

Minutes of a meeting of the
Worthing Planning Committee
19 October 2016
at 6.30 pm

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

Councillor Noel Atkins
Councillor Diane Guest
Councillor Paul Westover

Councillor Edward Crouch
Councillor Hazel Thorpe
**Councillor Paul Yallop

** Absent

Officers: Planning Services Manager, Solicitor and Democratic Services Officer

WBC-PC/030/16-17 Declarations of Interest / Substitute Members

Councillor Louise Murphy substituted for Councillor Paul Yallop, and declared an interest in Item 4.4 AWDM/1340/16 as Ward Councillor for Offington.

WBC-PC/031/16-17 Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 21 September 2016 be confirmed as a correct record and that they be signed by the Chairman.

WBC-PC/032/16-17 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

WBC-PC/033/16-17 Planning Applications

The planning applications were considered, see attached appendix.

WBC-PC/034/16-17 Public Question Time

Mr Ted Kennard, representing The Worthing Society, advised the Committee he had recently met with Mr Steve Spinner, the Officer responsible for the audio/visual equipment in the Gordon Room, to look at ways to improve the quality for those attending Committee meetings in the public gallery.

The Officer admitted it was a difficult case to determine hence Members were being requested to consider 3 options, as advised in the report, to regularise the current unauthorised use of the industrial unit.

Members considered the matter and following brief discussion, the Member's preferred option was Option 1 as set out below:-

1. Invite a planning application from the Company to try and regularise the situation (a temporary permission could be granted and conditions imposed linking the use to the adjoining industrial unit).

N.B The planning application to be submitted within 2 months however, should the application not be submitted within the timescale, the matter would be brought back to Committee for further consideration.

WBC-PC/036/16-17 Policy Issues relating to HMOs

The Chairman introduced the Committee report and gave Members a brief outline as to its background.

The Committee were advised Councillors Guest and High had carried out further work in relation to HMOs, and referred Members to an email from the Head of Economic Growth circulated to the Committee on responses to the Government's consultation on extending licensing powers over smaller HMOs.

The Chairman invited Councillor Paul High, as Ward Councillor for Heene Ward, to enter into the Committee's discussion of the report, once the Planning Services Manager had update Members on the latest situation, as outlined in the Committee report.

The Officer referred Members to the recommendation at the end of the report.

The Committee considered the report and following discussion agreed the decision as set out below.

Decision

The Committee **AGREED** points (iii) and (iv) of the Officer's recommendation.

The matter be kept under review by the Local Plan Working Party in light of emerging evidence about the social impact of concentration of various forms of high density housing, and a further report would be presented to the Planning Committee on 26 April 2017 to review the situation.

It was hoped by April 2017 there would be further information in relation to potential changes to legislation, the success or otherwise of controls imposed on new HMOs and further research on the distribution of HMOs and other types of communal housing/care homes across the town and any evidence of harm associated with them.

Members recognised that the work may not be completed by April 2017, but felt that an update would be useful at that point, even if further work was needed.

The meeting ended at 9:00 pm

Application Number: AWDM/1245/16	
Site:	Glawood House, Sompting Road, Worthing
Proposal:	Proposed second floor to provide 9 additional residential units and alterations to ground floor to provide one additional residential unit and managers office (residential units comprising of 3 no. one bedroom flats and 7 no. studio flats).

The Planning Services Manager advised the Committee that no additional information had been forthcoming since despatch of the papers in respect of parking.

He began his presentation by showing Members an aerial view of the application site, highlighting the close relationship to residential properties on the northern boundary, Kingsland Road.

The Officer advised Members the site was located on the western side of Sompting Road, being a 2-storey flat roofed L shaped building, surrounded by residential properties with pitched roofs.

Members were shown a block plan, existing and proposed elevations, and photographs, of varying views, to assist in their consideration of the application.

The Officer advised the applicant had failed to mention whether there would be any additional parking provision and stated one of the objections had been received from a resident at Glawood House concerned no parking was proposed and that existing parking was insufficient. The County Council had been unable to comment and the matter had still not been resolved since publication of the papers. In the absence of any further Highways information the Officer advised they would need to contact them further to ascertain whether they wished to object to the application.

