



**WORTHING BOROUGH
C O U N C I L**

**Planning Committee
22 June 2022**

Agenda Item 6

Ward: ALL

Key Decision: Yes / No

Report by the Director for Economy

Planning Applications

1

Application Number: AWDM/0207/22 Recommendation – Approve subject to s106 Agreement

Site: Skywaves House, Ivy Arch Road, Worthing

Proposal: Demolition of existing building and erection of three-storey building comprising 21 residential units providing temporary accommodation and B1(a) office space on the ground floor

2

Application Number: AWDM/0282/22 Recommendation – APPROVE

Site: Avila House, 60 Gratwicke Road, Worthing, BN11 4BR

Proposal: Extension and conversion of vacant building to provide 20no. self-contained flats with small ancillary office and refuse stores, involving ground-floor rear extension to replace existing conservatory and infill extension to SE corner at first, second and third floors.

3

Application Number: AWDM/0746/22 Recommendation – APPROVE

Site: Beach Hut 216C, Marine Crescent, Worthing

Proposal: Construction of 1no. private beach hut (Resubmission of AWDM/1965/21)

4

Application Number: AWDM/0718/22 Recommendation – APPROVE

Site: Beach Hut 74A, The Promenade, Worthing

Proposal: Construction of 1no. private beach hut (Resubmission of AWDM/1960/21)

5

Application Number: AWDM/0719/22 Recommendation – APPROVE

Site: Beach Hut 99A & 107A, The Promenade, Worthing

Proposal: Construction of 2no. rental beach huts (99A and 107A) (resubmission of AWDM/1959/21)

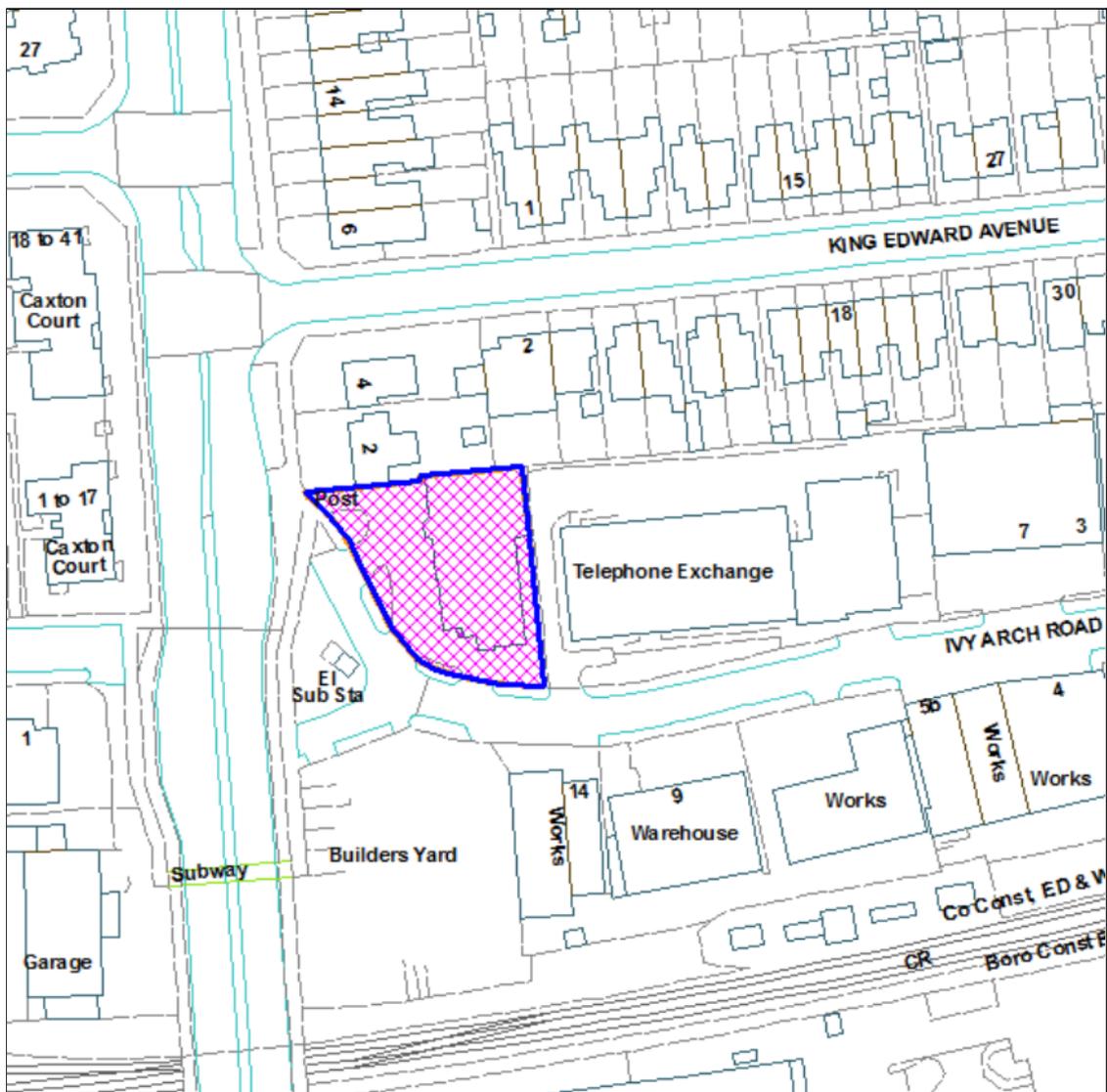
6

Application Number: AWDM/0720/22 Recommendation – APPROVE subject to the expiry of the consultation period

Site: Beach Hut 95A, The Promenade, Worthing

Proposal: Construction of 1no. rental beach hut (resubmission of AWDM/1958/21)

Application Number:	AWDM/0207/22	Recommendation - Approve subject to s106 Agreement
Site:	Skywaves House, Ivy Arch Road, Worthing	
Proposal:	Demolition of existing building and erection of three-storey building comprising 21 residential units providing temporary accommodation and B1(a) office space on the ground floor	
Applicant:	Worthing Homes	Ward: Gaisford
Agent:	ECE	
Case Officer:	James Appleton	



Not to Scale

Proposal, Site and Surroundings

This application proposes the demolition of the existing building and the erection of 21 residential apartments and office accommodation on the ground floor. The accommodation is to be used to provide temporary accommodation for homeless people. The applicant proposes working with Turning Tides (a local charity set up to eradicate local homelessness) to provide urgent accommodation for those in urgent housing need.

The site is located at the end of Ivy Arch Road adjacent to a large turning head. An area of trees and undergrowth lies to the west which forms part of the maintainable highway. Further to the west is a public footpath which leads to a pedestrian underpass under Broadwater Road. The site measures 0.11 hectares and contains a two storey 19th Century Villa which has been extensively altered and extended over the last few years. The building, currently vacant, was last used as offices and recording studios by Feba a Christian radio and audio media company.

The site is located in a 'protected' Industrial Estate. There are residential properties, however, to the north and west of Broadwater Road. Immediately to the east of the site is the large 3 storey flat roof Telephone Exchange. To the south is a builders merchants, Gardner and Scardifield and further to the east smaller light industrial units. The Industrial Estate includes a number of non commercial buildings including a Mosque, Boys Club, dance and recording studios and The Factory, a live music venue.

The proposed building is designed with a two storey flat roof section adjacent to the existing two storey terraced housing to the north of the site, fronting Broadwater Road. A connecting three storey element with two opposing mono pitch roofs fronts onto Ivy Arch Road. The roofs show the provision of solar panels and green roofs. The building is located on the approximate footprint of the existing building, being located close to the eastern boundary of the site. To the rear of the proposed building there is a bike store and a bin store in the south east corner of the site fronting Ivy Arch Road.

Small enclosed private garden areas are provided at the front (west) and rear (east) elevations as well as general amenity space which is to be landscaped. The frontage of the site, onto the turning head at the end of Ivy Arch road, is enclosed by railings and would be landscaped. Two mature Scot Pine trees are to be retained on the southern boundary. On the western boundary of the site there are 3 car parking spaces proposed (one indicated to be provided with an EV charging point).

A private residents entrance is proposed on the western elevation. A public entrance is located on the southern side of the site which leads to a reception space, teaching spaces, offices and other shared facilities which are located on the ground floor to the southern end of the site.

Applicants Supporting Statements

In support of the planning application the following documents have been submitted:

- Planning Application Forms
- Planning and Heritage Statement
- Air Quality Assessment
- Acoustic report
- Arboricultural report
- Drainage Strategy Report
- Preliminary Ecology Assessment
- Transport Report
- Skywaves House Statement of Purpose
- Landscape Masterplan

A revised Heritage Statement has been submitted to address the loss of the existing building.

The Planning and Heritage Statement concludes that,

The proposed development makes highly efficient use of a brownfield site in a sustainable location to provide much-needed temporary accommodation for homeless or insecurely housed individuals.

The proposal is of a scale, design and massing that reflects and enhances the existing streetscene of Ivy Arch Road and does not harmfully impact on the nearby listed buildings or their settings.

The size of the proposed units reflects their use as temporary homeless accommodation for people as part of a transition to long term independence.

The proposed development would have no ecological or arboricultural impacts and no impacts on the highway or drainage network. It would also have no harmful impacts on the amenities of nearby residents.

It is therefore considered that the proposal complies with the NPPF and relevant policies within the Worthing Core Strategy, and the Council is therefore respectfully requested to grant full planning permission.

The revised Planning and Heritage Assessment concludes that,

'In our view, there is no evidential, historical or communal value associated with the site. The only potential value relates to the Aesthetic element and as set out, this in our view has been so diminished that the loss of the building should be considered acceptable in heritage terms.

In summary whilst the original building holds historical reference to the formation of Ivy Arch Road both the area and building have been altered so much that the existing property cannot be considered to have any value and would better serve the area and community by being demolished to enable a modern high quality building to provide a lasting legacy.'

Relevant Planning History

Application 97/05433/FULL – Two Storey extension to provide improved toilet facilities. Application approved 10 June 1997.

Application NOTICE/0002/17 – Application for permitted development for prior approval for change of use from offices (Use Class B1a) to 32 one-bedroom studio flats (Use Class C3) with associated car and cycle parking. Refused.

Application NOTICE/0014/18 – Application for permitted development for prior approval for change of use from offices (Use Class B1) to 30no. self-contained flats consisting of 11no. studio flats and 19no. 1-bedroom flats (Use Class C3) with retention of recording studio and storage on ground floor. Refused on the grounds that,

01. The proposal has not demonstrated that B1(a) offices was the lawful use of the premises on the relevant date such that the property can take advantage of the Prior Approval procedures to change use to C3.

02. The applicant has not demonstrated to the satisfaction of the Local Planning Authority that the proposal would not by reason of the proximity to neighbouring commercial premises including the turning head on the industrial estate expose future residential occupiers to unacceptable noise, contrary to paragraphs 127(f) and 180(a) of the National Planning Policy Framework.

Consultations

West Sussex County Council (Local Lead Flood Authority)

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

Flood Risk Summary

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

<i>Modelled groundwater flood hazard classification</i>	<i>Moderate/High risk</i>
<p><i>Comments: The area of the proposed development is shown to be at moderate to high risk from groundwater flooding based on current mapping. This risk is based on modelled data only and should not be taken as meaning that the site will/will not suffer groundwater flooding.</i></p> <p><i>Ground water contamination and Source Protection Zones. The potential for ground water contamination within a source protection zone has not been considered by the LLFA. The LPA should consult with the EA if this is considered as risk.</i></p>	

<i>Watercourses nearby?</i>	<i>No</i>
<p><i>Comments: Current Ordnance Survey mapping shows no watercourses running near or across the site.</i></p> <p><i>Works affecting the flow of an ordinary watercourse will require ordinary watercourse consent and an appropriate development-free buffer zone should be incorporated into the design of the development.</i></p>	

<i>Records of any surface water flooding within the site?</i>	<i>No</i>
<p><i>Comments: We do not have any records of historic surface water flooding within the confines of the proposed site. This should not be taken that the site itself has never suffered from flooding, only that it has never been reported to the LLFA.</i></p>	

Future development - Sustainable Drainage Systems (SuDS)

The Drainage Strategy and SuDS Appraisal for this application proposes that sustainable drainage techniques (green roof an attenuation with a restricted discharge to the main sewer) would be used to control the surface water from this development. As per the Borough Drainage Engineers comments, further information is required to ensure the site can be suitably drained post development.

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

West Sussex County Council Highways Authority comment that,

“For the current application, having inspected the application documents, the LHA raises no objections to the proposed development.

Access and Visibility

The applicant proposes to utilise the existing vehicular access on Ivy Arch Road. From inspection of Local Mapping, there are no apparent visibility issues with the existing point of access on to the maintained highway.

Capacity

Trip generation data from the TRICS Database has been provided within the Transport Report. The data presents a “worst-case scenario” whereby all 21 residential units are considered. The data suggests the proposed development would generate 50 movements per day, although the LHA acknowledges the proposed use whereby residents of the development are less likely to own a private car. Considering this, and that the existing use of offices is considered a more intensive use, the LHA does not anticipate that the proposed development would give rise to a material intensification of movements to or from the site.

