houses to high quality flats or HMOs can provide useful addition of smaller dwellings to the housing stock. However, it is important that conversions provide a high standard of accommodation and promote and retain housing choice. When considering proposals for conversions

the Council will consider the impact on the mix of dwellings locally, the character of the area and the amenity of adjoining dwellings.”

Although the application property could be suitable for family occupation, it would seem that the property has already been converted to a six bedroom HMO as permitted development and this could be carried out without planning permission. The main issue is therefore the mix of dwellings locally, the impact on the character of the area and residential amenity from a large HMO.

Character of the area and mix of development

Gratwicke Road is a primarily residential road with a mix of flats and family housing close to local shops and public transport. Part of Gratwicke Road is within the Montague Street Conservation Area, although not the application site. The area generally has a mix of older style house types and sizes and smaller accommodation as proposed is suited to a town centre location. Local residents have raised concerns that there is already a high concentration of HMO accommodation in the area, but equally there are larger flats and family housing, the mix would not be uncharacteristic of an urban environment. The use as a HMO would contribute to an accepted housing need.

There are no external alterations proposed as part of the application. Bins and cycle storage can be provided on site.

The Montague Street Conservation area boundary is on the opposite side to the application site. Due to no external changes to the exterior of the building and the use remaining as residential, it is not considered that the proposal would have a detrimental impact on the character of the conservation area.

The effects of development on residential amenity

Future Residents

The property is in six bedroom accommodation, the additional 2 bedrooms would be on the ground floor. The rooms would be a range of sizes. The application does not indicate an occupancy although for single occupancy this would result in 8 occupants. The occupants would share a Dining and kitchen area on the ground floor.

The Council's minimum floor space standards set out in the 'Space Standards' SPD do not apply to HMOs but the development would comply with licensing requirements for HMO rooms to be at least 6.51m² and no objections have been raised from the PSH team regarding the layout and overall arrangement of the rooms. The property also has a small rear garden and potential for a cycle store.

It is considered that the accommodation provides a good standard of accommodation with adequate shared facilities for the occupants. A condition would be appropriate to ensure that there would be no greater occupancy than 8 residents in view of the increased intensity of the property in a primarily family street.

Existing residents

The property is situated in a street of houses and flats.

Concerns have been raised from local residents that the proposal would cause additional noise and disturbance, antisocial behaviour, inadequate/unsightly bin store, additional traffic and parking problems and would be an overdevelopment of the site

Some internal works have been carried out to the property through building regulations. Through permitted development, a 6 bedroom HMO could have at least 6 residents. It is considered that subject to a condition for 8 occupants only, the property would not be out of character with the area albeit would be greater than an average family house on this road. Taking into account that this potentially could be a greater number if the property were converted under permitted development (subject to a HMO licence) a maximum of 8 occupants is considered to be acceptable.

It is not anticipated that the increased number of occupants would result in unacceptable noise disturbance or activity to a degree that would be detrimental to residential amenity. Sound insulation to mitigate any noise disturbance would typically be dealt with under Building Regulations.

There is no compelling evidence linking directly between HMOs and antisocial behaviour. Problems with HMOs often relate to the quality of the management and are a matter more appropriately dealt with under the licensing regime. A condition to secure a management agreement for the property is considered appropriate. Sussex police have not raised an objection to the use and have provided information for the applicant to secure and maintain the property which can be dealt with as an informative.

A condition to provide and retain bin storage is considered appropriate. Bins within the front garden area are typical for this street and would be contained within an existing wall/fence. It would not therefore directly impact on the amenity of the residents providing adequate bin stores are provided and this can be dealt with by condition.

The development would remain in residential use, the two additional bedrooms being on the ground floor, the development would not cause detrimental overlooking of adjoining properties.

Highway safety and parking

The site is not provided with any off street car parking provision, all parking demand needs to be accommodated on street. Although there is a net increase in 1 parking space as a result of the development in highways terms, the LHA advises that additional on street car parking demand can only be used to resist development if the additional parking demand results in an unacceptable highway safety concern. For small levels of additional parking pressure this is extremely difficult to substantiate, particularly in urban areas. As such WSCC have raised no objections.

As per current WSCC guidance, the HMO should be provided with a secure and covered cycle parking facility large enough to store 1 cycle per bedroom.

In conclusion the Local Highways Authority does not consider that the proposal would have an unacceptable impact on highway safety.

