

**Minutes of a meeting of the  
Planning Committee  
7 January 2015  
at 6.30 pm**

\*\* Councillor Joan Bradley (Chairman)  
Councillor Vicky Vaughan (Vice-Chairman)

Councillor Noel Atkins	Councillor Michael Cloake
Councillor Edward Crouch	Councillor James Doyle
Councillor Diane Guest	Councillor Kevin Jenkins
Councillor Hazel Thorpe	

\*\* Absent

**Officers:** Planning Services Manager (GP), Principal Planning Officer (PD), Solicitor (LG) and Democratic Services Officer (HK)

Other Councillors: Cllr Mark Nolan, Cllr Clive Roberts and Cllr Bryan Turner.

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*The Chairman advised a change in the order the planning applications would be heard, and they ran as follows – Item 1, 4, 2, 3, 5, 6, 7 & 8.*

**WBC-PC/038/14-15            Declarations of Interest / Substitute Members**

*Application Number AWDM/1342/14 (15 Furze Road) –*

Councillor Michael Cloake declared he was a Member of the High Salvington Residents' Association Committee.

*Application Number AWDM/0798/14 (11 Church Way) –*

Councillor Hazel Thorpe declared a personal interest as she had spoken with the applicant previously, but had not predetermined the matter.

Councillor Noel Atkins substituted for Councillor Joan Bradley.

**WBC-PC/039/14-15            Minutes**

The Chairman advised that due to leave arrangements over the Christmas period break, and issues that needed to be resolved, there had been a delay confirming the previous meeting's minutes. The minutes had been published that afternoon and were therefore tabled at the meeting.

The Chairman adjourned the meeting to allow time for the Members to read through the minutes before agreement.

Councillor Michael Cloake referred to the first application, Land east of Titnore Lane, West Durrington, and requested the fourth paragraph on the fourth page included that contrary to Mr Townsend's comments, the Planning Committee did not agree the main spine road was wide enough.

The Committee Members also requested the agreement of the three developers to provide free water butts for each house be included within the body of the minutes.

Those amendments were carried, together with a small typographical error on the first page under Declarations of Interest, i.e. should read, *Councillor Michael Cloake declared he was a County Councillor for Worthing Pier.*

It was further agreed the minutes be page numbered in the future.

**RESOLVED**, that the minutes of the Planning Committee meeting held on 10 December 2014 be confirmed as a correct record and that they be signed by the Chairman.

**WBC-PC/040/14-15            Items Raised Under Urgency Provisions**

There were no items raised under urgency provisions.

**WBC-PC/041/14-15            Planning Applications**

The planning applications were considered, see attached appendix.

**WBC-PC/042/14-15            Public Question Time**

There were no questions raised under Public Question Time.

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The meeting ended at 9.05 pm

Application Number: AWDM/1277/14

Site: **64 Sea Lane Worthing West Sussex BN12 4PY**

Proposal: Demolition of single storey side extension and change of use of ground floor from chiropractic (use class D1) to form a single dwelling and the construction of 3 x two storey dwellings including construction of new vehicular access, alterations to the existing vehicular access, associated works and landscaping (including felling of TPO trees).

Before the presentation of the first application, the Principal Planning Officer updated Members on some additional matters which occurred since the papers were circulated.

The Officer advised there had been three further representations made requesting deferral of the matter and that the application be considered at the next Planning meeting on Wednesday, 4 February 2015.

Two objectors were unable to attend the meeting having expressed the view this was due to the Christmas break and late receipt notifying them of the meeting. However, the Officer advised Members the agenda and reports had been available on the website from 23 December 2014.

The Principal Planning Officer gave the Committee Members some further explanation and before the Members took a vote the Solicitor advised them to balance the right of the objector to address the Committee directly and consider they may have arranged for representation, against the right of the applicant to have the application determined in a timely manner, and the risk of a cost award in the event of an appeal if the Inspector concluded there was no substantive reason to justify delaying determination.

After some consideration, the Members **AGREED** to defer the application requesting it be brought back to the Planning meeting scheduled to take place on Wednesday, 4 February 2015, noting that two people who wished to speak have a common boundary with the application site and in the circumstances, given the controversy created, it is not unreasonable to delay for one month.

Application Number: AWDM/1446/14

Site: **1 Furze Road, Worthing, West Sussex BN13 3BP**

Proposal: Change of use from 2 no. flats to single dwelling. Erection of detached two and a half bay garage to north of house, porch on north west side and single storey extension to south west side.

Before commencement of his presentation, the Planning Services Manager advised Members there had been a further 19 representations received since despatch of the papers. The comments included :-

- that Salvington Mill was an asset to the town;
- the development would adversely affect wind flow to the windmill, limiting its ability to operate; and
- have a detrimental effect on the character and appearance of the area.

The Planning Services Manager introduced this application by showing Members aerial photographs of the area and indicating the proposed extensions. He mentioned the site was at the eastern end of Furze Road and sat on the corner junction with Mill Lane. The proposed garage had been amended during the determination of the application, with the base and lower walls having already been constructed. The Officer said the site was subject to Tree Preservation Orders on its western and eastern boundaries and also had hedging to its boundaries, so it was well-screened.