Parking and Turning

The applicant proposes to retain three car parking spaces for this development. As mentioned above, the LHA acknowledges the proposed use whereby residents are less likely to own a private car. In addition to this, the site is located within a sustainable town centre location that is well connected by public transport and within walking distance of public car parks. Secure cycle parking for 10 cycles has also been demonstrated as part of the development proposals. Therefore, the LHA is satisfied with the proposed level of parking provision.

In the interests of sustainability and as a result of the Government’s ‘Road to Zero’ strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes. Active EV charging points should be provided for the development in accordance with current EV sales rates within West Sussex (Appendix B of WSCC Guidance on Parking at New Developments). Ducting should be provided to all remaining parking spaces to provide ‘passive’ provision for these to be upgraded in future. Details of this can be secured via condition and a suitably worded condition is advised below.

Travel Plan

The LHA would request that a Travel Plan for staff is submitted to the LPA, to encourage and promote the use of sustainable modes of transport in the local area. A suitably worded condition is advised below.

Conclusion

The LHA does not consider that this proposal would have 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 the LPA are minded to approve the application, the following conditions should be applied:

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.

Electric Vehicle Charging Spaces

No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide sustainable travel options in accordance with current sustainable transport policies.

Travel Plan (to be approved)

No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport.”

West Sussex Fire and Rescue

“Having viewed the plans for the planning application no AWDM/0207/22 for the demolition of existing building and erection of three-storey building comprising 21 residential units providing temporary accommodation and B1(a) office space on the ground floor, evidence will be required to show that all parts inside all residential units are within 45 metres of a fire appliance in accordance with Approved Document B Volume 1 2019 Edition B5 section 13. This is to be measured along the hose lay route, not in a direct line or arc measurement. Any areas not within the 45 metre distance will need to be mitigated by the installation of domestic sprinkler or water mist systems complying with BS9251 or BS4854 standards.”

Adur & Worthing Councils:

The **Technical Services** Officer comments that,

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

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

Surface water drainage - the application includes a surface water drainage strategy which proposes attenuation. This does not meet the requirements of West Sussex County Council Policy for the Management of Surface Water Drainage policy 1. Ruling out infiltration as a result of lack of space and anticipated geology is inadequate. The drainage strategy proposes attenuation tanks to provide 20m³ of storage in tanks which are 20m² by 1m depth, to be clear this would not provide

20m³ as it does not take into account the void ratio of the tanks. The attenuation tank is proposed underneath the cycle stores, this is not appropriate. We also query whether 1m deep crates, with the required cover depths, and pipe falls will be able to discharge via gravity to the surface water sewer. We do NOT accept pumping, a gravity solution must be demonstrated. The proposed discharge route passes through root protection areas, this is not suitable.

Based upon the above points we wish to raise a HOLDING OBJECTION at this time. We request that a revised drainage strategy and development layout is provided which demonstrates that a policy compliant gravity surface water drainage solution is achievable which also considers root protection areas. It is essential to establish if there is adequate space for surface water drainage prior to agreement of site layout. Drainage should be a fundamental consideration in design. Failure to secure a robustly evidenced implementable drainage strategy at this stage will likely unduly prejudice the drainage design and result in proposals failing to meet policy requirements.

If you are however minded to determine this application prior to a revised drainage strategy and layout being supplied then please apply the following conditions to ensure the development 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 informatives:

"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"

"Further details regarding our requirement for independent surface water drainage verification reports are available on the following webpage

<https://www.adurworthing.gov.uk/planning/applications/submit-fees-forms> . A surface water drainage verification condition guidance note is available on this webpage. This clearly sets out our requirements for discharging this condition."

Environmental Health (Private Sector Housing) comment that,

"We have no objection to the development in principle and recognise and support the need for this type of supported accommodation.

However, the PSH team wishes to ensure that accommodation built within Worthing is of good quality and, since there is no lesser standard in law for temporary accommodation, the expectation is that it will meet national standards.

Central government guidance makes it clear that new units of accommodation must meet minimum space standards. Unfortunately, the development proposes that 19 out of 21 units will be up to 17% smaller than the technical national space standards of 37sqm for a 1b/1p property with the smallest being only 30.8sqm.

Small properties are known to have deleterious effects on residents' well-being and the size of a property can present an actionable hazard under the Housing Act 2004.

A similar development in Clifton Road was permitted with substandard floorspace due, in part, to the limited footprint but the proposed development at Ivy Arch Road is a larger site and has no technical justification for building properties with deficient floorspace.

If space is at a premium then studio accommodation (to which the local Worthing SPD space standard can be applied) is a viable option and is not, as the applicant argues, one that impinges upon the dignity of occupants.

The likelihood is that the units will become general use at the end of the project (and a robust planning condition would be unlikely to be able to prevent this happening) so if the applicants can justify that the units cannot all meet the 37sq.m national standard, then we would ask that:

- 1) All smaller units should be redesigned to at least meet the 32sqm floorspace set out in the Worthing SPD; and that*
- 2) A planning condition be imposed to ensure that said units are adapted to studios prior to their use as general housing”*

The **Tree and Landscape Officer** has no objections to the proposal and comments that,

“I have checked the proposals for the root protection areas and barriers etc. and I consider that they are appropriate given the existing hard surfaces at this site.”

Southern Water comments that,

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

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

southernwater.co.uk/developing-building/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

The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS).

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance available here:

*water.org.uk/sewerage-sector-guidance-approved-documents/
ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx*

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

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

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

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

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

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.

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.

Our investigations indicate that Southern Water can facilitate water supply to service the proposed development. Southern Water requires a formal application for a connection to the water supply to be made by the applicant or developer.”

Sussex Police Local Policing Support Team comment that,

“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.

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), which recommends a minimum standard of security using proven, tested, and accredited products. Further details can be found at www.securedbydesign.com

Despite the level of crime and anti-social behaviour in Worthing district being above average when compared with the rest of Sussex, I have no concerns with this proposal's location, however, additional measures to mitigate against any identified local crime trends and site specific requirements should always be considered.

This planning application is seeking to demolish the existing building on the site and replace it with a building comprising 21 residential units to empower those homeless or insecurely housed to achieve sustainable independent living.

Ground Floor Office/Community Space:

From a crime prevention perspective all equipment stored within the proposed office space should be property marked.

Further information can be obtained from Secured by Design (SBD). SBD is owned by the UK Police service and supported by the Home Office and Building Control Departments in England (Part Q Security – Dwellings), which recommends a minimum standard of security using proven, tested, and accredited products.

Copy and paste www.securedbydesign.com into your browser. Click on Member Companies - Accredited Product Search then Property & Asset Registration to assess your choices.

Consideration should also be given to fitting of an intruder alarm that can be activated when areas of the ground floor are not in use. Should CCTV be a consideration the following documents will be of assistance to the applicant.

Details regarding CCTV and Data Protection can be found at the Information Commissioners Office website at:

https://icosearch.ico.org.uk/s/search.html?query=CCTV&collection=ico-meta&profile=_default

CCTV guidance for police requirements:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/378449/09-05-UK-Police-Requirements22835.pdf

Residential:

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.

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 premises 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.

From a crime prevention perspective, it will also be imperative that access control is implemented into the design and layout to ensure control of entry is for authorised persons only. Trades person or timed-release mechanisms are not permitted as they have proven to be the cause of antisocial behaviour and unlawful access to communal developments. For additional information I refer the applicant to chapter 27 of the SBD Homes Document Version 2 2019.

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 development 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 studio flats. 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.

Should CCTV be a consideration the following documents will be of assistance to the applicant. Details regarding CCTV and Data Protection can be found at the Information Commissioners Office website at:

https://icosearch.ico.org.uk/s/search.html?query=CCTV&collection=ico-meta&profile=_default

CCTV guidance for police requirements:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/378449/09-05-UK-Police-Requirements22835.pdf

With regards to the cycle store - research by the 'Design against Crime Centre' suggests that cyclists should be encouraged to lock both wheels and the crossbar to a stand rather than just the crossbar and therefore a design of cycle stand that enables this method of locking to be used is recommended. Minimum requirements for such equipment: • Galvanised steel bar construction (minimum thickness 3mm), filled with concrete; • Minimum foundation depth of 300mm with welded 'anchor bar'.

In relation to landscaping - ground planting should not be higher than 1 metre with tree canopies no lower than 2 metres. This arrangement provides a window of observation throughout the area

Finally, lighting throughout the development will be an important consideration and where it is implemented it should conform to the recommendations within BS5489-1:2020

I have also consulted with the neighbourhood policing team in Worthing who have no concerns with regards to this application from a crime prevention viewpoint.

Thank you for giving me an opportunity to comment.

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

The Head of Housing supports the application and comments that there is an identified lack of provision for adults with complex needs. This is identified as a risk by the Department for Levelling Up, Communities and Housing (DLCH) to Worthing achieving a sustained reduction in rough sleeping.

This lack of provision is a contributing factor to rough sleeping increasing again after a sustained reduction and the Skywaves site is ideally situated to meet this need. In addition there are currently 176 single people in temporary accommodation with over a quarter in need of the type of provision this site would deliver due to their physical and mental health needs as well as substance misuse for some.

The site would be a significant step towards our local system meeting the needs of this group by providing the council with full nomination rights, supporting our journey to eliminating rough sleeping in Worthing.

The **Head of Communities** comments that,

As recognised by Sussex Police, this is an area where there is repeated anti-social behaviour, in particular we have repeated reports of drug dealing in the vicinity from local residents. This development presents an opportunity to implement measures that can contribute to this area feeling safer for the wider community, including 24 hour staff presence, monitoring of the surrounding area and maintenance of the site and curtilage. This would help to prevent an increase in anti-social behaviour in this location.

The **Public Health & Regulation Manager** comments that,

Given the room sizes and the fact that windows will need to remain closed to meet the internal noise standards I would request an overheating assessment. I suspect the rooms will need to have some type of acoustically treated wall mounted mechanical ventilation and solar reflective glass.

Representations

Three letters of objection have been received to the application on the grounds that:

- i) I agree that there is a housing need for the individuals to be accommodated at the development but I am concerned at the risk of increased anti-social behaviour. There needs to be assurances that these issues will be addressed.
- ii) I am not happy about this project as I feel it will block the south facing sun in the garden to the adjoining property in King Edward Avenue and there would be overlooking of the rear garden by the proposed flats and a loss of privacy.
- iii) The demolition and rebuilding will be very noisy and impact on our childrens' sleep and health.
- iv) Worthing has a high volume of temporary accommodation already and needs permanent affordable accommodation for families and key workers.
- v) This will be an opportunity lost for Worthing if the planning application proceeds.
- vi) There is concern about the mature trees on the site and these should be preserved as they are important for local wildlife and the community.
- vii) The proposal is likely to increase noise levels, especially at night and early hours of the morning. If it proceeds there should be installation of CCTV in the underpass that links Bridge Road with Ivy Arch Road. This is considered necessary as there have been numerous suspected drug dealings as well as anti-social behaviour resulting from people congregating in the underpass.

- viii) From my experience from working in Health and Social Care, the building has the potential of attracting further drug dealers and untoward behaviour.
- ix) It was suggested that lighting would be improved which I agree with but I did not receive an appropriate response when raising the requirement for CCTV.
- x) It was suggested that residents can record and log any anti-social issues or drug dealing. It is hoped that this is the case and there would be effective on site management.

Relevant Planning Policies and Guidance

Worthing Core Strategy (2011):

Policy 3 Providing for a Diverse and Sustainable Economy

Policy 4 Protecting Employment Opportunities

Policy 7 Meeting Housing Need

Policy 8 Getting the Right Mix of Homes

Policy 10 Affordable Housing

Policy 11 Protecting and Enhancing Recreation and Community Uses

Policy 12 New Infrastructure

Policy 13 The Natural Environment and Landscape Character

Policy 14 Green Infrastructure

Policy 15 Flood Risk and Sustainable Water Management

Policy 16 Built Environment and Design

Policy 17 Sustainable Construction

Policy 18 Sustainable Energy

Policy 19 Sustainable Travel

Worthing Local Plan (WBC 2003) (saved policies where relevant)

Emerging Local Plan Policies:

DM1 Housing mix

DM2 Density

DM3 Affordable housing

DM5 Quality of the built environment

DM6 Public realm

DM7 Open space, recreation & leisure

DM8 Planning for sustainable communities

DM9 Delivering infrastructure 126

DM11 Employment Protection

DM15 Sustainable transport & active travel

DM16 Sustainable design

DM17 Energy

DM18 Biodiversity

DM19 Green infrastructure

DM20 Flood risk and sustainable drainage

DM21 Water quality and sustainable water use
DM22 Pollution
DM23 Strategic approach to the historic environment
DM24 The historic environment

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.

Planning Assessment

Principle of Development - Policy and Need

The site lies within a Key Industrial Estate and Business Park as identified in the adopted Core Strategy 2011. Policy 4 of the adopted Plan safeguards existing employment within these key industrial estates. The emerging Local Plan Policy DM11 brings forward this protection for Ivy Arch Road and states that,

'The primary focus in these 'protected' employment areas will be for employment uses appropriate to their location. Only in exceptional circumstances (using the principles of the Sustainable Economy Supplementary Planning Document) will a site protected under this Policy (above) be considered for alternative uses.'