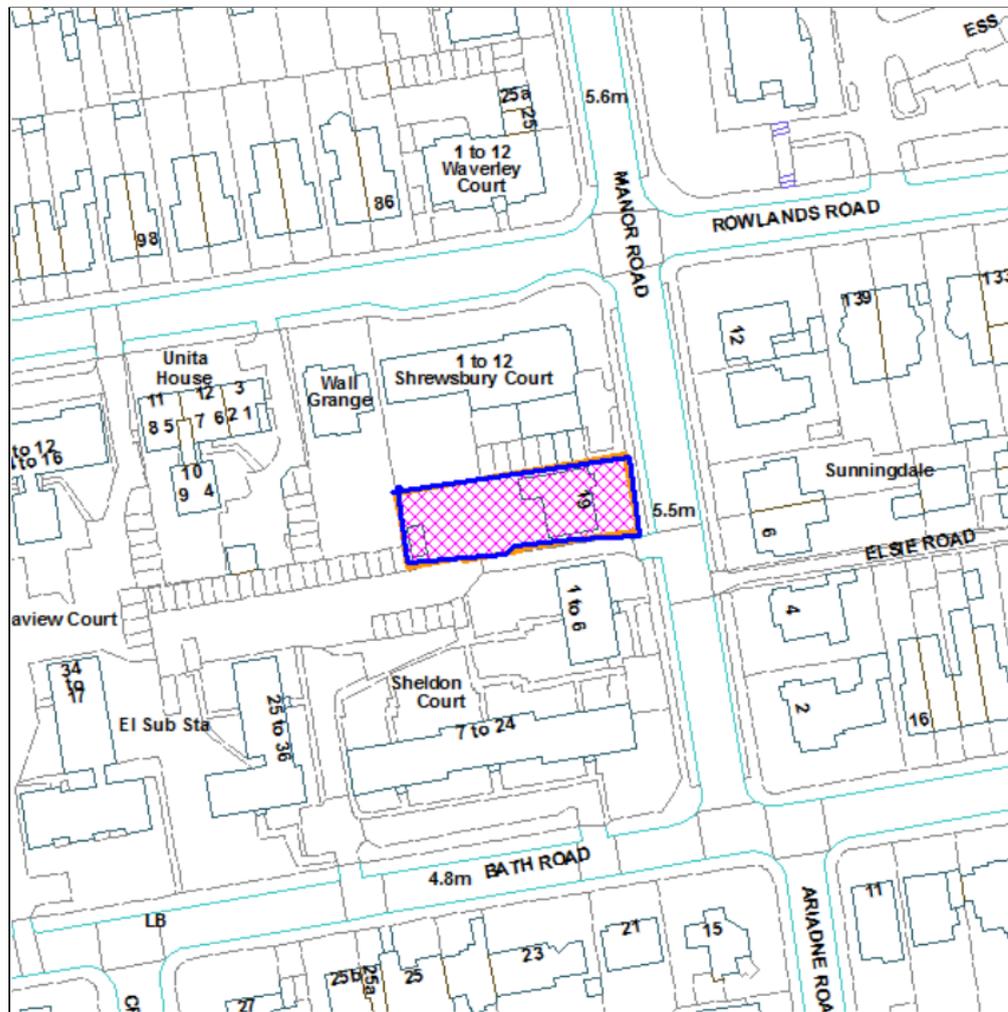
The site is situated in a sustainable area in a close proximity to local shops, amenities and public transport.

Recommendation

The proposal would result in the loss of a family housing, however, it would provide much needed accommodation, the accommodation provided is well suited to the size and location of the dwelling without a detrimental impact on character of the area, future or existing residents. It is within a sustainable location without a detrimental impact on the highway. It is therefore recommended that the application be APPROVED subject to Conditions:-

1. Approved plans
2. Standard time limit
3. Occupants limited to 8
4. Agree and implement management plan for controlling tenancies
5. Details of cycle storage
6. Details of refuse and recycling
7. Hours of construction

Application Number:	AWDM/1554/21	Recommendation - APPROVE
Site:	19 Manor Road, Worthing, West Sussex, BN11 3RT	
Proposal:	Application to Vary Condition 1 of previously approved AWDM/0762/19. Amendments: position of lift shaft, reconstructed wall in fair face brick along Manor Road, refuse/recycle store relocated, alterations to approved balconies and new feature stone frame around window on south eastern corner	
Applicant:	Mr P Le	Ward:Heene
Agent:	Rodway Planning Consultancy Limited	
Case Officer:	Jackie Fox	



Not to Scale

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Site and Surroundings

The site contained a single detached dwelling, accessed from Manor Road with off-street parking area to the front, and a landscaped rear garden.

The site is within a largely residential area of Worthing (the only apparent non-residential use nearby is a nursery school on the opposite side of the road, within a former dwelling). The residential uses are varied, with a number of Edwardian/Victorian properties (those on the opposite side of the road are within the Ivy Place Conservation Area), as well as more modern flats.

