

**Minutes of a meeting of the
Planning Committee
4 February 2015
at 6.30 pm**

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

Councillor Michael Cloake
Councillor James Doyle
Councillor Kevin Jenkins

Councillor Edward Crouch
Councillor Diane Guest
**Councillor Hazel Thorpe

** Absent

Officers: Planning Services Manager, Principal Planning Officer, Solicitor (JS),
Solicitor (CP), Democratic Services Officer

The Chairman advised a change in the order the planning applications would be heard, and they ran as follows – Item 1,2,7,8,9,10,4,3,5,6,11,12.

WBC-PC/043/14-15 Declarations of Interest / Substitute Members

Application Number AWDM/0815/14 (Queens Lodge Guest House) –
Councillor Edward Crouch declared a personal interest in this item being acquainted with the selling agent, but had not predetermined the matter.

Application Number AWDM/1412/14 (15 Wyke Avenue) –
Councillor Edward Crouch declared a personal interest in this item as he had spoken to the press regarding this matter, but had not predetermined the matter.

Application Numbers AWDM/0713/14 & AWDM/074/14 (Rose Cottage) -
Councillors Joan Bradley and James Doyle declared personal interests as they were acquainted with the objector to these applications, Mr Nick John, who was a former WBC Councillor.

Application Number AWDM/1425/14 (Kiosk 2 Chalet, Beach Parade) –
Councillor James Doyle declared a personal interest in this item as he was acquainted with the applicant and elected to leave the room for this item.

Councillor Michael Donin substituted for Councillor Hazel Thorpe.

WBC-PC/044/14-15 Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 7 January 2015 be confirmed as a correct record and that they be signed by the Chairman.

WBC-PC/045/14-15 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

WBC-PC/046/14-15 Planning Applications

The planning applications were considered, see attached appendix.

WBC-PC/047/14-15 Public Question Time

There were no questions raised under Public Question Time.

The meeting ended at 10.10 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).

The Principal Planning Officer presented this report confirming to Members that consideration of this application was deferred at the last Worthing Planning Committee meeting held on 7 January 2015. This was in the interests of transparency and fairness following requests from affected neighbours and in recognition of the level of public interest in the application.

Members were advised the site comprised Beach House, a Local Interest Building, at the front (west) which sat forward of its neighbours and grounds to the rear (east) and side (south). The Officer advised the scheme was to demolish the single storey rear extension, side conservatory and detached garage, converting Beach House to a 4 bedroom house, with three new detached houses built in the grounds. He informed Members each house would have two parking spaces, a back garden, with plot 2 and Beach House having sizeable front gardens.

The Officer advised vehicle access would be from the southern end of the site off Sea Lane with two separate pedestrian entrances to the north. Many of the existing trees and shrubs would be removed which included a Judas tree subject to a Tree Preservation Order (TPO).

The Principal Planning Officer described the contemporary architectural style of the houses, being of cuboid form and clean lines. He advised they all featured flat roofs and piloti style columns with undercroft and ribbon windows and plots 2 and 3 corner windows. Plot 3 incorporated a cuboid oriel window at the front and an angled oriel at the rear. He advised the materials being used and said the new houses would have solar panels on their roofs. The report was corrected to describe the height of plot 3 at around 6ms.

The Member raised some queries on the presentation which the Principal Planning Officer answered to their satisfaction. They were however disappointed there were no other 'artist's impression' photos of the proposed properties as they felt this would have assisted in their consideration of the application. The Officer informed Members it was not a requirement for the applicant to produce these however, elevation drawings and plans were necessary. The Officer also informed Members the materials used were a mix of mainly render and brick, together with timber panelling and anodised metal but precise details would be agreed by condition.