It was accepted at the Local Plan Examination that the relaxation of the Use Classes Order has the potential to undermine the protection policies of the emerging Plan. In this respect, offices such as the current building now fall within Use Class E which includes a wide range of uses including retail, sport/recreation, health/medical and day nurseries. It is also permitted development to change from offices to residential subject to various criteria and a prior approval process. Previous attempts to convert the premises to residential apartments (see history section) have failed on the basis that the Council has maintained that the use is sui generis (being a mixed use of offices, storage and recording studios) and because of concerns that residents would be affected by noise from traffic and the adjoining industrial estate.

Notwithstanding the risk that the relaxation of the Use Classes Order would undermine the Towns industrial estates, the Local Plan Inspector recognised the lack of new employment opportunities and the need to protect, where possible, existing employment sites.

The proposed redevelopment for 21 apartments would therefore conflict with the adopted and emerging Local Plan policies and it is necessary to assess whether there are exceptional circumstances to justify a departure from policy.

The applicant has not sought to justify the loss of employment per se but has stressed the dire housing need, in particular the urgent need to provide additional

accommodation for the homeless. In addition, the applicant stresses that the proposal is for a mixed use scheme and that the development would include office accommodation. The applicant has been requested to provide information about the marketing of the premises and whether there was any commercial interest in purchasing the premises and Members will be updated at the meeting.

The Council's Strategic Housing Market Assessment Needs Assessment of 2020 (SHMA), estimated that there were 108 homeless households in the Borough within a wider figure of 490 concealed households, who are either homeless or occupying unsuitable housing. The report highlights the statutory duty of the Council to meet the needs of homeless people and observes that this is the area of most acute need in prioritising the provision for affordable homes (SHMA, 2020 para 10.11).

The Planning Statement has highlighted some of the successes over the Covid period in tackling homelessness. Turning Tides has worked closely with the Council and local agencies to reduce the numbers of people sleeping rough. The average length of rough sleeping of new clients went down from 16.8 weeks in 2019 to 5.8 weeks in 2021. This is a decrease of 65% through the charity's work.

However, the acute housing needs are getting worse with the cost of living crisis. In 2020/21 Turning Tides had 459 new clients presenting as homeless/rough sleeping and 80% of those rough sleepers have a local connection to Worthing. As indicated by the Head of Housing the situation in the last 18 months has become worse in terms of those presenting as homeless. As the Head of Housing states there are currently 176 single people in temporary accommodation and this number has grown exponentially over the last few months.

The lack of housing sites generally has meant that Worthing Homes has had to look at some existing commercial sites and at the pre-application stage Officers indicated that the proposed site, on the edge of a protected employment site, and with the addition of offices at ground floor level could be considered acceptable and an exception to employment protection policies.

National Planning Policy (NPPF, 2019) describes Affordable Housing as that which provides for those whose needs are not met by the market. Delivery may be by a Registered Provider and rents should be at least 20% below local market values. The provision should remain available to future eligible households (or recycled for other such provision, although this is not applicable in the current application). The Council's Core Strategy policies 8 and 10 respectively, aim to meet the needs of all households, including higher densities in and around the town centre. Development of more than 10 homes should provide a proportion (usually 20- 30 percent), which are affordable.

The current proposal is by Worthing Homes, which is a Registered Provider. The Council has identified this project as one that could benefit from affordable housing grant funding to tackle local homelessness. The accommodation would meet the NPPF definition of affordable housing and this can be secured through a legal agreement.

A relevant material consideration in this case is also the office accommodation that would be provided at ground floor level. This has been located on the Ivy Road frontage to maintain a commercial frontage and it is relevant that the proposed use may well employ more than the former use of the building. Feba occupied the building since 1986 and it is apparent from the site visits undertaken in 2017 and 2018 that there were few staff employed with the majority of the space used for storage.

In contrast, the Planning Statement has indicated that the ground floor would provide office space for both the Council's staff and Turning Tides' staff, enhancing collaboration and joint working between the two. Across the residential part of the service and the community space there would be working space provision for approximately 20 paid employees at any one time. There would be approximately 10 staff on site during core working week hours.

In the circumstances, it is considered that there is significant support for the principle of development to meet well-evidenced homelessness needs notwithstanding the site's location on the edge of a protected employment site. Nevertheless, this is dependent on assessing other important considerations such as the principle of demolishing the existing building, the design and layout of the development, concerns about increasing anti-social behaviour and the living conditions for the proposed residents.

Heritage Considerations

The initial Heritage assessment only considered the impact of development on local designated Heritage assets. The Assessment considered the impact of the development on the setting of Acer House, a Grade II listed Villa on the opposite side of Broadwater Road. The assessment concludes that there is significant separation from the Listed Building with the elevated section of Broadwater Road and tree screening and your Officers agree that the development would not have an impact on the setting of this listed building.

Your Officers, however noted that although significantly altered, the existing building retains some heritage value showing up on the 1843 map as one two large Villa buildings on the north side of Ivy Arch Road. As a result the applicant was asked to assess the existing buildings heritage significance. The revised report concludes any heritage significance has been diminished by both the internal and external alterations of the building and considerable changes in the immediate area. The report concludes that,

It is our assessment that due to the considerable urban development surrounding the building and within its curtilage. This has transformed the setting of the original villa beyond all recognition being located now adjacent to a busy and elevated arterial road into Worthing with much of the grounds now developed for industrial / storage uses. Multiple poor quality extensions to the existing building offers very little historical value to the area and would be largely unrecognisable as an important building in the road's development.

Whilst, your Officers accept that the building has lost much of its significance both through direct physical alterations and redevelopment within its original curtilage, the building still has some historical significance. Its western elevation still shows some of its original architecture as a Georgian styled Villa. The loss of the building is harmful albeit as a non-designated asset and with its significance diminished any harm is less than substantial in NPPF terms and would be outweighed by the public benefits of delivering much needed accommodation for the homeless.

The applicant's have assessed the scope to retain the more historic parts of the building but the DAS concludes that,

'Despite these issues with the existing building the applicant undertook an extensive viability assessment to determine whether retaining the existing building would be possible. Unfortunately the existing building is very awkward internally and offers very little opportunity for conversion to create suitable spaces for this intended use.'

'The vision of both Turning Tides and Worthing Homes is to create housing that is aspirational, high quality and offers multiple benefits to any vulnerable residents. The existing building could not offer these features and demolishing it offers the opportunity to create purpose built accommodation that provides a much better standard of living.'

The applicant also points out that previous attempts to convert the building to residential use have failed due to the difficulties of providing appropriate acoustic measures to protect residents from noise disturbance.

Sustainability

Some of the difficulties of converting and/or retaining part of the existing building are also linked to the applicant's sustainability objectives.

The architects and Worthing Homes have stressed that sustainability has been at the heart of their design process and that they wish to deliver this project as carbon neutral in operation building. The DAS identifies that the scheme seeks to optimise the building fabric, glazing, and structure to minimise energy consumption in the first instance by using low U-values and good air tightness, and ensuring that building services systems run as energy-efficiently as possible. It is submitted that enhancing the thermal performance of the building envelope helps to future-proof the structure and also yields the greatest CO2 savings. The building's external envelope has been therefore designed to a greater depth to ensure additional space for insulation and more robust thermal envelope.

Following the proposed reduction in energy demand through fabric enhancements, it is submitted that the development will seek to reduce energy consumption further through the specification of mechanical and electrical systems with efficiencies that surpass the requirements of the Domestic Building Services Compliance Guide. To meet the new Part L and emerging Local Plan requirements the building would be supplied with carbon neutral energy through the installation of renewable technology such as PV panels on the flat and mono-pitched roofs and air source heat pumps that can yield further carbon reductions with lower long-term costs for residents.

These sustainability objectives can be secured by planning conditions.

Biodiversity

The existing site is covered largely in tarmac and there is the opportunity through the new private and communal gardens as well as the green roofs to enhance biodiversity and provide a net gain (although the extent of gain has not been calculated).

Scale, Design and Layout

The image below shows the relationship of the development to the residential properties fronting Broadwater Road. The two storey flat roof section seeks to defer to the lower residential properties, approximately following the eaves heights of the traditional house forms to the north of the site.



The proposed three storey element would be the same height as the Telephone exchange building to the east of the site. To the south of the site there are smaller scale industrial units and the open builders merchants, however, the bridge over the railway line helps to ensure that the 3 storey building would not be at an inappropriate scale or appear discordant in the streetscene.

The design of the proposed development is contemporary in style and the use of predominantly brick would provide a robust material (particularly important given the location adjacent to the industrial estate and Broadwater Road). The DAS sets out the design evolution for the site and states that the use of projecting bays and contrasting red and grey bricks helps to echo some of the traditional detailing on nearby houses (see below)



Bay windows to add character and echo the traditional styles nearby



Brick detail to add interest to a contextual material



Contrasting grey and red brick present in the area

Generally the design approach is considered appropriate, providing an appropriate transition from the traditional Edwardian houses to the north and the more modern industrial estate to the south and east of the site. The building appears rather austere and the architect has been requested to consider the use of some colour and the scope for some entrance canopies to enliven the elevations somewhat.



In terms of the layout of the site this has been dictated to by the various constraints on the site. These relate primarily to the mature trees along the southern boundary, the relationship with the adjoining property (which has windows on the southern elevation) and the scale of adjoining developments. The replacement building seeks to keep within the existing building footprint albeit set away from the rear east elevation to create rear storage and gardens areas.

An arboricultural report has been submitted with the application and although the building encourages on the tree protection zones this is considered acceptable given the relationship of the existing building with the trees and the reduction in hardstanding with the proposal to create communal garden areas around the frontage of the site.

The layout plan, copied below, allows for sufficient bike storage and some useful external storage areas for residents. A communal brick bin store is located conveniently close to the road for easy waste collection. The three parking spaces are primarily for staff rather than residents who are very unlikely to own a car.



Residential Amenity (Proposed dwellings)

The flats are smaller than the current National Space Standard of 37sqm and in some cases below the 32 sqm considered appropriate for studio apartments in the Council's own SPD on Space Standards. On average the flats have a floor area of 30.4sqm. The applicant indicates that this size makes best use of the site to meet supported transition housing to meet move on needs.

The NPPF does allow for some local discretion and this type of housing fits with the emerging draft Local Plan which recognises an exception can be made. However the Local Plan policy which originally referred specifically to *'supported/transition housing where it is part of the Council's move on strategy'* was not supported by the Local Plan Inspector. He felt that it was not appropriate to refer to specific exceptional circumstances in Policy DM2 and the amended wording, the subject of recent public consultation, now just states that the *'Council will only consider any variation to the requirements set out above in exceptional circumstances'*.

It is relevant, however, that the Planning Committee has accepted that supported housing for the homeless would justify an exception. Members will recall the resolution to grant permission for similar accommodation, below national space standards, at 22 Clifton Road. The resolution to grant permission was subject to a legal agreement requiring the accommodation to be altered to meet space standards if no longer needed for homeless accommodation and a similar agreement can be required for this development.

Whilst the accommodation would be restricted in size, it has to be recognised that the occupiers would otherwise be homeless and the accommodation is intended only for a temporary period prior to moving on to permanent accommodation. The urgent need for additional accommodation also justifies making the most efficient use of available sites given the scarcity of housing sites coming forward close to the town

centre. The proposal, which would also provide support staff and communal facilities, also helps avoid single people being located in bed and breakfast accommodation often in out of the Borough locations.

The ground floor would provide the hub for support staff. The intention is that the service would provide high levels of support, creating safe, short term accommodation for clients who are homeless or insecurely housed and who have a local connection to Worthing. This integrated approach is intended to ensure that residents would be able to develop the skills to live independently and thrive in their local community.

Another mitigating factor for the size of the flats proposed would be the provision of a communal training kitchen, training rooms for group work facilitation, individual counselling rooms, staff offices and a clinical room. There is also a greater opportunity for amenity space compared to the more restricted curtilage of Clifton Road. As well as 4 small private gardens for ground floor flats, the provision of a shared garden area surrounding the site would be used to enhance the wellbeing of clients and staff.

Noise from Industrial Activities and traffic

The permitted development applications were partly refused on the basis that the applicant could not demonstrate that the existing buildings could be adapted to provide appropriate sound insulation to safeguard future residents from excessive noise from the operations of the industrial estate. The applicant's noise assessment has demonstrated that the internal noise requirements can be met through careful consideration of the building envelope. It is also submitted that the external amenity areas would also meet reasonable noise level criteria. The Council's Environmental Health Manager is satisfied with the report but comments that internal noise levels can only be met with windows being kept shut and this may cause overheating issues in the summer particularly with a number of windows facing south and west. This could be addressed by a mechanical ventilation system and the applicant has been requested to consider the implications of this on the project and the sustainability credentials of the scheme.

Residential Amenity (Existing Residents)

Whilst concerns have been raised about a loss of light and overlooking the scheme has been we-designed to avoid adverse impacts on the amenities of adjoining residents. The location of the two storey element of the scheme is lower than the existing building and has been positioned to avoid undue overshadowing of the adjoining property. The 3 storey element, although south of gardens to King Edward and Broadwater Road properties, is located over 19 metres away from the northern boundary and as a result would not result in a significant increase in overshadowing compared to the existing building.

One of the letters refers to overlooking of adjoining gardens but the only two north facing windows close to the boundary are shown to be obscured glazed and this can be controlled by planning conditions.