The flats to the north of the site (Shrewsbury Court) are part two storey/part three storey with a pitched roof. This building abuts the application site at ground floor level with a covered parking area, and is separated by a garage length (about 6m) from the site boundary at first and second floor levels. There are four clear-glazed windows in the side elevation facing the application site; the building has balconies and windows to the front, and further windows to the rear.

The flats to the south of the site (Sheldon Court) are three storey with a flat roof, forming part of a development of 3 apartment buildings with shared garden, access and garaging. There are no windows in the side elevation of the nearest block facing the application site, but there are clear glazed windows to both front and rear elevations of Sheldon Court. The nearest building is separated from the application site by a private access driveway and grass verge.

Proposal

The application which has been amended since originally submitted is a variation to planning permission AWDM/0762/19 to provide 10 one and two bedroom apartments.

The amendments include:

- Moving the position of the lift from the northern end of the building slightly further into the centre of the building. The subsequent internal amendments involve some changes to the configuration of the flats.
- Changing the design of the cantilever balconies to the front and rear elevations and enclosing the balconies with metal railings rather than solid construction previously
- Changes to the balcony window fenestration
- Obscure glazed windows to north elevation (serving bathrooms)
- New entrance porch surround and door
- New wall to the frontage in brick and flint stone detail
- Move the bin stores to the front of the property and enclose with a light timber pergola.
- Redesign and adjust the position of the cycle store at the rear
- Increase the height of development by 240mm
- Addition of an automatic opening vent to the flat roof.

Relevant Planning History

Application 03/01419/FULL permitted the change of use of the building from two flats to a single dwellinghouse. The site appears to be in use as a single dwellinghouse.

PREAPP/1079/17- Demolition of existing house and erection of 13 flats (4 x 2 bed, 9 x 1 bed)

PREAPP/0381/18- Demolition of existing house and erection of 13 Flats comprising 6no. x 2 bed flats and 7no. x 1 bed flats

PREAPP/0673/18- Demolition of existing building and erection of 10 flats with parking.

AWDM/0762/19-Demolition of existing building and replacement with 10no. one and two bedroom apartments set over four floors, with balconies to West, East and South elevations, accessed from Manor Road with parking for 6no. cars.- APPROVED

Consultations

West Sussex County Council:

Flood Risk- We have no comments to submit for this application to vary this condition. Please note that Schedule 3 of the Flood and Water Management Act 2010 has not yet been implemented and WSCC does not currently expect to act as the SuDS Approval Body (SAB) in this matter.

Highways – No objections to the application.

Southern Water: No objections subject to informatives for connection to the sewer

Adur & Worthing Councils:

The Environmental Health officer- With reference to the above application, the moving of the lift plant room to beneath the stairs brings this noise source closer to a residential bedroom of Flat 1.

To protect residential amenity, I would advise the following conditions.

1. The use hereby permitted shall not commence unless and until an insulation scheme for protecting the northern bedroom of Flat 1 from lift plant room noise has been submitted to and approved by the local planning authority. The scheme shall achieve the maximum recommended noise levels within the living accommodation due to lift operation specified in Table 5 section 7.7.3.4.1 of BS8233:2014. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and achieve the specified criteria.

2. The lift motor and associated equipment should be installed on suitable anti-vibration mountings to prevent the transmission of excessive vibration and/or structure-borne noise to any parts of the living accommodation.

The Private Sector Housing officer has no comments

Drainage Engineer - We have no comments on this application. We would like to take this opportunity to highlight to the applicant that we have a surface water drainage checklist which details our requirements for discharge of conditions applications. The checklist can be found here:

<https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms>.

Representations

One letter of objection from a resident of Shrewsbury Court who considered it was inappropriate to have bins on the frontage and would impact on the aesthetics of the road and the development itself.

Relevant Planning Policies and Guidance

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

Worthing Core Strategy (WBC 2011): Policy 7, 8, 9, 10, 14, 15, 16, 17, 18, 19

National Planning Policy Framework (2021)

National Planning Practice Guidance

Guide to Residential development SPD (WBC 2013)

Space Standards SPD (WBC 2012)

Worthing Community Infrastructure Levy (CIL)

West Sussex County Council Guidance on Parking at New Developments May 2019

Developer Contributions SPD (July 2015)

Submission Draft Worthing Local Plan 2020-2036:

SP1 (Presumption in Favour of Sustainable Development)

SP2 (Climate Change)

DM1 (Housing Mix)

DM2 (Density) DM3 (Affordable Housing)

DM5 (Quality of the Built Environment)

DM6 (Public Realm)

DM9 (Delivering Infrastructure)

DM15 (Sustainable travel and Active Travel)

DM16 (Sustainable Design)

DM20 (Flood Risk and Sustainable Drainage)

DM21 (Water Quality and Sustainable Water Use)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

The principle of redevelopment of the site has been accepted. The key considerations are the impact of the changes set out above on the visual amenity of the proposed building, the street scene and any residential amenity.