Further representations made at the meeting were:-

Objectors: Mr Bob Niall
Mr Mark Smith
Ms Carolyn Moon

Supporters: Mr Chris Barker
Mr Paul Fender

Following these representations, the Members raised some further comments which included the potential continuation of the flint wall currently running on the north boundary of the site to also run along at least part of the east boundary of the site adjacent to 10 Sandown Close. After some further discussion on this aspect, the Officer advised Members he would need to consult with the other neighbours affected and the tree specialist to assess the options and implications. Clarification was given that no working applied to Sundays in the full version of condition 14 and likewise that the retained parts of the existing front flint wall should be protected during construction under the full text of condition 10.

Decision

The Members **AGREED** to delegate the decision to Officers, subject to satisfactory negotiation regarding the flint wall, with the proviso that if no agreement was reached, the matter would come back to Committee.

Subject to Conditions:-

1. Implement within 3 years
2. Built in accordance with approved
3. No new windows in flank or rear elevation upper floors or roof of new dwellings and proposed upper floor flank windows to be obscure glazed
4. No development until site management plan approved including siting of plant, materials and parking; dust suppression; and site waste disposal.
5. No dwelling hereby occupied until the allied garden and parking areas have been provided.
6. No dwelling occupied unless and until surface water drainage details agreed and implemented.
7. The vehicular access to be surfaced, designed, laid out and constructed with visibility splays; sight lines turning areas and lighting in accordance with agreed plans before any new dwelling is occupied.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended), no dwelling shall be extended or altered in any way or new outbuilding erected over 5 cubic metres in size.
9. Compliance with ecological protection plan.
10. No occupation unless and until agreed details of boundary and hard landscaping plans implemented and agreed details soft landscaping implemented within first planting season after first occupation and retained trees protected and landscaping retained and replaced as necessary.
11. Approve facing materials and architectural details prior to implementation and build in accordance with approval.

12. Agree details of siting and design of domestic waste storage and access for refuse collection vehicles and provision thereof.
13. No construction works outside of 8am to 6pm Monday to Friday and 9am to 1pm Saturday and no working on public holidays
14. Approve details of lighting
15. Land contamination study/remediation as required agreed prior to commencement of development and implemented.

The meeting was adjourned at 7.30 pm, reconvening at 7.35 pm.

Application Number: AWD/0815/14

Site: **Queens Lodge Guest House, 2 Queens Road, Worthing, West Sussex BN11 3LX**

Proposal: Change of use from (use class C1) guest house to house of multiple occupation (10 rooms).

The Principal Planning Officer began his presentation by advising Members he had received a late supporting statement from the agents furnishing further details of the efforts and response to market the property.

The Principal Planning Officer reminded Members this application had been considered at the Committee's meeting held on 10 December 2014. The matter being deferred to seek the views of Sussex Police, which included statistics for any crime related to HMO's in the area, the Environmental Health Officer on numbers of HMOs in the locality and for re-consulting Community Safety regarding any additional information submitted.

The Officer advised Members the report had been updated to take into account the re-consultation. He agreed the loss of tourist accommodation was regrettable but acceptable in this case. The Environmental Health Officer was satisfied the accommodation was adequate and the regulatory controls were in place to avoid harm to neighbours. Statistics indicated there was not an overconcentration of HMOs in the locality but this was an issue that the Council could take up in any review of the Core Strategy. The Police or Community Safety Officer had not raised any specific objection and therefore stood by his recommendation to grant approval.

The Members raised some queries on the brief presentation, followed by a further representation from the applicant, Ms Carly Houston.

After further discussion the Members recognised that HMOs/bedsits did meet a rising market demand for low cost, basic residential accommodation and there was not the evidence to justify resisting the HMO on anti social behaviour /character grounds.

Decision

That the application be **APPROVED** subject to the following conditions:-

1. Three years to implement use.
2. Implement in accordance with approved plans.
3. Fit out in accordance with Flood Risk Assessment recommendations.
4. No new windows in upper floor of north elevation.
5. Agree and provide cycle parking and domestic waste storage.

Cllr Michael Cloake left the meeting at 7.55 pm.