The main concerns of local residents relate to the risk of increased anti-social behaviour. This is a real and understandable concern as the area already suffers from anti-social behaviour and as the residents and Head of Communities indicates the area suffers from drug dealing and associated issues. The key to this issue is the management of the facility and the presence of a number of support staff and 24 hour presence with a duty Manager providing back up support if required. The applicant stresses that the support hub would not be providing a drop in facility and support would be provided on an appointment basis only.

In addition, the applicant stresses that whilst the service will support residents' reintegration into society, they must be able and willing to engage positively with the support offered. To this end, residents would be required to sign license agreements rather than tenancies. License agreements it is submitted would include rules and expectations that must be adhered to. Each resident is provided with a support plan, based upon their assessed individual needs, goals and aspirations. Whilst the license process is directed towards positive outcomes, it also contains provision for warnings to be given in the event of breaches or anti-social behaviour. Turning Tides has stated that it will *creatively and proactively* manage license breaches, behavioural challenges and risks, taking into consideration the impact of these on the local community and other residents.

A site management plan was required in connection with the Clifton Road scheme and this could control some of the above measures and seek agreement on:

A site management plan could be required which would include:

- eligibility criteria for tenancies (as described above)
- enforcement of tenancy rules by site operator
- arrangements to ensure regular staff visits and contact
- licence agreements to require standards and expectations
 - such as avoidance of noise, odour nuisance or unlawful activity
- maintenance of building fabric and clean, tidy outdoor areas
- maintenance of site security
- provision and updating of public transport information

The management plan can be included in the legal agreement with the Council which would limit the use and occupation of the building to the provision of

homelessness accommodation by Turning Tides (or a similar charitable organisation if approved by the Council). This would ensure that the accommodation would not pass into use for general housing, which would be unsatisfactory in terms of space standards, and would increase the likelihood of parking demand.

Notwithstanding the positive management measures proposed, it is considered that there are other measures which would help reassure local residents and reduce the risk of an increase in anti-social behaviour. Mention has been made of CCTV on the building and the applicant has been requested to consider its implementation as a deterrent measure. The footpath leading down to the underpass passes behind dense undergrowth in the overgrown highway land opposite the site. Some active maintenance of this area and removal of undergrowth would enhance surveillance and make the public feel more safe using the underpass particularly at night. The applicant and the Council's Housing team have been encouraged to engage with the County Council to clear and maintain this land more effectively. It could be an additional area that residents could maintain in the future. It will be important that the various measures suggested by Sussex Police are implemented and these can be secured by planning condition

Accessibility and Highways

The Highway Authority has raised no objection to the proposal on the basis of the specific proposed tenure. The legal agreement above would manage this. It would include an obligation to maintain information regarding public transport for the Turning Tides residents, such as by a noticeboard and/or information pack.

The provision of the secure cycle parking indicated at the rear of the building can be required by planning condition.

Drainage

As a small major development (more than ten dwellings), national planning policy requires consideration of sustainable drainage where appropriate. Although the site is constrained, the applicant proposes underground storage to attenuate surface water run-off, this may achieve a modest net improvement. Further details are awaited for confirmation and consideration alongside the maintenance of trees and their roots. The provision of green roofs will help with mitigating surface water runoff and the applicant is negotiating with the Borough Engineer to secure an acceptable SUDs solution for the site. Members will be updated at the meeting.

Summary

The loss of employment floorspace within a protected employment site, the loss of a building of some heritage significance (albeit limited) and accommodation below national space standards are all important considerations and require exceptional circumstances to justify approval. However in this case it is considered that the applicant has presented a compelling case for approving the development. The proposal for a multi agency approach towards addressing the needs of the homeless is to be applauded and would justify supporting the proposal. The acute housing

need and the provision of homeless accommodation with significant levels of support to reintegrate clients back into the community is of significant public benefit.

In the overall planning balance it is considered that any negative impacts of the development can be addressed by effective on site management and the other measures set out in the report. A legal agreement securing the management plan and conversion back to general needs housing will avoid a precedent being set for accommodation below space standards without special justification.

Recommendation

It is recommended that the decision be delegated to the Head of Planning and Development to enter into a s106 agreement to ensure that, when no longer required to meet temporary housing needs, the accommodation is converted to general needs housing meeting the National Space Standards requirements and the following planning conditions are imposed:

1. Approved Plans...
2. Sample materials to be submitted to and approved
3. Submission of a detailed landscaping plan and implementation of the first planting season following completion of the development.
4. 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.
5. Electric Vehicle Charging Spaces - No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.
Reason: To provide sustainable travel options in accordance with current sustainable transport policies.
6. Travel Plan (to be approved) - No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.
Reason: To encourage and promote sustainable transport.
7. Tree protection measures in accordance with the submitted details
8. Submission of a management plan for the adopted highway
9. "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.
10. 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.
 11. 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.
 12. Obscure glazing to north facing windows

Informatives

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>.

Site and Surroundings

The application relates to a 4-storey building dating from the 1970s occupying a roughly rectangular-shaped plot (0.12ha) located on the east side of Gratwicke Road approximately 70 metres north of its junction with Shelley Road. Originally built as 17no elderly persons flats with wardens accommodation, planning permission was subsequently granted in the early 1990s for a change of use to 5no elderly person flats, and 13no bed sitting rooms with communal facilities on the ground floor and conservatory (Class C2/C3). The building is currently vacant. It consists of buff/yellow brickwork elevations with the upper floor accommodation contained within a slate-covered mansard-style roof. The existing accommodation is served by a lift with the lift shaft integrally attached on the south side of the building. The front elevation is articulated at first and second-floor by a series of narrow projecting bay windows off-set from a pair of larger glazed bays on the ground-floor. A part single-storey part 2-storey rear component of the building extends deep into the plot adjoining the north and eastern site boundaries. There is also a tall, glazed conservatory attached to the rear.

A tarmac car park in front of the building sits behind a landscaped strip which wraps around the northern edge of the car park. A brick front boundary wall with hedging above encloses the site frontage. A narrow driveway on the south side of the building leads to a further parking area at the rear, and a largely paved, enclosed garden. A pedestrian gate on the north side of the frontage leads onto a narrow path running parallel to the northern site boundary.

There is a Tree Preservation Order (No.33 of 1997) relating to 3no trees on the site frontage.

Our Lady of Sion School adjoins the site to the north and east, with fenced hard-surfaced and artificial grass games courts/pitches sited directly to the rear (East) of Avila House.

Cambourne Court, a complex of residential flats comprising a 3-storey elements fronting Shelley Road/Crescent Road and Gratwicke Road, and a 10-storey tower on the corner of Shelley Road/Gratwicke Road, set within landscaped gardens and with undercroft parking, adjoins the site to the south.

It is understood a strip of land to the rear of the application site previously linking it to the rear of Cambourne Court has recently been purchased by Our Lady of Sion School. [Records indicate that both the application site and the land now occupied by Cambourne Court were historically included within the grounds of Our Lady of Sion Convent.]

Proposal

Full planning permission is sought to convert and enlarge the vacant building to create a single block of 20no flats for supported living Class C3(b) with ancillary ground-floor office. It is proposed that 15no of the units will be designed as PartM4(3) Category 3 Wheelchair-user dwellings.

The proposals involve minor internal and external demolition works including removal of the rear conservatory and the southernmost of the glazed, ground-floor bays on the front elevation.

A 3-storey extension (first, second and third floor) is proposed to the south east corner of the building, sited above and matching the footprint of an existing single-storey component (6.6 metres deep by 5.3 metres wide). The upper floor of the extension would have a mansard style roof integrating with the existing main building component.

A new bin store is proposed on the grassed area in front of the building.

Applicant's Supporting Information

Further information provided by the Applicant, Specialised Supported Housing Ltd (SSH), explains 'Supported Living' as a means of transitioning individuals away from a residential care setting (Class C2) towards greater independence in their own home. The scheme in Worthing is specifically being designed for individuals who have a learning and/or physical disability with the accommodation providing specialist equipment and adaptation for the tenants.

SSH focuses on the development of supported living properties across the UK for adults with a range of disabilities working in partnership with local authorities, social care commissioners, care companies and housing associations to build high quality, assistive-technology enabled accommodation that provides residents with their own apartments and associated independence, but also importantly, on-site care and support as and when required.

SSH would undertake the development and then grant a long-lease (20 years) to a housing provider who would manage and maintain the property. The provider would supply residents with their own tenancy agreements and provide an intensive housing management service to the residents. WSCC, working with the residents and the care provider (in this case Leonard Cheshire) would commission each resident's individual care package. The design, layout and type of accommodation proposed has been driven by the WSCC extra care commissioning team, in conjunction with a national care provider, Leonard Cheshire, to meet the needs of a cohort of individuals who require a range of different care and accommodation options. SSH has a binding Service Level Agreement with Leonard Cheshire to provide the care.

Developments designed and implemented by SSH are specifically planned to provide the most up-to-date high quality specialist accommodation including the following assistive technology:-

- Warden Call;
- Audio door entry with key fob access for residents;
- CCTV system;
- Addressable fire alarm and carbon monoxide detectors linked to the Warden Call system;

- Individual wi-fi networks which allow assistive technology peripherals to be added to the Warden Call system (i.e. fall sensors);
- Physical disability apartments will benefit from an automatic door opener and adjustable kitchen.

The proposed specialist supported living accommodation would provide high quality apartments for disabled adults enabling them to lead as normal and as independent life as possible people. Due to their disabilities they may find themselves unable to do so without a certain amount of support, the level of which varies according to an individual's need. This could be helping with shopping, bills or learning a new cooking recipe. Some tenants with learning disabilities may have a college course they need help with organising or help organising travel to and from their job or volunteer placement. Whatever support is needed, staff will be available on a 24 hour basis.

The overall aim of such specialised supported living arrangements is to increase each person's independence over time, by reducing the amount of support needed, trying new things or moving to more independent accommodation. Purpose-built supported living schemes offer a range of benefits, enhancements and also cost savings. Developing supported living accommodation in one location also creates much needed cost and operational efficiencies as support staff are centralised rather than spread across multiple locations. The proposed development would create a small community which is inclusive in nature. When located in sustainable locations as in this case, the tenants will have ease of access to local facilities and in turn support local businesses and the economy.

A letter in support of the application has been submitted by the planned provider, Leonard Cheshire, explaining the local context to the proposed supported housing scheme in further detail as follows:-

"I am writing further to our discussions and proposal for the purchase and development of the land at the above named property for the purpose of developing 20 self-contained apartments plus staffing and communal areas to deliver Supporting Living for individuals with a Learning Disability and/or Physical Disability.

Leonard Cheshire is a registered charity providing support to people with disabilities to live, learn and work as independently as they choose, whatever their ability. We have a number of services in West Sussex, including a small supported living scheme and two residential services in Worthing and a Care Home in Rustington for 38 physically disabled adults which is rated as outstanding.

We have been working closely with West Sussex Council in respect of local need for the provision of supported living services to benefit people in West Sussex and they are aware and supportive of our intention to develop this property in partnership with Specialised Supported Housing to provide the scheme. It is our intention to assess all our service users currently living in Worthing and offer them the opportunity to move to improved accommodation with services tailored to their needs. It is highly likely that we will then exit two small, outdated services in the area while still increasing our reach to disabled people in the town.

Brief details of Service

All Service Users living at this scheme will require, self-contained accommodation, background support 24 hours per day, 7 days per week, and they will each have their own identified package of support. Each service user will have been assessed to require self-contained accommodation, and it is intended that this will enable Leonard Cheshire to provide individualised specialist support dedicated to meeting the care and support needs of the individuals; reducing incidents, providing support and security and ultimately improving the individuals opportunities to be part of the local community and improve their health and wellbeing outcomes.”

Consultations

West Sussex County Council: No objection in principle, commenting:-

“The application site is located on the eastern side of Gratwicke Road, within 1km to the south of Worthing railway station. The site consists of an existing building which is now vacant and redundant. The building was used as a 17 nos. mixed-use residential development with self-contained units (Use Class C3) and a few rooms under the C2 use class, with associated communal spaces. The development proposals are for the extension and conversion of this vacant building to provide a single block of 20 nos. supported living self-contained units (Use Class C3) with small ancillary office and refuse stores, involving ground floor extension to replace existing conservatory and infill extension to south-east corner at first, second and third floors.

The site gains access from Gratwicke Road, which is a local distributor road subject to 30mph speed restriction. There is a parking restriction of ‘Permit holders only’ between 10am – 11am and 2pm – 3pm from Monday to Saturday, along Gratwicke Road. The existing vehicle crossover access will be retained for the proposed uses. An inspection of data supplied to WSCC by Sussex Police over a period of last five years reveals that there has been no incident reported near to the site access, which indicates the site access has been operating in a safe manner in its present form.

The existing parking spaces at the front and rear of the building are to be retained for future uses. By inspection of the local mapping, it seems like there are about 8 nos. parking spaces at the front of the building within marked bays and about 3 nos. parking spaces at the rear of the building within unmarked bays. There is no parking provision proposed for the residents due to the facility being used for supported living. The existing parking spaces will be for use of visitors and other operatives for maintenance etc. To promote active travel among residents, safe and secure cycle parking spaces are provided for 10 nos. bicycles within a bike store to the rear of the building. A refuse store is proposed to be located at the front of the building, on the western side.

