

**Minutes of a meeting of the
Worthing Planning Committee
3 June 2015
at 6.30 pm**

Councillor Kevin Jenkins (Chairman)
Councillor Vicky Vaughan (Vice-Chairman)

Councillor Noel Atkins
Councillor James Doyle
Councillor Nigel Morgan

Councillor Edward Crouch
Councillor Diane Guest
** Councillor Paul Yallop

** Absent

Officers: Planning Services Manager, Solicitor and Democratic Services Officer

WBC-PC/001/15-16 Declarations of Interest / Substitute Members

There were no declarations of interest or substitution.

Cllrs Paul Yallop and Proudfoot sent their apologies.

WBC-PC/002/15-16 Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 27 April 2015 be confirmed as a correct record and that they be signed by the Chairman.

WBC-PC/003/15-16 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

WBC-PC/004/15-16 Planning Applications

The planning applications were considered, see attached appendix.

WBC-PC/005/15-16 Public Question Time

There were no questions raised under Public Question Time.

**WBC-PC/006/15-16 Enforcement Report -
21 West Way, Worthing**

The Planning Services Manager advised Members a further 10 letters of support for the occupier of the property had been received from neighbouring property owners since circulation of the papers.

The Officer gave a brief outline of the circumstances of this enforcement, which included a relatively detailed planning history. Members were also shown photographic evidence of the site.

There were further representations from:

Objectors: Mr David Setchell
Mr Brian George
Mr Helen Silman

The Chairman advised Members that the Ward Councillor Michael Cloake had registered to speak in support of Mr Setchell but was unable to attend the meeting due to a prior commitment. The Ward Councillor had circulated a detailed email late in the day to Members, therefore the Chairman checked with Members if they had read its contents. The Members confirmed they had.

The Members discussed the matter and whilst they sympathised with the property owner's medical circumstances, felt that Officers had been extremely reasonable as to the length of the time this matter had remained outstanding. They agreed the property owner had been given every opportunity to achieve compliance with the enforcement notice. However, it was felt there should be a mutually acceptable timescale for the works to be carried out.

Decision

To agree timescale of the garage to be removed because of health circumstances and for the file to be passed to Legal Services to consider prosecution action in the normal way.

WBC-PC/007/15-16 Enforcement Report - The Folly, rear of 100 South Street, Tarring

The Planning Services Manager advised Members he had nothing further to report on this enforcement matter.

Decision

That the Head of Economic Growth be authorised to spend £950 plus VAT (from the Planning Miscellaneous Expenditure Budget) to obtain a structural engineer's detailed report on the condition of the building and works required for its reparation.

WBC-PC/008/15-16 Car Park north of 60-66 Queen Street, Worthing

The Planning Services Manager began his presentation by advising Members of a typographical error as the Ward name on the report should read Gaisford. The Officer then referred to the addendum circulated to Members since circulation of the planning papers. The addendum included further Officer comments and changes to the recommendation.

The Members were advised the Borough Council had been consulted on this West Sussex County Council application (Regulation 3) to install temporary buildings on Queen Street Car Park to provide school accommodation for approximately 12 months. The application was to be determined by the County Council and the Borough Council had been requested to respond to

the consultation by 12 June 2015, hence the reason for this report being added to the agenda at short notice.

There were further representations made from:

Objectors: Mr Tim Nicholls
Mr Stuart Fyles
Ms Catherine Bourner
Ms Barbara Cook

Supporter: Mr Adam Whitehead

The Members understood the anguish of the residents and agreed with many of the comments raised within their representations.