Application Number: AWDM/1581/14

Site: **Land at 6-8 West Avenue Worthing West Sussex**

Proposal: Demolition of existing dwellings (6-8 West Avenue) and redevelopment to provide 4 no. 4-bedroom plus 3 no. 3-bedroom townhouses and 2 no. 2-bedroom flats (9 dwellings in total) with 16 no. parking spaces/garages (amendment to AWDM/1465/12 for revisions to external materials).

The Planning Services Manager gave a brief outline of this report for Members, advising that during the course of the planning application, government advice had changed and now stated that affordable housing and tariff-style contributions could not be sought on residential development sites of this size. This would mean Councils were unable to claim from the developers the affordable housing contribution of £75,300 and County Council Transport contribution of £15,000. The Officer's recommendation was therefore to grant permission, but with no legal agreement.

Naturally, the Members were disappointed but understood they had to follow government advice.

Decision

That the planning application be **APPROVED**, to include an amendment to condition 9 to correct the typographical area relating to working hours on Saturdays which should read 0800 to 1300 hours, and subject to the remaining conditions:-

1. 3 year time limit from 3 March 2014 Standard 3 year time limit
2. Implementation of screen and/or boundary walls and fences, including details of making good of boundary wall fronting West Avenue, to be carried out in accordance with the details agreed under AWDM/1465/12 prior to first occupation of any dwelling unless otherwise approved in writing.
3. No other development shall commence until the proposed vehicular access to the development from West Avenue has been construction in accordance with the approved drawing.
4. Close existing vehicle accesses prior to first occupation
5. Provide visibility splays shown on approved drawing prior to first occupation
6. Implementation of access road, vehicle parking, and turning shown on the approved drawing in accordance with surface materials agreed under AWDM/1465/12 and prior to first occupation unless otherwise agreed in writing
7. Agree and implement secure covered cycle storage prior to first occupation
8. Implement surface water drainage in accordance with details agreed under AWDM/1465/12 unless otherwise agreed
9. Hours of construction between 08.00 and 18.00 hours Monday-Friday and 08.00 and 13.00 hours on Saturday
10. Implement hard and soft landscaping scheme agreed under AWDM/1465/12 within first planting and seeding season following occupation of completion of the development unless otherwise agreed

11. Protect existing trees during construction as agreed under AWDM/1465/12 unless otherwise agreed
12. Implement development in accordance with materials and samples agreed unless AWDM/1465/12 unless otherwise agreed
13. Obscure-glaze window in north elevation of Plot 6 and non-opening below 1.7m of the floor of the room
14. Agree and implement refuse and re-cycling enclosures
15. Implement Construction Method Statement as agreed under AWDM/1465/12 unless otherwise agreed
16. No external lighting of communal areas unless agreed in writing
17. Approved plans

Application Number: AWDM/1412/14

Site: **15 Wyke Avenue, Worthing, West Sussex**

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

The Planning Services Manager reported that further information had been reported to him since publication of the planning papers.

The Officer reminded Members that at the January meeting they had resolved permission be refused for this application. However, Officers had felt it appropriate to bring the application back to Committee for further consideration.

The Members discussed the prospect of proposed planting of an evergreen climbing plant (Jasminoides) which the applicant believed would suit the location on the Sussex coast. The applicant had advised the climber would become denser over time with significant growth over the next 12-18 months.

The majority of Members still felt nothing had changed their opinion and agreed the Officer's recommendation.

Decision

That planning permission be **REFUSED** planning permission 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.

15 Wyke Avenue, Worthing

Planning Enforcement Report

Unauthorised erection of a fence at 15 Wyke Avenue

The Planning Services Manager felt it was evident that Members sought a solution if possible. However, in the absence of any proposal to reduce the height of the fence, the potential for visual harm remained.

The Officer felt the proposed planting scheme may, in time, screen the fence sufficiently to reduce the level of harm to the street scene. He advised Members that Officers would only wish enforcement be taken as a last resort. Therefore he felt any action should be held in abeyance for 12 months to ascertain whether the proposed planting was an acceptable solution.

Decision

That, for the reasons set out in the report, it was considered that enforcement action requiring removal of the fence adjoining the highway be taken by Officers.

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).