There are well-lit footways along both sides of Gratwicke Road which connects onto a wider footway network for easy accessibility to nearby services and facilities.

The new extension and conversion of the building would result in 3 nos. additional flats. The LHA do not anticipate that the future trips would cause any capacity concerns on the local highway network.

The Local Highway Authority (LHA) does not consider that this proposal would have 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 (NPPF), paragraphs 110 -113, as revised 20th July 2021. Therefore, there are no transport grounds to resist this proposal."

The following conditions are recommended in the event of approval:-

Cycle Parking

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

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

Construction plant and materials

No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors' vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access.

WSCC in its capacity as **Lead Local Flood Authority** has no objection.

The **WSCC Fire & Rescue Service** has commented that evidence will be required to show that all parts inside all residential units are within 45 metres of a fire appliance in accordance with Approved Document B Volume 1 2019 Edition B5 section 13. This is to be measured along the hose lay route, not in a direct line or arc measurement. Any areas not within the 45 metre distance will need to be mitigated by the installation of domestic sprinkler or water mist system complying with BS9251 or BS4854 standards.

Southern Water:

Southern Water has advised that it can facilitate foul sewerage disposal to service the proposed development. A formal application for any new connection to the public sewer should be made by the applicant or developer.

It is advised that in situations where surface water is being considered for discharge to the Southern Water network, the below hierarchy for surface water should 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

Southern Water has recommended that the following informative is attached to the any planning 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”.*

It is noted that a sewer now deemed to be public could be crossing the development site. Southern Water requires that 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.

Southern Water can facilitate water supply to service the proposed development. A formal application for a connection to the water supply should be made by the applicant or developer.

Adur & Worthing Councils:

The ***Environmental Health Officer*** has no objection in principle but raises concerns about the stacking of room types between the ground and first-floor with kitchens and lounges positioned above and below bedrooms.

The ***Private Sector Housing team*** has no objection in principle but also comments on the above-mentioned issue about unsympathetic stacking of rooms.

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 includes no/minor increases to impermeable the area and there are no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with building regulations, and must follow the hierarchy for sustainable drainage.

Representations

A representation has been received from the Chair of Governors at Our Lady of Sion School supporting the planning use of Avila House but highlighting a safeguarding concern in relation to the position of a window in the rear ground-floor (east) elevation of proposed Flat 6 which is directly on the common site boundary and

would open over the School's land and overlook and the School's sports field, netball/tennis courts used by pupils aged 3-13yrs, raising both privacy/safeguarding and maintenance concerns.

Officer response: *An amended drawing has since been received showing the window in question blocked-up and the internal layout of proposed Flat 6 reconfigured with the bedroom now having its main outlook from an existing west-facing window, plus a rooflight inserted into the flat roof to provide additional daylight.*

It is also requested that the boundary fence proposed along the eastern site boundary with the School is at least 2.4 metres high. It is stated that a 1.8 metre high fence would not be sufficient as it could be scaled and that a higher fence would also help prevent tennis and footballs from going over.

Relevant Planning Policies and Guidance

Worthing Core Strategy (WBC 2011): Policies 7, 8, 9, 10, 13, 15, 16, 17, 18, 19

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

National Planning Policy Framework (HCLG 2021)

Planning Practice Guidance (HCLG)

Supplementary Planning Document 'Space Standards' (WBC 2012)

Submission Draft Worthing Local Plan (WBC 2021): SP1, DM1, DM2, DM3, DM5, DM15, DM16, DM17, DM18

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

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 key consideration are:-

- The principle of development
- Design and visual amenity
- Residential amenity (neighbouring and future occupiers)
- Transport and accessibility
- Sustainability

Principle

The policy context comprises the National Planning Policy Framework (NPPF) and the local development plan which consists of the saved policies of the Worthing Local Plan, the Worthing Core Strategy and accompanying Supplementary Planning Documents (SPDs). A new Local Plan, the Submission Draft Worthing Local Plan (SDWLP) underwent independent examination in Autumn 2021 and consultation on the Proposed Modifications closed in May 2022 and representations forwarded to the examination Inspector. The Inspector's final report is awaited. The relevant SDWLP policies (set out above) have some materiality in the determination of planning applications.

The NPPF has considerable status as a material consideration which can outweigh development plan provisions if policies are out of date or silent on a relevant matter. In such circumstances paragraph 11d(ii) of the NPPF states that development should be approved unless it would cause adverse impacts which significantly and demonstrably outweigh benefits when assessed against NPPF policies overall, or if the NPPF affords particular protection to assets or areas of importance.

Government planning policy set out in the National Planning Policy Framework (NPPF) identifies the core purpose of the planning system to contribute to the achievement of sustainable development. Paragraph 8 sets out the overarching economic, social and environmental objectives of sustainable development to be delivered through the application of policies in the framework taking into account local circumstances to reflect the character, needs and opportunities of each area.

The proposal constitutes a supported housing scheme providing 20no self-contained dwelling units for people with a learning and/or physical disability with 24hr on-site support.

The Government's Practice Guidance (NPPG) 'Housing for older and disabled people (2019) states: *"The provision of appropriate housing for people with disabilities, including specialist and supported housing, is crucial in helping them to live safe and independent lives. Unsuitable or unadapted housing can have a negative impact on disabled people and their carers.....Providing suitable housing can enable disabled people to live more independently and safely, with greater choice and control over their lives. Without accessible and adaptable housing, disabled people risk facing discrimination and disadvantage in housing."*

It is understood the former use consisted of 17 units of accommodation under a combined Class C2/C3 model. There are no policies within the adopted Core Strategy which specifically resist the loss of Class C2 (residential care home) uses. CS Policy 8 seeks to deliver a wide choice of high quality homes to address the needs of the community. The supporting text at paragraph 7.12 makes clear that this should include specialist accommodation, particularly in the form of supported and extra-care housing as an alternative to residential care.

Paragraph 5.15 of the SDWLP identifies supported housing (Class C3) as an alternative to care home accommodation that can support not only older people but also people with disabilities, to help them be independent and integrated as part of

the local community. Albeit in the context of meeting the needs of an ageing population with higher levels of disability, SDWLP Policy DM1 states that housing with support or care should be prioritised over care bed spaces and should be in affordable and market tenures and in accessible locations close to local services.

The Strategic Market House Assessment (2020) identifies a need for 300 wheelchair user homes in Worthing in the Plan period 2019-2036 (which equates to about 7% of planned housing delivery).

The proposed development would meet a specialist housing need, making use of an existing redundant residential building in a highly sustainable location close to the facilities and services of the town centre and can be supported in principle, subject to the detailed considerations below.

Visual amenity

The style and appearance of the existing building is of its era and has no particular architectural merit. Unlike the more traditional architectural composition of the Victorian and replica villas which characterise the west side of this part of Gratwicke Road, it lacks any particular sense of balance or formality to its design. The proposed three-storey extension on the first, second and third floors will 'square off' the southeast corner of the building, sitting just behind the prominent flat-roofed lift shaft on the south side. The scale, form and detailed design of the extension, carried out in matching materials, will integrate coherently with the existing building without appearing as an obvious addition providing a close brick match can be secured.

The proposed single-storey rear extension will occupy a similar footprint to the existing conservatory to be replaced. Although utilitarian in design, it is modest in scale and will not be visible in any public view.

Other external alterations are minor in nature primarily consisting of blocking up existing, or inserting new windows where necessary to facilitate the proposed reconfigured internal layout.

There is no objection in principle to the siting of the bin store in front of the building, providing its construction does not harm the nearby preserved holly tree. This can be dealt with as a condition of planning permission, in accordance with the guidance contained within BS:5837(2012) 'Trees in Relation to Construction'.

Residential amenity – for proposed dwellings

The proposed accommodation consists of 20no 1-bedroom flats varying in size (Gross Internal Area) between 42sqm (smallest) and 60sqm (largest). Each has a living/kitchen/dining area plus separate bedroom and either a bathroom or shower room. All will meet the Government's minimum so-called nationally described space standard for a 1-bedroom flat. Fifteen of the units have been specifically designed to meet the definition of wheelchair user dwellings under Approved Document M of the Building Regulations (M4(3) Category 3: Wheelchair user dwellings).

All the units would be provided with a good standard of natural daylight and satisfactory outlook from all habitable rooms. The Environmental Health Officer has raised concerns about 'room stacking' between the ground and first-floor layouts where living rooms are positioned above bedrooms or vice versa. However, there are relatively few instances where this situation arises and highlights the challenge of re-using and adapting an existing building. The proposed dwellings will need to meet sound insulation requirements of the current-day Building Regulations and it is considered stacking issues would not amount to a reason for refusal.

A staff office will be provided on the ground-floor and an overnight staff bedroom on the third-floor.

There is a small communal garden at the rear (approximately 90sqm). The proposed site plan shows it would be grassed over with landscaping introduced to the eastern boundary. Only Flat 6 in the north-east corner would have direct access to it. Access for other residents would be via a pedestrian gate leading from the rear car park. The communal garden area falls well short of the Council's minimum external space standard of 20sqm per flat, but could be improved if the proposed cycle store were located within the rear car park instead of taking up valuable space within the small garden.

Residential amenity – effect on existing dwellings

The most affected neighbouring properties are those within Cambourne Court to the south, and Our Lady of Sion School to the north and east.

The development site adjoins a stepped 3-storey component of the Cambourne Court complex. The common boundary is marked by hedging adjacent to a narrow grass verge within the grounds of Cambourne Court and a private access drive leading to the undercroft parking. 4no windows at first and second-floor in the north side of this part of Cambourne Court appear to serve habitable rooms. The proposed 3-storey extension would be located to the north and east of this component at a separation distance of approximately 10 metres (sited no closer than the existing lift shaft on the south side). This separation distance is considered satisfactory and the proposed extension at first, second and third floor would have no adverse impact on the receipt of light to or outlook from windows serving the nearest flats within Cambourne Court. No windows are proposed within the south side of the extension.

The proposed single-storey rear extension is well-separated from the site boundaries and would have no adverse impacts.

An existing single-storey component of Avila House directly adjoins the new eastern site boundary with Our Lady of Sion School (following a recent transfer of land). The safeguarding/privacy concern highlighted by the Chair of Governors has been addressed by an amended plan which now shows an existing window in the eastern wall of this single-storey element will be blocked-up. The proposals raise no other amenity concerns affecting the School.

The Chair of Governors has suggested that a new fence demarcating the site boundary should be 2.4 metres high. However, given the relatively small size of the

communal garden and proximity of the fence line to nearby ground-floor windows (within Flat 6) it is considered a fence this height would have the potential to be somewhat oppressive and overbearing. A standard 2 metre high fence would provide for adequate privacy and visual separation between the School and Avila House. The potential for stray balls is an inevitable risk for any neighbour that adjoins a school site.

Accessibility and parking

The local Highway Authority has not raised any objection on highway capacity or parking grounds. There are currently 6 no marked parking bays at the front and approximately 3 no unmarked bays at the rear (9 in total). Given the nature of the proposed supported housing use, the future residents will not drive and parking will be for staff and visitors. The site is highly accessible, located within walking distance of Worthing rail station and bus routes on Wykeham Road.

The proposed site plan shows provision for a cycle store with 10 spaces, but as stated above, it is considered this provision would be better located within the rear car park even though it would result in the loss of 1-2 parking spaces, in order to maximise the available usable rear garden amenity space for residents.

Affordable housing

Core Strategy policy 10 states that 30% affordable housing will be sought on all sites of 15 or more dwellings. Policy DM3 within the SDWLP states that new residential development (including conversions and changes of use) will be expected to provide 20% affordable housing for developments involving flats on previously developed land.

The Applicant has confirmed that given the nature of the use, *all* of the flats will be available at an affordable rent by a registered provider and in accordance with the Government's 'Policy Statement on rents for social housing' (HCLG 2019).

The Applicant has stated that a condition restricting the use to Specialised Supported Housing Class C3(b) would ensure the provision remains at an affordable price for future eligible households. It is stated a similar approach (rather than requiring a S106 Planning Agreement) has been adopted by other local planning authorities for similar schemes the Applicant has developed elsewhere in the country. This is considered a reasonable, proportionate and suitably robust approach to securing specialist affordable housing.

Sustainability

A (Design Stage) Energy Statement has been submitted by the Applicant which is based on the energy efficiency hierarchy 'be lean, be clean, be green' to achieve a 10% reduction in carbon emissions.

In essence this will be achieved through improved U-values to minimise heat loss beyond the minimum targets set out in the Building Regulations (Approved Document L). It is argued that the conversion and reuse of an existing building is

inherently sustainable (compared to demolition and redevelopment) and that improved U-values in conjunction with other key energy efficiencies such as energy efficient light fittings and controls, low specific fan powers and an efficient combi boiler to generate heat and hot water will meet sustainability targets. There are no plans for introduction of renewable energies on the basis that (design stage calculations estimate) the minimum CO2 targets can be achieved without a renewable contribution. It is anticipated that the proposed apartments will achieve a minimum C-rated EPC (Energy Performance Certificate) or better.

There are no plans to remove any existing trees on the site. The introduction of soft landscaping into the rear garden will provide some opportunity for biodiversity enhancement.