Impact on the character and appearance of the area including the conservation area.

In terms of the appearance of the development, the existing dwelling is not of any special architectural interest, but its scale and form does respect the pattern of development within the Conservation Area on the opposite side of Manor Road.

To the south, Sheldon Court, comprises 3 x three storey flat roofed buildings wrapping around the corner with Bath Road. It has only a small parking area to its Manor Road frontage, which is mainly landscaped to provide an attractive setting for the building. The majority of the parking and garages are to the rear with access points from Manor Road and Bath Road.

To the north Shrewsbury Court is a more modern three story block with undercroft parking accessed from Manor Road. It has a pitched roof.

On the opposite side of the road within the Ivy Road conservation area comprises a mix of traditional Edwardian style dwellings with landscaped front gardens and general space about the building.

Good quality design and architectural composition is required by policy 16, this is elevated to high quality in the NPPF. Development which may affect heritage assets such as conservation areas and listed buildings should sustain and enhance them and make a positive contribution to local distinctiveness.

The amendments would continue to retain the brickwork and render from surrounding blocks and the detailed feature corner on the south east. The new porch detail, fenestration and balconies will continue to pick up on surrounding detail and would not impact on the character of the area. The repositioned lift will have a shaft which is just above the roof line, but with the set back, size and height would not impact on the character of the building or street scene. The increased height would not be visually obtrusive in the street scene.

The proposed bin store would be repositioned at the front of the building, to allow for ease of collection and provide greater space at the rear of the property for actual and visual amenity. The bin area would be enclosed by a slatted screen with a flat roof. With the levels on site dropping, the set back and height and proposed landscaping although more prominent in the street scene it is not considered to be detrimental as to refuse the application.

The Ivy Place Conservation Area statement indicates that in Manor Road in general there are relatively wide streets, generous spaces about the buildings and recessed building lines all of which serve to convey a sense of spaciousness in the area.

It is considered the proposed amendments would continue to provide a good standard of architectural composition and detailing, consistent with the mixed style and character of locality, and as such would not detract from the visual amenity of the area and sustain and enhance the Conservation Area.

Residential Amenity

Future residents

Core Strategy policies 16 Built Environment and Design and Policy 8 Mix of Homes. Paragraph 7.13 refers to the adaptability enabled by Lifetime Homes and to the internal size and layout of homes which are both essential factors to consider if new homes are to be built to a standard which enables people to have a reasonable standard of living accommodation

The scheme with amendments to the layout due to the lift and technical amendments would continue to provide for accommodation that would comply with the Space Standards SPD.

The amendments have raised concerns with the Environmental Health Officer who has suggested appropriate conditions to ensure that noise insulation is provided to a neighbouring bedroom and that the lift is fitted and maintained with anti vibration mountings.

Concern was originally raised by officers regarding the location of the proposed bin store on proposed flat 1 in terms of noise and visual impact. However following amended plans to create a structure around the bins and landscaping it is not considered that the scheme would now impact detrimentally on the future occupants.

A satisfactory standard of accommodation would be provided for future occupiers.

Residential Amenity- Existing Residents

It is not considered that the amendments would have any additional impacts on neighbouring properties. The windows on the northern elevation as existing would be obscure glazed and conditioned. The increase in height of 450mm would not cause additional loss of light or visual impact to adjoining properties.

Affordable Housing

Following negotiations the scheme provided a contribution of (£45,375) (index linked) towards affordable housing.

There are no changes to the size of the development and the contribution would remain as set out above. A variation to the legal agreement is required to update it to the amended scheme.

Recommendation

To delegate the decision to the Head of Planning and Development to **APPROVE** subject to the completion of variation to the Section 106 agreement to secure an affordable housing contribution and the following conditions:

1. Time to implement
2. Approved plans and documents
3. Agree and implement surface water drainage details.
4. Development in accordance with the drainage report
5. Construction method statement including hours of construction, dust suppression and emissions
6. Agree external materials, finishes and architectural details
7. Provide parking and access
8. Provide cycle storage
9. Details and implement hard and soft landscaping
10. Agree, implement biodiversity plan
11. Obscure glaze north facing windows no opening below 1.7m above finished floor levels
12. Agree, implement a sound insulation scheme between floors and northern bedroom of Flat 1 from lift plant room noise (amended)
13. Noise emitted from the lift cabinet does not exceed 62dB LAeq at 1m and anti vibration mounts (amended)
14. Agree, implement and retain balcony details
15. Agree implement boundary treatment

16 February 2022

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.