This planning application had been deferred from the last meeting at the request of a resident to allow more time to respond.

The Planning Services Manager advised he had received a letter in support of the application and gave Members a summary of the content.

The Officer advised there was little to add to the report and that in light of the previous appeal decision and there being no objection from the County Council regarding the incorporation of the land into the curtilage of 11 Church Way Close, he informed Members there was no sustainable planning objection to the retention of the fence and recommended approval.

Decision

That the planning application be **APPROVED** subject to the following condition:-

1. Approved plans

Application Numbers: AWDM/1448/14 &
AWDM/1449/14

Site: **Busy Bees Playgroup, The Old Palace, Glebe Road, Worthing**

Proposal: Application to re-surface play area with 40mm all-weather play surface in Eggshell colour.

The Planning Services Manager had nothing further to add to the report in front of Members. He briefed the Members by stating the application sought planning permission and listed building consent to overlay the existing tarmac play area with an all-weather 'Wetpour' play surface which would increase the ground level by 40mm.

The Members discussed the matter further, with the Chairman expressing a view regarding the colour of the 'Wetpour' surface stated as 'Eggshell'. Therefore, it was agreed the Officer's recommendation be amended as follows:-

DECISION

That the following decisions be delegated to Officers as stated, and to agree a 'suitable' colour for the 'Wetpour' surface, in consultation with the Chairman as 'Design Champion' for the Council.

AWDM/1448/14 (Planning permission)

APPROVED subject to conditions:

1. Standard Planning 3 Year Time Limit
2. Implement in accordance with approved plans
3. The external colour of the 'Wetpour' surface hereby permitted shall, prior to commencement of its use, be completed to match the Eggshell (4) colour on the 'Wetpour' Colour Specification Sheet submitted to the Council on the 1st December 2014.

Reason: In the interests of visual amenity and to comply with policy 16 of the Worthing Core Strategy.

4. Standard hours of construction, no Sundays, Public Holidays or evening work

Informative

1. Proactive Statement – Approve following amendments

AWDM/1449/14 (Listed Building Consent)

APPROVED subject to conditions:

1. LB 3 Year Standard Time Limit
2. Implement in accordance with approved plans
3. The external colour of the 'Wetpour' surface hereby permitted shall, prior to commencement of its use, be completed to match the Eggshell (4) colour on the 'Wetpour' Colour Specification Sheet submitted to the Council on the 1st December 2014.
Reason: In the interests of visual amenity and to comply with policy 16 of the Worthing Core Strategy.
4. Protection of LB from damage
5. Standard hours of construction, no Sundays, Public Holidays or evening work

Informative

1. Proactive Statement – Approve following amendments

Application Number: AWDM/1461/14

Site: **Tamara Guest House, 19 Alexandra Road, Worthing**

Proposal: Change of use from Bed and Breakfast to Class C3 single dwelling house.

The Principal Planning Officer presented this report for a change of use application.

He advised Members retrospective planning permission was granted in 1985 for change of use from a single family dwelling house to a guest house with owners living accommodation. The Bed and Breakfast (B&B) was described as small, with 4 guest bedrooms being served by one bathroom with WC and toilet.

Within his presentation, the Officer referred Members to the key extracts from Supporting Statements within the report and further comments received from the Tourist Officer on the profitability/occupancy evidence. He also suggested that a further condition to prevent a house being converted to an HMO without a planning application may be prudent in view of the Committee's concerns in this area.

There were further representations made at the meeting from the applicants, Mr David McGaw and Mrs Christine McGaw.

Following these representations, the Members sympathised with the applicants' predicament and were aware that too many traditional B&Bs appeared to be in decline. After some further discussion, the Committee agreed the Officer's recommendation.

Decision

That planning permission be **APPROVED** subject to the following conditions:-

1. Standard 3 Time Limit
2. Implement in accordance with approved drawings
3. Remove Permitted Development rights for roof, extensions and outbuildings in garden.
4. Remove Permitted Development rights to convert to a HMO

Application Number: AWDM/0713/14

Site: **Rose Cottage 202 Salvington Road Worthing West Sussex**

Proposal: Demolition of existing conservatory and erection of attached 2-bedroom dwelling on north side and associated alterations to existing cottage.