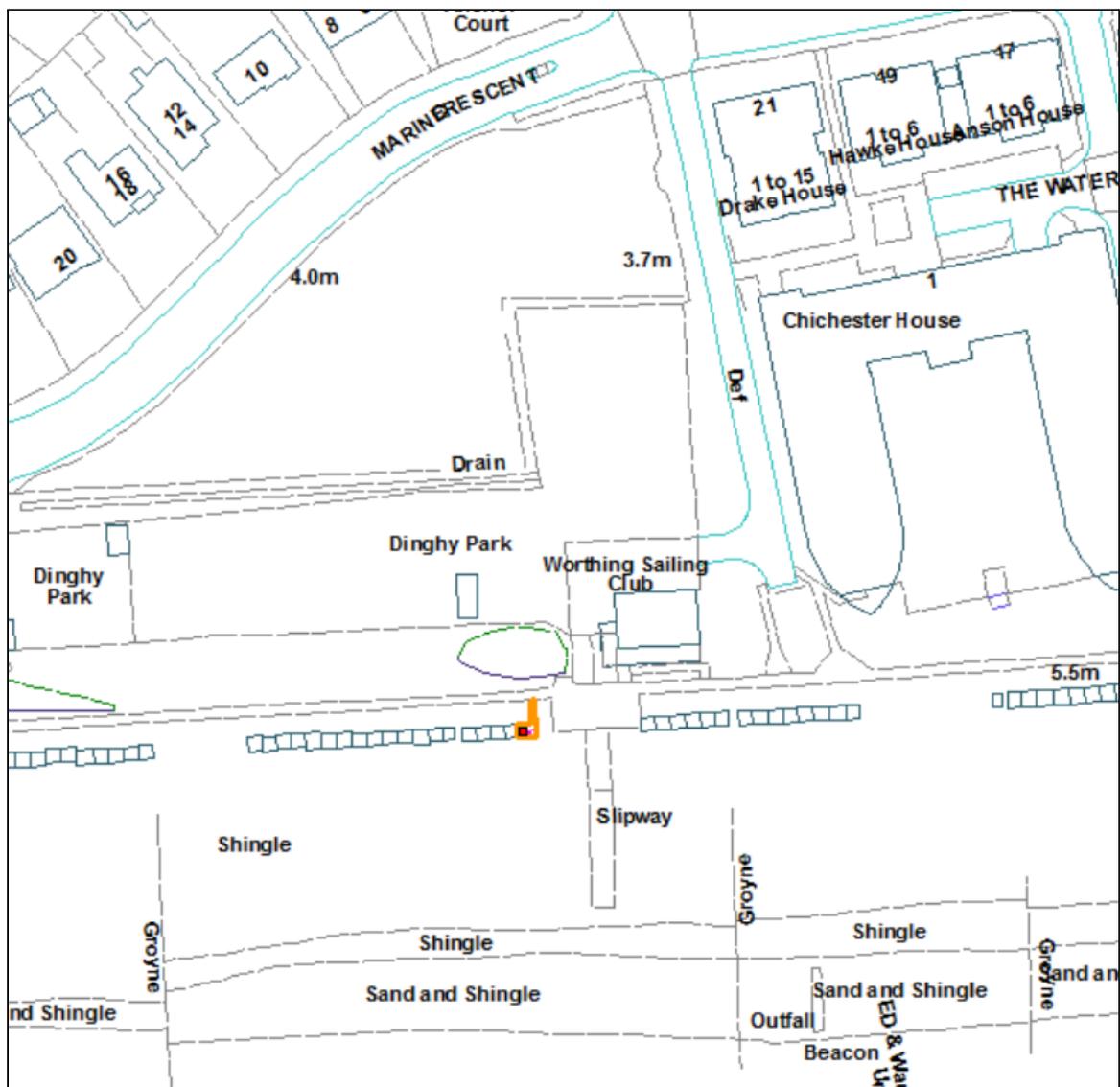
RECOMMENDATION

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Extensions, alterations and works of making good carried out and completed in matching materials including matching windows
3. Notwithstanding the details shown on the approved plan, details of an alternative siting of the proposed secure, covered cycle store shall be submitted to and approved in writing by the LPA and implemented in accordance with the agreed details prior to first occupation.
4. Prior to the commencement of development works details of the precise siting, design and construction of the bin store having regard to the principles set out in BS:5837 'Trees in relation to construction' shall be submitted to and approved in writing by the LPA and implemented in accordance with the agreed details prior to first occupation
5. Agree and implement tree protection measures prior to commencement of development works
6. Agree and implement hard and soft landscaping scheme
7. Agree and implement boundary treatments prior to first occupation
8. Agree and implement construction site set-up prior to commencement of development works
9. Agree sustainability measures prior to commencement of development works and implement prior to first occupation
10. Agree biodiversity enhancements and implement prior to first occupation
11. The dwellings hereby permitted shall only be used as specialised supported housing as defined in The Social Housing Rents Regulations 2016 and shall not be used for any other purpose including any other purpose within Class C3(b) of the schedule of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without modification.

Application Number:	AWDM/0746/22	Recommendation - APPROVE
Site:	Beach Hut 216C, Marine Crescent, Worthing	
Proposal:	Construction of 1no. private beach hut (Resubmission of AWDM/1965/21)	
Applicant:	Worthing Borough Council	Ward: Goring
Agent:	As per applicant	
Case Officer:	Gary Peck	



Not to Scale

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Proposal, Site and Surroundings

This application seeks permission for the erection of a single private beach hut, for use by the public, at the eastern end of a line of beach huts immediately to the west of Worthing Sailing Club whose slipway is just to the east of the application site. A further group of beach huts are to the east of the slipway and the general location is characterised by long groupings of beach huts.

The supporting information states *The new huts will be the same dimensions as the other existing private beach huts on the foreshore. The dimensions for a single hut is height 2.5m, width 1.8m, depth 2.4m with a 150mm concrete hard standing to the front of each hut 1.8m x 1.8m.*

Relevant Planning History

A previous application was withdrawn prior to its determination (AWDM/1956/21).

Consultations

West Sussex County Council:

WSCC acting as the Local Highways Authority (LHA) refer to your consultation in respect of the above planning application and would provide the following comments.

Access The beach huts will need to be accessed via existing pedestrian access routes. Vehicle Parking A NIL parking provision has been demonstrated. Occupants of the beach huts will need to park on-street, where in an area this is the existing practice for other beach hut and beach users. The Local Planning Authority may wish to consider the potential impacts of this development amenity grounds.

Conclusion The LHA does not consider that this proposal would have 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 109), and that there are no transport grounds to resist the proposal.

Technical Services:

Thank you for the opportunity to comment upon this application. As the proposed beach hut will be installed south of the Coastal Defence Line it may not be possible to protect the beach hut from future coastal flooding and erosion.

Goring and Ilex Conservation Group

We commented in 2021 regarding application AWDM/1965/21 and following this resubmission, our comments and objection below remain largely the same.

We have reviewed the above application and wish to lodge our objections on the grounds of loss of general amenity and overdevelopment. There is also concern that, for proposals affecting so many people, there have again been no street notices

posted, only those previous neighbours and objectors notified and no other council publicity except for the placing of details on the planning applications website. We also note that the site location and block plans do not adequately show the nearby beach huts to enable the effect of reducing the spaces between to be clearly seen.

There has been a recent history of Worthing Council making planning applications for private beach huts in Goring only to receive a large number of objections and for the applications to be withdrawn.

In 2013, there were six applications for a total of 57 additional huts including 17 west of Sea Lane café. A petition was sent, supported by our MP – Sir Peter Bottomley - and noting a significant negative effect on the local amenity and lack of a properly informed public consultation process. The applications for huts in Goring were withdrawn following objections from local residents.

In October 2018 the Council identified potential sites for an additional 166 huts including 94 between George V Avenue and Sea Lane Café. The Executive Member for Regeneration noted that “we want to be sure that the impact for others of the vistas the seafront offers is not unduly affected”, reinforced by the same person on November 8th this year who stated, on being selected as Council leader, “I am also committed to protecting our green and blue spaces”. Despite the notes on impact, in April 2019 two applications for a total of 8 huts in Goring were made which again resulted in more than 250 objections including a three page petition. The applications were withdrawn only for two applications for a total of 8 huts to be submitted in August 2019. Following much opposition, these also were withdrawn. The application for this site was withdrawn last year.

A number of applications for rental huts east of George V Avenue were previously made. Some of these were withdrawn following opposition but some approved, increasing the stock of huts available for rental. We note that there are currently additional applications for such rental huts.

From the above it may be seen that local residents and especially those from Goring, Worthing and visitors from elsewhere value our coastal path and the views both from the walk itself and also the memorial seats situated in the current gaps between huts. The Covid 19 situation may have temporarily altered the view of beach huts but we believe that this is a temporary situation and that as foreign travel opens up, the demand will wane. We understand that at least one hut is currently for sale and at least three available for private rental and it may be that these rentals and sales will now increase so it would be short sighted to permanently devalue this valuable asset for such a fleeting reason.

An attempt by Arun District Council this year to add 20 beach huts to Littlehampton promenade was refused by its own development control committee in the main objecting to the new huts spoiling the view and concerns over blocking in the gaps between them. We understand that there are now new proposals for 17 huts on Littlehampton sea front although no planning application has been made. Littlehampton residents, however, believe the huts would block sea views from the promenade and would take too long to be profitable – nine years according to ADC’s own business plan. Residents have said that beach huts are not a statutory

requirement, demand will always far exceed supply even if the Littlehampton Promenade was swamped with beach huts. While beach huts are nominally 'popular', residents and visitors are aware that actual use of beach huts is seasonal, low, highly excluding, and privileged. We believe that the same may be said of the Goring beach huts and proposals and indeed one of the plaques on a Goring memorial bench reads "Treasured memories of our favourite walk". This would not be the case if the view was the back of endless huts.

This proposal again reduces the gap between huts, albeit by only one space but the current space is already restricted and with a seat provided for the current view between huts will reduce the perspective for both those using the seat and also using the path. We have repeated a number of points below from our previous objections which we believe remain totally relevant to this application.

We believe that the harm caused by these proposals would be contrary to the latest Worthing Local Plan (currently undergoing assessment by the Planning Inspectorate) that seeks to "protect and enhance the valued qualities of our environment" and also notes that "the seafront is one of Worthing's most important assets". Strategic Objective SO15 within the Plan aims to "protect, and where possible enhance, valued green spaces, stretches of undeveloped coastline, gaps between settlements and the quality of the natural environment". SO16 aims to "improve the quality of the natural environment and public realm within the town centre and along the seafront". These proposals would do nothing to enhance these aims, rather they would diminish them.

Currently it could be argued that, although part of the beach scene, there are already too many beach huts on this part of the Goring seafront which mar the view for walkers and others along this part of the coastal path. When walking along the path the angle of view means that the blocks of beach huts form a barrier to views of the beach and sea only relieved by the gaps between them. These gaps are valued by the people using this path. Elderly people on mobility scooters or wheelchairs or young families with prams and pushchairs are unable to access the beach for this stretch of nearly a mile and the gaps provide the opportunity to enjoy the sea views. Indeed, the memorial seats along this path are placed to take advantage of the views which in some cases would then become the back of sheds.

The gaps between the huts allow families to feel safer as children can be seen in the gaps rather than squeezing between huts with the associated dangers of dogs, cyclists and predators. The open views encourage use of the beach. The Greensward is being used for an increasing variety of leisure activities such as the giant kites and fitness training as well as family and group gatherings. The sense of space adds to the Greensward's attraction for these activities which would be affected by further huts on the skyline of the raised path.

In the design and access statement to both proposals, their purpose is stated as providing additional beach hut capacity to meet current demand from the public. We have long thought that the current Goring huts were under used and this is borne out by a survey taken in 2019 between 1.30 and 2pm on the hottest Easter Bank Holiday Monday for 70 years and close to high tide. Between these times only 31 of the 288 huts were seen to be in use and we have now seen that, in addition, at least ten of

the total were for sale. This was reinforced by a survey over August Bank Holiday of that year which showed no more than 18% of the huts being in use with huts still available to purchase and rent along that stretch. We wonder, therefore, if there is a need for more huts or possibly there is a need for reduction by removal of those in a poor state or repair. There is a comment in the Director for Communities' report that Environmental Services Officers have received a steady increase in enquiries regarding ownership of beach huts on the foreshore. There may be an increase in enquiries but from our observed usage and availability to purchase, the enquiries may just have been out of interest and have not been taken further. We have also noticed an increased use of portable gazebos and similar shelters being erected on the Greensward and wonder if perhaps these are now replacing the need for beach huts which require an ongoing maintenance and rental commitment.

It would seem from design and access statements for rental huts that the current proposals are not to meet a need but are in fact to add to the Council's finances. To us, it seems inequitable that the enjoyment of the many users, both residents and visitors, of this marvellous coastal walk can be marred by a very few people fortunate enough to purchase a new beach hut and thus affect the views from the path.

We understand that the proposed hut may only be in the first phase of a possible 94 additional beach huts for this part of the beach in front of the coastal path. No doubt, if this were approved, further would follow until all the significant gaps were lost. Surely there are other ways of raising finance than permanently affecting the amenity in this valued part of the Borough for both residents and visitors alike.

Previous schemes for new Goring beach huts were withdrawn following objections from the public who realised the loss of amenity that would occur if they were built. A great loss of amenity would also occur to this part of the Goring sea front if these proposals were approved and we would urge that they be rejected.