Decision

The recommendation to raise no objection was overturned. A consultation response was to be sent strongly objecting to the loss of the car park, but that should West Sussex County Council approve the application would suggest the following conditions:

- i. Temporary permission for 12 months, with land then restored to its former use as a car park.
- ii. The temporary car park shown on the submitted plans shall provide for a minimum of 31 spaces, including the provision of disabled spaces, from the construction of the temporary buildings hereby approved and be available for use by the public until Queen Street car park is available for use again.
- iii. Prior to the first use of the temporary school buildings, a Travel Plan shall be submitted and approved in writing. Thereafter, the Travel Plan shall be implemented and monitored by Bohunt Trust to ensure compliance.
- iv. The music room shall be located away from the northern boundary of the site.
- v. Reinststate height barrier.
- vi. Secure suitable replacement tree/hedge planting.
- vii. Reconsider the one way system for dropping off students etc.
- viii. Set up a liaison committee to include the Residents' Association and local residents.
- ix. Ensure that the temporary parking is for residents only and investigate suitable parking enforcement.

The meeting ended at 9.05 pm

Chairman

Appendix

Application Number: AWDM/0398/15	
Site:	Brooksteed Alehouse, 38 South Farm Road, Worthing
Proposal:	Removal of Condition 5 of approved application AWDM/1169/13 'No vertical drinking'; variation of condition 4 opening times Sunday-Thursday 11:30-22:00, Friday-Saturday 11:30-22:30; variation of condition 9 to allow seating for 16 at the premises' front forecourt until 1900 hours only

The Planning Services Manager presented this report and advised Members that, since the papers had been circulated, he had received an additional letter questioning why the proposal description had altered. The Officer advised this was in light of comments made by the Environmental Health Officer contained within the report.

The Officer stated the application sought the removal or variation of conditions upon the permission granted in 2013 which allowed the change of the site to a micropub.

The Members were shown various photos of the site, at varying angles, to give a better idea of the site. The Officer confirmed the outside seating area would run to the edge of the pavement, approximately 5 meters. Within the micropub, the tables would not be removed and it would be limited for standing, approximately 10 to 12 additional people. The outside seating would be limited to allow seating for 16 at the premises' front forecourt until 19.00 hrs.

He advised the business had been a success and part of the reason for the application was that customers had often been turned away because of lack of capacity at the premises due to the seating restrictions. However, he was aware there was a need to protect the amenities of neighbouring properties and character of the surrounding area.

There were further representations from:

Objector: Ward Councillor Bryan Turner

Supporters: Mr Jim Brown
Mr Nicholas Little
Mr Rocco Sepe

The Members discussed this application at length.

To summarise, there was concern raised should tables be removed within the micropub, with the possibly of more profit if all standing. It was felt worth considering limiting capacity but the Officer advised difficult to enforce, and would be more effective if stated seating retained.

Members were divided in their opinion; they wanted this new business to succeed and could see the benefit of vertical drinking, but there was the possibility of increased noise and disturbance caused by outside seating.

One of the Members was concerned about the smoking area. The Officer confirmed the original application was for the rear of the micropub and that remained.

Other Members felt the micropub did not cause detriment to the character of the area and felt support should be given to successful businesses.

It was agreed there remained a necessity to take a balanced approach in the determination.

Decision

That this application be **DELEGATED FOR APPROVAL** to Officers to amend the description and agree with the applicant the number that can be accommodated within the premises for vertical drinking.

For the proposed changes of hours of use, the recommendation was not agreed, therefore the reference to the amendment of condition 4 to be omitted from description of the application and the hours of use remain the same as existing.

It was **AGREED** there be no vertical drinking at the outside seating area. Beverages shall be served only to customers seated at a table at the outside seating area;

AGREED there shall be no more than 16 customers seated in the external area and the hours of use of such seating area shall be restricted to the opening hours as agreed under the terms of the original application, after which time the seating shall be rendered inaccessible to customers; and

AGREED that smoking not be permitted in the seated area and to remain in the existing smoking area at the rear of the building.

Reason: *In the interest of amenity having regard to saved policies H18 and RES7 of the Worthing Local Plan.*

Application Number: AWDM/0624/15	
Site:	Central Pavilion, Beach House Park, Lyndhurst Road Worthing, West Sussex
Proposal:	Change of use from clubhouse to restaurant/cafe (Use Class A3) on the ground floor with associated function space at first floor. New raised decking for use as external seating area to front.