Application Number: AWDM/0714/14

Site: **Rose Cottage 202 Salvington Road Worthing West Sussex**

Proposal: Listed Building Consent for Demolition of existing conservatory and erection of attached 2-bedroom dwelling on north side and associated alterations to existing cottage.

The Planning Services Manager advised the Committee he had received an objection letter since publication of the agenda stating over-development of the site.

The Officer gave a brief summary of the two applications. He advised Officers were satisfied that a satisfactory standard of housing would be provided which would meet the requirements of a small family and would contribute towards meeting the wider housing needs in the community.

There were further representations at the meeting from:-

Objector: Mr Nick John

Supporters: Mr Roger Saville
Mr Martin Overington

There was some discussion on the parking/turning area within the site however; the majority of the Committee Members finally agreed the Officer's recommendation.

Decision

AWDM/0713/14

That planning permission be **APPROVED** subject to Conditions:-

1. Standard time limit
2. Approved plans
3. Provide and retain independently accessible parking spaces (1 each) to serve Rose Cottage and new dwelling
4. Agree and provide secure cycle storage for new dwelling
5. Agree and implement Construction Management Statement
6. Limit hours of construction to between 08.00 and 18.00 Mon-Fri and between 08.00 and 13.00 hrs on Saturdays

7. Agree and implement screen walls/fences and means of enclosure
8. Agree hard and soft landscaping scheme
9. Agree and implement surface water drainage
10. Matching material only
11. Agree sample flint panel on site and implement
12. Agree and implement architectural details including chimney stack, pots and 'shoulders', timber windows and doors (including Rose Cottage)
13. No aerials, dishes, cables, soil pipes, meter boxes, flues or vents on front (west) elevation
14. Remove 'pd' rights for external alterations, extensions and garden buildings
15. Full contamination condition

AWDM/0714/14

That Listed Building Consent be **GRANTED** subject to the following conditions:-

1. Standard time limit
2. Approved plans
3. Protect Listed building during construction
4. Agree and implement Construction Management Plan
5. Limit hours of construction to between 08.00 and 18.00 Mon-Fri and between 08.00 and 13.00 hrs on Saturdays
6. Agree and implement screen walls and fences (including to rear yard of Rose Cottage)
7. Matching material only
8. Agree sample flint panel on site and implement
9. Agree and implement architectural details including chimney stack, pots and 'shoulders', timber windows and doors (including Rose Cottage)
10. Agree specification and precise details of internal alterations to Rose Cottage
11. Agree details of extract outlet to bathroom of Rose Cottage

Application Number: AWDM/1310/14

Site: **Sea Lane Café, Marine Crescent, Worthing**

Proposal: Covered seating area to south elevation.

The Planning Services Manager presented the report, advising Members that Worthing Borough Council owned the freehold of the land and that the proposal was to extend the café building over most of the paving in front of it by way of a glazed structure.

The Solicitor (JS) informed Members that this application was recognised as a Regulation 3 application for developments carried out by the Council or where the Council has some significant interest in the development.

There were three further representations made at the meeting from an objector, Mr Ellis, and supporters Roger Saville and Martin Overington.

The Members recognised this was a popular and thriving café which had been a part of Worthing for over 25 years. They noted the café owner was seeking to upgrade the premises by increasing the amount of customer seating.

The objector from the Ilex Conservation Group was concerned with the design of the structure, particularly the use of glass panels. However, the applicant assured the Members laminated, toughened glass would only be used. The applicant also advised the structure would comply with the Disability Discrimination Act.

After some further discussion, Members agreed the Officer's recommendation.

Decision

That this application be **APPROVED** subject to the following conditions:-

Conditions

1. Standard time limit
2. Approved plans

Application Number: AWDM/0018/15

Site: **30 Beaumont Road, Worthing**

Proposal: Application for consent under Worthing Tree Preservation Order No.21 of 1975 to fell one Sycamore tree T1.