Worthing Society

The Worthing Society Committee has noted the concerns of local residents and amenity groups regarding the further applications for additional beach huts. We consider the coastal path and sea views along the promenade are an important part of Worthing's character.

The views are enjoyed by residents and visitors alike. There are already a significant number of beach huts and the cumulative effect of an increase in numbers could harm the enjoyment of the coastal views. Many of the existing huts are we understand in a poor decorative condition and only used on limited occasions.

The current proposal relates to a very compact area where there are already six huts. If the proposal were to be granted this would result in a reduction of the gap compromising the sea views and general access. The emerging Local Plan recognises the importance of Worthing seafront and Policy SO16 aims to; "improve the quality of the natural environment and public realm within the town centre and along the seafront". The present proposal would not in our view be consistent with the Local Plan and should be refused.

Goring Residents Association

The existing 289 beach huts are underutilised and some poorly maintained, we don't want to add a further 5. Step by step by adding more beach huts it would spoil the beach/sea view for the majority and only benefit a few people and the Council by a small amount of extra revenue.

Whilst the council have given permission for more vendors supplying refreshments on the Greensward they have not increased/improved the toilet facilities, which is already insufficient for visitors and local residents.

We believe that by Worthing Council giving permission for 5 more beach huts it would lead the way for the flood gates to open, in line with their past plans of adding a further 94 beach huts. Be this in one go or by stealth as indicated with these plans. This will be detrimental to the shoreline and the residents of Goring-by-Sea.

Representations

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

- there are already too many beach huts in the area
- loss of views to the sea for pedestrians
- Goring is already saturated with beach huts compared to the rest of Worthing
- the limit of 4 hours in the car parking encourages beach hut and other users to park in the road causing highway safety problems
- these applications have been withdrawn before after residents have objected
- the huts are underused

Relevant Planning Policies and Guidance

Worthing Core Strategy (2011):

Policy 5 The Visitor Economy, Policy 13 The Natural Environment and Landscape Character and Policy 16 Built Environment and Design

A Strategic Objective of the emerging Worthing Local Plan is to *'Improve the quality and quantity of the natural environment and public realm particularly within the town centre and along the seafront'*

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

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 issue in the determination of the application is the effect of the proposal upon the character and appearance of the area.

Although specifically referenced with in the supporting information for this application, there is clear evidence that there is a strong demand for additional beach huts in the town but additionally there is a need to ensure that the visual character of the seafront is not adversely affected given that the proposed beach huts, like the existing, are situated between the promenade and the beach itself therefore restricting the view in places for passers by.

Each application must therefore be balanced against the above objectives.

Unlike the applications situated along the Promenade that appear elsewhere in the agenda, the groupings of beach huts in the Goring Area are generally more extensive and closer together meaning that the impact of remaining spaces between the huts needs to be considered especially carefully.

In general, and as has been reflected elsewhere in other applications, your officers have considered that the planning impacts of additional huts in the Goring area would adversely affect the character of the seafront by compromising the value of the remaining gaps. However, each application must be judged on its own merits and in the case of this particular application, it is not considered that the addition of a single beach hut would materially affect the character of the area to such an extent that would warrant the refusal of the application. In this particular circumstance, the existence of the slipway to the east would maintain a clear separation between the respective groups of huts, it being about 15 metres in width. The site for the proposed hut does not allow views of the seafront from a distance given the hedging that is behind it and accordingly it is felt that the additional beach hut could be accommodated acceptably.

In reaching this recommendation, the particular circumstance of the gap between maintained by the slipway is a key factor and therefore while concerns have been expressed that any further permissions in this area would act as a precedent to allow further applications in the future, your officers are of the view that this site clearly differs from others in the vicinity and hence could not be used as a justification for future permissions.

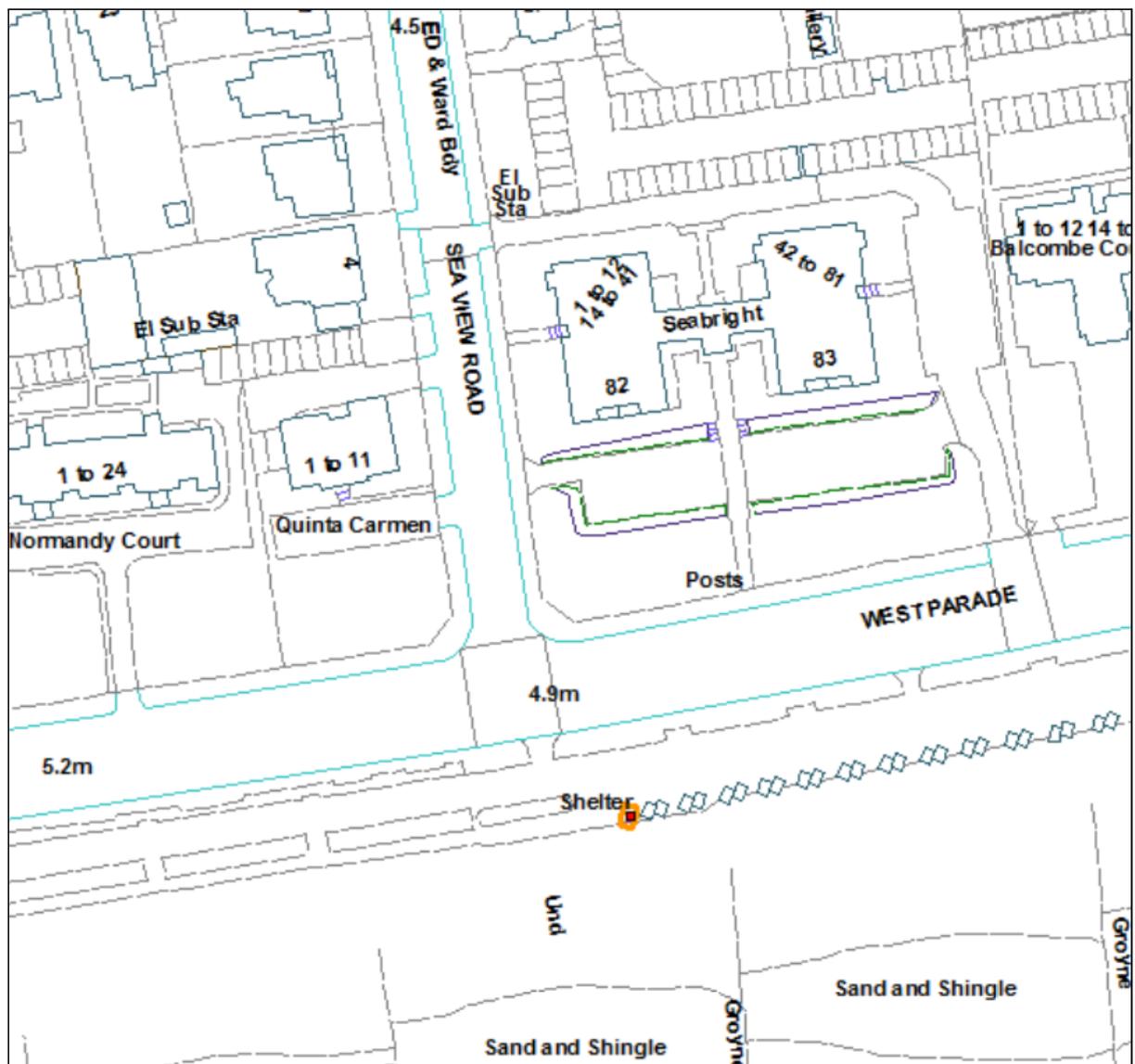
Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Full Permission
3. Materials to match existing huts

Application Number:	AWDM/0718/22	Recommendation - APPROVE
Site:	Beach Hut 74A, The Promenade, Worthing	
Proposal:	Construction of 1no. private beach hut (Resubmission of AWDM/1960/21)	
Applicant:	Worthing Borough Council	Ward: Heene
Agent:	As per applicant	
Case Officer:	Gary Peck	



Not to Scale

Proposal, Site and Surroundings

This application seeks permission for the construction of a single beach hut at the western end of the current long run of beach huts running from Heene Road to opposite Seabright close to the junction of Sea View Road. The hut is proposed to be sited between the westernmost hut and an existing shelter.

The supporting information submitted with the application states that the new huts will be the same dimensions as the other existing rental beach huts on the foreshore. The height is therefore 2.36m, width 1.84m and depth 2.45m with a 150mm concrete hard standing to the front of each hut 1.84m x 1.84m. The appearance of the proposed huts would also match the existing.

It is further stated that the waiting list for a rental beach hut is now 10 years and that *the revenue from the rent of the beach huts will generate additional income that the council can utilise for further investment to the seafront sites.*

Relevant Planning History

A previous application (AWDM/1960/21) was withdrawn in 2021 prior to its determination.

Consultations

West Sussex County Council:

WSCC acting as the Local Highways Authority (LHA) refer to your consultation in respect of the above planning application and would provide the following comments.

Access: The beach huts will need to be accessed via existing pedestrian access routes. Vehicle Parking A NIL parking provision has been demonstrated. Occupants of the beach huts will need to park on-street, where in an area this is the existing practice for other beach hut and beach users. The Local Planning Authority may wish to consider the potential impacts of this development amenity grounds.

Conclusion The LHA does not consider that this proposal would have 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 109), and that there are no transport grounds to resist the proposal.

Environmental Health: No comments

Technical Services:

Thank you for the opportunity to comment upon this application. As the proposed beach hut will be installed south of the Coastal Defence Line it may not be possible to protect the beach hut from future coastal flooding and erosion.

Representations

1 letter of objection has been received stating:

“I strongly object to any more beach huts along Worthing seafront, in fact I would request that the majority are removed. They are an eyesore. Walking east along the promenade from West Parade there is only an occasional view of the sea, trapped between the hedge and a wall of wood. A few privileged people, who can afford it, are enjoying a view of the sea while depriving residents and visitors of the same pleasure

Relevant Planning Policies and Guidance

Worthing Core Strategy (2011):

Policy 5 The Visitor Economy, Policy 13 The Natural Environment and Landscape Character and Policy 16 Built Environment and Design

A Strategic Objective of the emerging Worthing Local Plan is to *‘Improve the quality and quantity of the natural environment and public realm particularly within the town centre and along the seafront’*

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.

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 issue in the determination of the application is the effect of the proposal upon the character and appearance of the area.

There is clear evidence that there is a strong demand for additional beach huts but additionally there is a need to ensure that the visual character of the seafront is not adversely affected given that the proposed beach huts, like the existing, are situated between the promenade and the beach itself therefore restricting the view in places for passers by. Each application must therefore be balanced against the above objectives.

The application site is at the end of a long row of huts, about 240 metres in length, and it is not considered that the addition of a single additional hut would materially affect the character of the seafront in this location. The shelter immediately to the

west acts as a natural barrier preventing any further huts being erected beyond the one proposed while beyond the shelter to the east is a more open grassed area leading to Grand Avenue, without hedging to the north, where the addition of extra beach huts would not be appropriate due to the more open character of that area. Having regard to the demand for additional beach huts, therefore, it is considered that the current site is the only one practicable in the near vicinity and would not cause a precedent for future development. The application is considered to be acceptable.

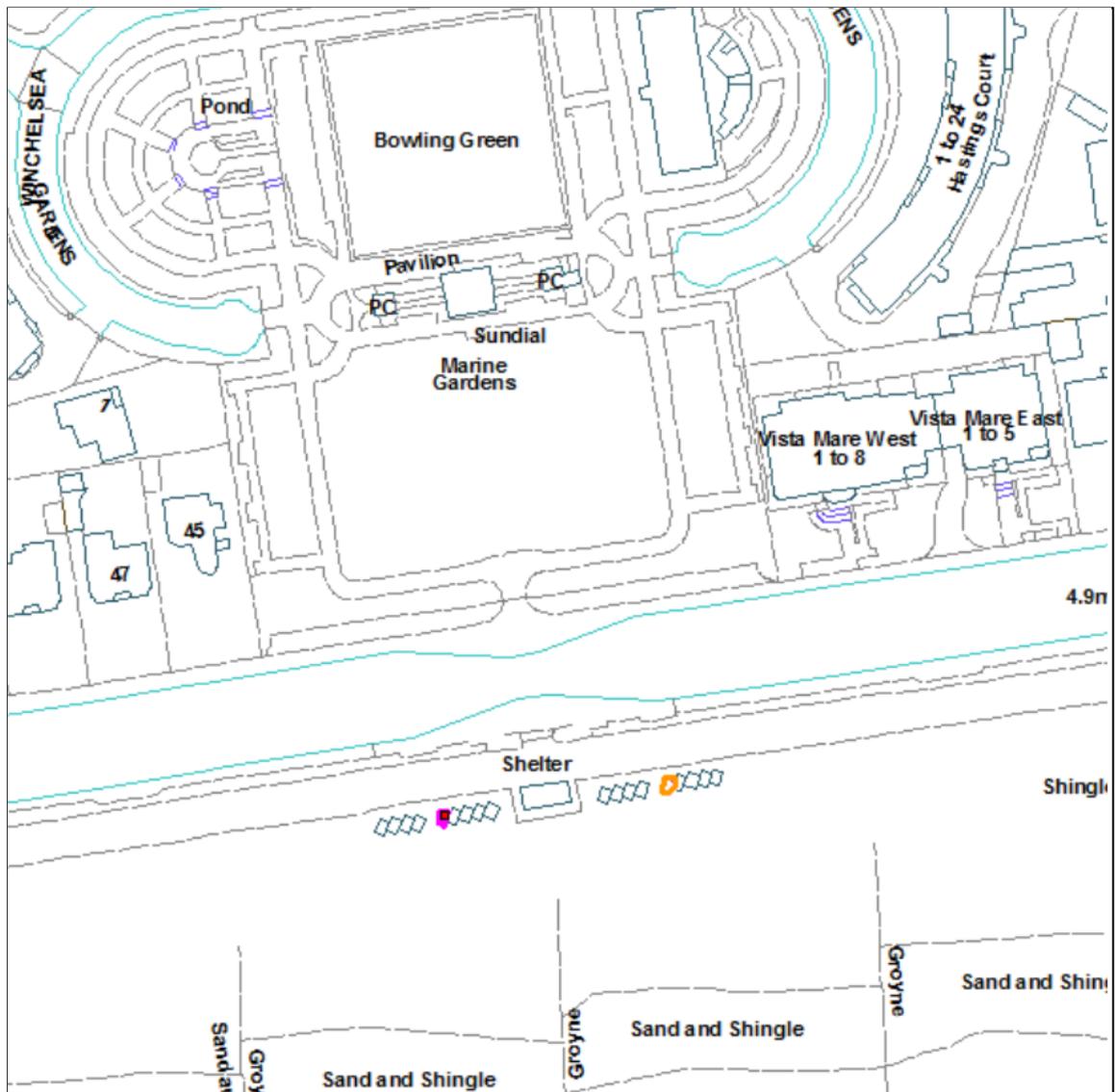
Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Full Permission
3. Materials to match existing huts