The Planning Services Manager presented this report and referred Members to the Supplementary Report circulated to Members prior to publication of the planning papers. He gave a brief outline of the supplementary report for Members.

The supplementary report included a change to the conditions within the report as follows:-

Recommend that Condition 5 is amended to include requirement for all activity associated with restaurant to cease within 30 minutes of closing time (i.e. by 11.30pm).

Recommend extra condition No.7 to require details of any extraction or ventilation system.

Recommend extra condition No.8 - The level of music played at the premises shall not exceed a level of 55dB LAeq, measured at a height of 1.5m at any position on the boundary of Beach House Park, Lyndhurst Road. No music shall be played outside of the pavilion or relayed to the outside from the pavilion.

Recommend extra condition No.9 - No deliveries to or collections from the premises shall take place other than between 07:30 to 20:00 hours Monday to Saturday and 10:00 to 18:00 hours on Sunday.

Recommend extra condition No.10 - No bottles shall be placed into any outside receptacles after 22:00 hours or before 07:30 hours.

The Planning Services Manager showed Members the layout plans and photographic evidence, and advised he had nothing further to add to the report.

There were further representations made at the meeting:-

Objector: Mr Haydn Jones

Supporter: Mr Seamus Kirk

As advised by the Officer, the Pavilion in Beach House Park was originally constructed in 1925 as a clubhouse for the Bowling Club and Members agreed it was a building of Local Interest.

The Members discussed this application and were concerned as to the quality of materials being used for this renovation, both with regard to the outside furniture as well as the decking. The Planning Services Manager agreed to amend condition 3 to include details of furniture on the decking, any coverings such as umbrellas, together with details of lighting.

One of the Members raised concerns as the report made no mention of a designated smoking area. It was agreed this could be covered by an additional condition.

Decision

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

1. Standard 3 year time limit
2. Approved Plans
3. Materials and finishes to be agreed to include details of furniture eg tables and chairs, any coverings over such furniture, and details of proposed lighting
4. Use as a café/restaurant (Use Class A3) with associated function room
5. Opening hours 8am to 11pm every day. No outside activities/use of terrace before 8am or after 10pm on any day and a requirement for all activity associated with the restaurant to cease within 30 minutes of closing time (i.e. by 11.30pm)
6. Trees to be protected during construction and all foundations to be dug by hand
7. Details of any extraction or ventilation system
8. The level of music played at the premises shall not exceed a level of 55dB LAeq, measured at a height of 1.5m at any position on the boundary of Beach House Park, Lyndhurst Road. No music shall be played outside of the pavilion or relayed to the outside from the pavilion.
9. No deliveries to or collections from the premises shall take place other than between 07:30 to 20:00 hours Monday to Saturday and 10:00 to 18:00 hours on Sunday.
10. No bottles shall be placed into any outside receptacles after 22:00 hours or before 07:30 hours.
11. Details of any smoking area.

The meeting was adjourned at 7.50 pm and reconvened at 8.00 pm.

Application Number: AWDM/1789/14	
Site:	1-3 Warwick Street, Worthing, West Sussex, BN11 3DE
Proposal:	Installation of replacement external self-service machine for HSBC

The Planning Services Manager gave a brief outline of this application for Members. He advised the site related to a prominent corner building at the junction of Warwick Street with South Place and was a building of Local Interest.

The Officer said he concurred with the views of the Conservation Area Advisory Committee within the report and hence the reason for the recommendation for refusal. The Members were in agreement.

Decision

That this application be **REFUSED** for the reason(s):-

The proposed self-service machine would, by reason of its positioning forward of the surrounding glazing, represent a visually discordant form of development integrating poorly and out of character with the architectural character of the Local Interest Building. As such the proposal would fail to preserve or enhance the character of the South Street Conservation Area. The proposal therefore conflicts with Policy 16 Worthing Core Strategy 2011, and the policies of the National Planning Policy Framework 2012.