The Principal Planning Officer presented this item, firstly advising Members six further representations had been received since publication of the agenda supporting the proposal.

The Officer firstly informed Members of a change to the recommendation as the consultation period did not expire until 5 January 2015. This would mean delegation powers being given to the Director for the Economy.

The Officer gave a brief outline of this application referring to a single, large, mature Sycamore tree in the front garden of 30 Beaumont Road. Consent was being sought, once again, to fell and replace the tree.

There were three further representations made at the meeting; from the applicants, Mr Mark Tate and Mrs Debbie Tate, together with the Ward Councillor, Councillor Victoria Taylor, who spoke on the applicants' behalf.

The applicants' concerns included nuisance from falling leaves, causing damage to the drain, the danger of falling branches, tree sap and bird droppings. They advised the Committee this caused considerable stress to all the family.

The Members sympathised with the applicants, however after some discussion, the majority agreed with the Officer's comments within the report that this tree was a prominent, established feature of the area, with no valid arboricultural reason to fell this protected tree.

Decision

That the decision be delegated to Officers to refuse the application on the grounds set out below unless any new compelling material evidence was received within the remaining part of the statutory consultation period.

1. The proposed felling of this prominent and attractive tree, which is an established feature of the area and contributes significantly to its pleasant verdant character, would be detrimental to the character and visual amenities of the area. There is no valid arboricultural reason to fell this protected tree.

Application Number: AWDM/1425/14

Site: **Kiosk 2 Chalet, Beach Parade, Worthing**

Proposal: Single-storey extension to north elevation to Coast Café to provide additional seating and new kitchen.

Councillor James Doyle left the room for this item.

The Planning Services Manager gave a brief outline of this application for a proposed extension to the north side of the café to form a larger seating area.

There were no further representations at the meeting.

The Committee Members were pleased with the contemporary design and felt would make a more attractive area for visitors.

Decision

That this application be **APPROVED** for the reason:-

The proposed extension accords with the Seafront Strategy and will make the Active Beach Zone a more attractive area for visitors and will encourage greater leisure use. The design is appropriately contemporary whilst having regard to the historical context through the use of traditional vernacular materials.

Subject to Conditions:

1. Standard five years
2. Approved drawing numbers
3. Sustainable design measures to be agreed
4. Glazing details to be agreed
5. Cobbled sample panel to be agreed
6. Details of new internal opening in east side of belvedere to be agreed
7. Retain exposed elevations of belvedere within internal space in an agreed manner.
8. Design and position of photovoltaic cells on roof to be agreed
9. Hard and soft landscaping details to be agreed
10. Flood shield barriers to be provided
11. Doors closed in north elevation by 2300 hours

Application Numbers: AWDM/0048/15

Site: **Worthing Leisure Centre, Shaftesbury Avenue, Worthing**

Proposal: Extend existing car park on western boundary to provide 22 extra parking spaces with associated gates and realignment of fencing. Provision of 20 cycle parking spaces to south of leisure centre.

The Planning Services Manager presented the report reminding Members this application was submitted by the Council. Full permission was being sought for the extension of the existing car park on the eastern side. The Officer referred to the green area affected by the proposal but assured Members this loss would be slight.

The Officer advised a response had been received from WSCC who had raised no objection but required a construction management plan be put in place.

There were no other representations since the agenda was published.

The Officer reminded Members that the Officer's recommendation was to delegate for approval subject to the expiry of the consultation period on 12 February 2015.

One of the Members was concerned regarding cycle spaces and the temptation for cyclists to go the wrong way round the car park. He suggested the possibility of a cycle lane being put in place. The Planning Services Manager agreed to raise with the relevant representative from the Council.

Decision

That this application be **APPROVED** subject to the expiry of the consultation period of 12 February and the following Conditions:-

1. Standard time limit
2. Approved Plans
3. Replacement Tree Planting
4. Car park surfacing to match existing
5. Construction Management Plan