Application Number:	AWDM/0719/22	Recommendation - APPROVE
Site:	Beach Hut 99A & 107A, The Promenade, Worthing	
Proposal:	Construction of 2no. rental beach huts (99A and 107A) (resubmission of AWDM/1959/21)	
Applicant:	Worthing Borough Council	Ward: Marine
Agent:	As per applicant	
Case Officer:	Gary Peck	



Proposal, Site and Surroundings

This application seeks full permission for the construction of 2 beach huts, both would be sited between the existing blocks of 4 beach huts that sit either side of the Shelter opposite Marine Gardens. The nearest residential properties are in excess of 50 metres away across West Parade.

The supporting information submitted with the application states that the new huts will be the same dimensions as the other existing rental beach huts on the foreshore. The height is therefore 2.36m, width 1.84m and depth 2.45m with a 150mm concrete hard standing to the front of each hut 1.84m x 1.84m. The appearance of the proposed huts would also match the existing.

It is further stated that the waiting list for a rental beach hut is now 10 years and that *the revenue from the rent of the beach huts will generate additional income that the council can utilise for further investment to the seafront sites.*

Relevant Planning History

A previous application (AWDM/1959/21) was withdrawn in 2021 prior to its determination.

Consultations

Environmental Health: No comments

West Sussex County Council:

WSSCC acting as the Local Highways Authority (LHA) refer to your consultation in respect of the above planning application and would provide the following comments.

Access: The beach huts will need to be accessed via existing pedestrian access routes. Vehicle Parking A NIL parking provision has been demonstrated. Occupants of the beach huts will need to park on-street, where in an area this is the existing practice for other beach hut and beach users. The Local Planning Authority may wish to consider the potential impacts of this development amenity grounds.

Conclusions: The LHA does not consider that this proposal would have 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 109), and that there are no transport grounds to resist the proposal.

Technical Services:

Thank you for the opportunity to comment upon this application.

As the proposed beach huts will be installed south of the Coastal Defence Line it may not be possible to protect the beach huts from future coastal flooding and erosion.

Representations

Worthing Society

The emerging Local Plan refers to Worthing Seafront as one of Worthing's most important assets. Residents and visitors alike enjoy these views from the promenade and coastal walks. In fact Policy SO 16 of the Plan aims to : 'improve the quality of the natural environment and public realm within the town centre and along the seafront.'

The cumulative effect of increasing the number of beach huts would obscure and harm the appreciation of these coastal views. There are already sixteen beach huts at the proposal site opposite Marine Gardens which it is important to note is recorded on the Register of Parks and Gardens of Local Historic Interest. Additional beach huts in this location will spoil the connecting view from Marine Gardens to the promenade and seafront beyond. We consider therefore that the proposed increase in beach huts would set a precedent and would not be consistent with the policies in the Local Plan.

Relevant Planning Policies and Guidance

Worthing Core Strategy (2011):

Policy 5 The Visitor Economy, Policy 13 The Natural Environment and Landscape Character and Policy 16 Built Environment and Design

A Strategic Objective of the emerging Worthing Local Plan is to *'Improve the quality and quantity of the natural environment and public realm particularly within the town centre and along the seafront'*

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.

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 issue in the determination of the application is the effect of the proposal upon the character and appearance of the area.

There is clear evidence that there is a strong demand for additional beach huts but additionally there is a need to ensure that the visual character of the seafront is not adversely affected given that the proposed beach huts, like the existing, are situated between the promenade and the beach itself therefore restricting the view in places for passers by. Each application must therefore be balanced against the above objectives.

In respect of this proposal, the existing beach huts are located in one of the more open areas of the seafront with the nearest other groupings of huts being over 100 metres to the east and 250 metres to the west. There are currently 2 groups of 4 beach huts either side of an existing shelter and it is proposed that the proposed beach huts would be located in the middle of the respective groups of huts.

From views to the east and west when approaching the site, the gap between the huts is not discernible due to the staggered siting of the existing huts. The main benefit of the gaps between the huts is therefore when standing immediately behind them when viewed from the promenade.

As a gap between the huts, albeit smaller, would still be retained between the huts and that there would still be substantial openness to either side of the groups of huts, it is not considered that the addition of a single hut in each group is unacceptable. Moreover, there is seating available within the shelter itself which allows for views to the sea from this particular location. While further extension of the huts to either the east or the west would be a concern in this particular location, it is considered that this proposal, and having regard to the demand for additional huts, provides an acceptable location for 2 additional huts and accordingly it is recommended that permission be granted.

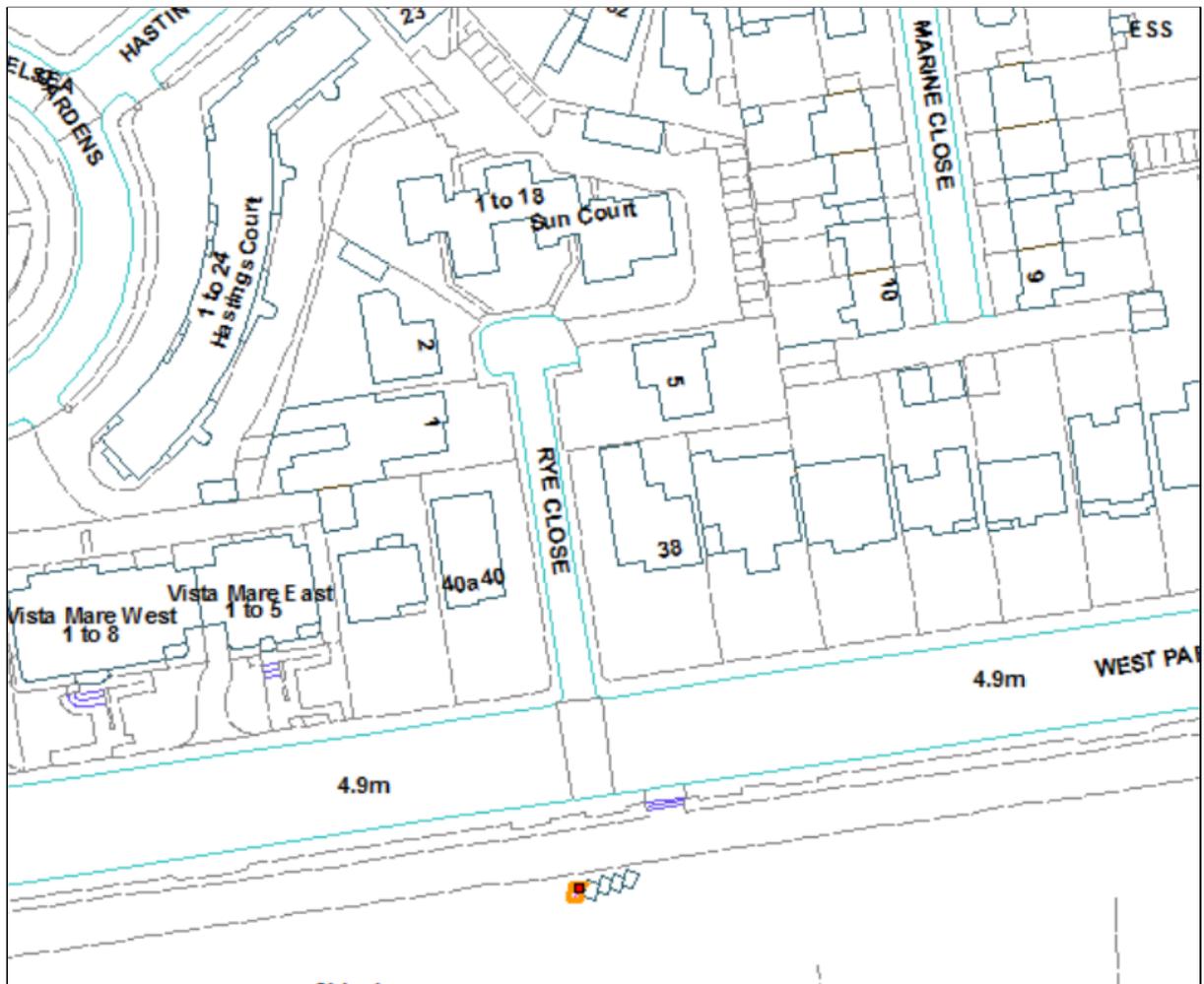
Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Full Permission
3. Materials to match existing huts

Application Number:	AWDM/0720/22	Recommendation - APPROVE subject to the expiry of the consultation period
Site:	Beach Hut 95A, The Promenade, Worthing	
Proposal:	Construction of 1no. rental beach hut (resubmission of AWDM/1958/21)	
Applicant:	Worthing Borough Council	Ward: Marine
Agent:	As per applicant	
Case Officer:	Gary Peck	



Not to Scale

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Proposal, Site and Surroundings

This application seeks full permission for the erection of a single beach hut to adjoin, at their western end, an existing group of 4 beach huts which are located directly on The Promenade, directly south of Rye Close. The group of beach huts are relatively distant from others in the vicinity, the nearest to the east being about 150 metres away and the nearest to the west (which are the subject of AWDM/0719/20 elsewhere on the agenda) are just over 100 metres away.

The supporting information submitted with the application states that the new hut will be the same dimensions as the other existing rental beach huts on the foreshore. The height is therefore 2.36m, width 1.84m and depth 2.45m with a 150mm concrete hard standing to the front of each hut 1.84m x 1.84m. The appearance of the proposed huts would also match the existing.

It is further stated that the waiting list for a rental beach hut is now 10 years and that *the revenue from the rent of the beach huts will generate additional income that the council can utilise for further investment to the seafront sites.*

Relevant Planning History

A previous application (AWDM/1958/21) was withdrawn in 2021 prior to its determination

Consultations

West Sussex County Council:

Any comments received will be reported verbally at the meeting

Environmental Health

Any comments received will be reported verbally at the meeting

Technical Services

Any comments received will be reported verbally at the meeting

Representations

None received

Relevant Planning Policies and Guidance

Worthing Core Strategy (2011):

Policy 5 The Visitor Economy, Policy 13 The Natural Environment and Landscape Character and Policy 16 Built Environment and Design

A Strategic Objective of the emerging Worthing Local Plan is to *'Improve the quality and quantity of the natural environment and public realm particularly within the town centre and along the seafront'*

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The main issue in the determination of the application is the effect of the proposal upon the character and appearance of the area.

There is clear evidence that there is a strong demand for additional beach huts but additionally there is a need to ensure that the visual character of the seafront is not adversely affected given that the proposed beach huts, like the existing, are situated between the promenade and the beach itself therefore restricting the view in places for passers by. Each application must therefore be balanced against the above objectives.

In respect of this application, the proposal seeks to provide a single hut to add to a relatively isolated group of 4 huts opposite to Rye Close. It does not appear uncommon along the seafront for huts to be placed opposite the entrance to residential roads or green spaces rather than opposite residential properties and as such this particular location does not appear to have any material impact upon residential properties at present. While a substantial addition to this grouping would increase the impact of the huts, it is not considered that a single hut would have a significant effect. When viewed from the exit to Rye Close, the huts would still appear as an isolated group and there is sufficient space either side of the group for the general openness of this part of the seafront for there to be a very limited impact arising from the construction of an additional hut. Accordingly, it is considered that the application is acceptable.

Recommendation

APPROVE subject to the expiry of the consultation period

Subject to Conditions:-

1. Approved Plans
2. Full Permission
3. Materials to match existing huts

22 June 2022

Local Government Act 1972

Background Papers:

As referred to in individual application reports

Contact Officers:

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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.