The Planning Services Manager ran through the key points to consider and that although the applicant had commenced works, this was not an offence and the Members should assess this application on planning merits.

The Committee Members asked, and had answered, questions of the Planning Services Manager in relation to his presentation. Their issues included the reliability of a mill owner's comments, and the impact of the garage on the site.

There were further representations made at the meeting from:-

Objectors:	Mr Tripcony Ms Marsden
Applicant:	Mr Paul Meredith

The Members discussed the application at length and finally agreed the application be **REFUSED** due to the overbearing impact on the road and street scene, as a result of its height and size and proximity to the road, contrary to the policies of the Worthing Core Strategy.

*N.B. Cllr Michael Cloake abstained from voting on this application.*

Application Number: AWDM/1342/14

Site: **15 Furze Road Worthing West Sussex BN13 3BP**

Proposal: Roof enlargements involving increase in height of roof, part-hipped side gable on east side, front dormer with Juliette balcony, 2 rear dormers, new roof over existing rear dormer, front rooflight, plus new porch on west side (Revisions to AWDM/0801/13).

The Planning Services Manager gave the Members a brief outline of this application, advising this was an amendment under Section 73 (of the Act) to an earlier permission granted in 2013 for a very similar development. The Planning Services Manager advised Members of the main changes being sought.

There were further representations made at the meeting from:-

Objectors: Mr Wye  
Mr Casebow  
Applicant: Mr Hunt

The Members raised some issues during their consideration of this application, however, the majority of Members felt the current application was an improvement and would have no real impact on the Mill.

One of the Members agreed the application was for minor alterations but questioned whether a condition should be added for permitted development rights to be removed. The Solicitor advised blanket removal of permitted development rights would be contrary to the Planning Practice Guidance however specified rights could be removed by condition if appropriate. The Committee therefore felt these should not include 'all' permitted development rights and after some consideration the Members **AGREED** to:-

Delegate the decision to Officers to impose an additional condition to restrict specified permitted development rights where those rights would have potential disturbance to the windmill (now shown as condition 4 below)

**Subject to Conditions:-**

1. Standard 3 year time limit
2. Approved Plans
3. The external materials and finishes of the development hereby permitted, to include bonnet hips tiles, shall be completed to match in design, colour and texture those of the existing building unless otherwise approved in writing by the Local Planning Authority.
4. Other than as hereby permitted and notwithstanding the provisions of classes A, B and E of the Town and Country Planning General Permitted Development Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), the existing dwelling shall not be enlarged, extended or any incidental building erected within its curtilage.

**Reason:** In the interests of safeguarding wind flow to the nearby Salvington Windmill.

*The meeting was adjourned for 10 minutes at 8.30pm, reconvening at 8.40pm.*

Application Number: AWDM/1412/14

Site: **15 Wyke Avenue, Worthing, West Sussex BN11 1PB**

Proposal: Retrospective application for trellis fixed to existing front garden wall on north/east boundaries.

Before the Planning Services Manager presented this retrospective application he advised Members of legislation which had been omitted from the report, i.e. Section 73A Town and Country Planning Act 1990 and also Section 72 Planning (Listed Building & Conservation Areas) Act 1990 which requires the Local Planning Authority (LPA) to pay special attention to the desirability of preserving or enhancing the appearance of the Conservation Area.

Since the papers had been despatched, an additional letter had also been received commenting that bottles and litter had been left against the wall and these would likely to have been in the applicant's garden had the fence not been constructed

The Officer advised Members the site was located within the Warwick Gardens Conservation Area where there was also an Article 4 Direction in place which removed permitted development rights for the erection of any new fences or walls. He advised that since the trellis fence fronted a highway and together with the brick wall exceeding 1 metre, it would require planning permission in any case, but the close boarded fence to the side also required permission as a result of the Article 4 Direction.

The Planning Services Manager advised the applicant had indicated he could fix an artificial hedge to the fence to screen it but his preference was to retain the fence as erected.

Further representations made at the meeting:-

Objector: Mr Skipp  
 Ward Councillor: Cllr Roberts  
 Applicant: Mr Dobson

The Members discussed this application, with many of the Members sympathising with the applicant. However, in light of the character of the area and design of the fence, were unable to support this retrospective application and therefore agreed with the Officer's recommendation to refuse.

## **Decision**

That the application be **REFUSED** for the following reason:

The fence, by virtue of its design, size and location on the corner of Wyke Avenue and Ash Grove, adversely affects the character of the Warwick Gardens Conservation Area and the amenities of the neighbouring property to the south. The proposal therefore conflicts with guidance within the National Planning Policy

Framework, Planning Practice Guidance, saved policy H18 of the Worthing Local Plan and policy 16 of the Worthing Core Strategy.



Application Number: AWDM/1507/14

Site: **84 Meadow Road Worthing West Sussex BN11 2SH**

Proposal: Demolition of 40 no. bedsit flats (in 5 blocks) and redevelopment to provide 12 x 2-bedroom houses, with parking and cycle storage permitted under AWDM/0806/12 (variation of Condition 2 for substitution of uPVC windows instead of aluminium as permitted, minor revisions to external materials and amendment to boundary treatment adjacent to plots 1 and 9).

The Planning Services Manager advised the Committee the report omitted to refer to Section 73 Town and Country Planning Act 1990 (as amended) that applies to applications for planning permission without complying with conditions subject to which a previous planning permission was granted. The Committee should consider only the conditions subject to which permission should be granted and either grant the application, or refuse it if they consider permission should only be granted subject to the same conditions as before.

The Planning Services Manager advised permission was sought for minor alterations to the approved scheme.

The Members considered this application and agreed the Officer's recommendation.

### **Decision**

That this application be delegated to the Head of Growth to **APPROVE** following the expiration of the publicity period, subject: to an amended wording of landscaping condition (no 13) to reflect that works had already commenced on site

1. Standard 3 year time limit
2. Permission relates to approved plans
3. Provide vehicle access in accordance with approved drawing prior to first occupation
4. Provide and maintain visibility splays of 2.4 metres by 43 metres at vehicle access
5. Provide and retain car parking spaces
6. Provide and retain secure covered cycle storage
7. Implement Construction Management Plan, including measures to control the emission of dust and dirt during demolition and construction, as agreed under AWDM/0806/12
8. Implement measures to prevent surface water draining onto the public highway, as agreed under AWDM/0806/12
9. Implement courtyard surfacing, including parking bays and footpaths, as agreed under AWDM/0806/12
10. Implement and retain screen walls/fences and means of enclosure
11. No extension or alterations to dwellings without planning permission
12. Limit hours of construction to 08.00 to 18.00 hrs (Monday to Friday) and 08.00 to 13.00 hrs on Saturdays

13. Implement hard and soft landscaping scheme
14. Implement in accordance with submitted schedule of materials
15. Implement in accordance with agreed architectural details of doors, chimneys, overhanging eaves/soffit and eaves brackets, and pergola/car port.
16. No aerials, dishes, cables, soil pipes, meter boxes, flues, vents on front elevations unless agreed
17. First-floor windows in south side walls of Units 4 and 5 to be obscurely-glazed and fixed shut.
18. Implement details of surface water drainage as agreed under AWDM/0806/12
19. Agree details of external lighting
20. Precautionary contamination (agree measures in the event that contamination is found)

Application Number: AWDM/0798/14

Site: **11 Church Way, Worthing, West Sussex BN13 1HD**

Proposal: Retention of 1.6 m high boundary fence along eastern boundary (retrospective).

The Planning Services Manager advised he had received two further representations since the papers were despatched. One of the supporters, due to the timing of the meeting, was unable to attend, therefore the Officer read out her representation to the Members. The Officer had also received an email from objectors advising they had only received notification of the application last Saturday and had requested deferral of the matter.

The Planning Services Manager reminded Members this was a retrospective application with the fence already being in situ.

The Members **AGREED** to defer this application, noting that two objectors had not received a notification letter from Planning until the Saturday and this had given them insufficient time to prepare for the meeting, and there was no adverse impact on the applicant caused by the delay as the fence is already in situ.

Application Number: AWDM/1423/14

Site: **22 Foxley Lane, Worthing, West Sussex BN13 3AB**

Proposal: Application for consent under Worthing Tree Preservation Order No.16 of 1998 to reduce radial spread by up to 1-2 metres, and to reduce and re-shape to give clearance to cables of up to 1 metre, on one Atlantic Cedar T6.

The Planning Services Manager gave a brief outline of this application stating the matter referred to one Blue Atlantic Cedar tree to the eastside of the front garden of 22 Foxley Lane. He notified Members consent was being requested to reduce the radial spread on the east side and to prune to clear an existing phone line.

Further representation at the meeting:-

Applicant: Mr Churchfield

### **Decision**

That the applicant be **GRANTED CONSENT**, subject to the following Condition:

1. Proposed works, hereby permitted, shall be restricted to:-
  - i Reduction in crown width of up to 2 metres, at ground level tapering, to the existing width at 4 – 5 metres
  - ii Prune branches within the existing spread of the crown to allow clearance of up to 0.5 metres of phone cables only, unless otherwise agreed in writing with the LPA, and carried out within two years from the date of consent, and in accordance with the British Standard BS 3998: 2010 Tree Works.

Reason: In the interest of visual amenity.

Application Number: AWDM/1612/14

Site: **70 Sea Lane, Worthing, West Sussex BN12 4PY**

Proposal: Two storey rear extension to replace existing conservatory on east elevation. Replacement porch to front (west) elevation. Replacement double garage on eastern boundary (Re-submission of AWDM/1032/14).

The Planning Services Manager gave Members a brief outline of this application reminding them the site was located on the eastern side of Sea Lane at its junction with Nutley Drive. The application sought permission for a 2 storey rear extension to replace an existing conservatory as well as a replacement porch to the front elevation and replacement double garage on the eastern boundary.

### **Decision**

That planning permission be **GRANTED** subject to the following conditions:

1. Full Permission
2. Matching Materials
3. Development in accordance with approved plans