Members were advised the recommendation was for refusal for the reasons set out in the report.

Members raised a number of queries, which the Officer answered in turn.

There were further representations from:-

Objector: Mr Chris Taylor

Ward Councillor: Cllr Paul Baker
Supporter: Mr Mark Best

Members considered the applicant in light of the evidence before them and unanimously agreed the Officer's recommendation to refuse.

Decision

REFUSE planning permission for the following reason:

The proposed development by way of its siting, design and height in close proximity to neighbouring residential properties would adversely affect the amenities of residential properties in Kingsland Road and Wigmore Road to an unacceptable degree and the visual character of the surrounding area. The proposal therefore conflicts with saved policies BE1 and H18 of the Worthing Local Plan and policy 16 of the Worthing Core Strategy and guidance contained within the National Planning Policy Framework.

N.B. Since the Planning Committee meeting, further comment had been received from the County Council in respect of the application as follows:-

In the absence of any highways information, we have nothing to form a robust assessment on; therefore the LHA would object as the LHA are not satisfied that safe and suitable access has been demonstrated in line with paragraph 32 of the NPPF.

Application Number: AWDM/1242/16	
Site:	Tesco Supermarket Former West Durrington Shopping Centre New Road Worthing West Sussex BN13 3PB
Proposal:	AMENDED DESCRIPTION: Variation of Condition 9 of WB/05/0245/OUT and Condition 5 of WB/09/0146/ARM to allow an additional delivery to the Tesco store between the hours of 2300 and 0600.

The Planning Services Manager briefly outlined the application for Members and advised he had nothing further to add to the published report.

Members were shown a site location plan, together with photographs, which included the delivery area, distances from neighbouring properties, and existing fencing/landscaping.

The Officer advised the applicant had requested permanent permission however, it was considered that the impact of one additional delivery to the occupiers of the nearest residential properties between 23:00 hours and 06:00 hours Monday to Sunday should be monitored, hence the recommendation was for approval for a 12 month trial period.

There was one further representation from supporter, Mr Rod Macleod.

Members briefly considered the application and unanimously agreed to agree the Officer's recommendation.

Decision

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

1. Approved Plans
2. No loading, unloading, deliveries, collections or associated delivery vehicle movements shall take place on the site (including the access road to the north of the store or parking areas) other than between the hours of 06.00 hours and 23.00 hours on any day.
3. Notwithstanding the wording of condition 2, one additional delivery shall be allowed between the hours of 06:00 hours and 23:00 hours Monday to Sunday for a temporary 12 month period ending 7th November 2017 after which the one additional delivery outside of these times shall cease or prior to the end of the 12 month period an application for permanent permission to continue delivering during these times shall be made to the Local Planning Authority in writing.

4. No loading, unloading, dispatch, deliveries, collections or vehicle movements associated with Dotcom deliveries shall only be undertaken between the hours of 08:00 hours and 23:00 hours on any day and the cooling process in relation to the Dotcom vehicles shall only be undertaken between the hours of 07:00 hours and 23:00 hours on any day.
5. All delivery/collection vehicles serving the supermarket shall only arrive and depart from the western access off Fulbeck Avenue, other than Dotcom vehicles being moved from the parking area to the east of the District Centre to the delivery yard. The acoustic gates to the Delivery Yard shall be kept closed at all times when not in use to allow ingress or egress of a delivery vehicle.
6. At all times deliveries to the store shall be made in full compliance with the details of the Service Yard Management Plan dated 22.09.16.
7. The premises shall not be open for trade of business except between the hours of 06:00 hours and 00:00 hours Mondays to Saturdays and 10:00 hours and 18:00 hours on Sundays.
8. Retention of shop window display – east and north elevations.
9. Surface water sewer from parking areas and hardstandings susceptible to oil contamination must be passed through an oil separator designed and constructed to have a capacity compatible with the site being drained. Roof water shall not pass through the interceptor. Ongoing maintenance of the interceptor shall be provided in accordance with the manufacturer's instructions.
10. Development retained in accordance with the previously approved scheme to mitigate the loss of habitat caused by the proposed development on the watercourse.
11. Development retained in accordance with the approved details for buffer zone alongside the watercourse to the west of the site.
12. Development retained in accordance with approved details relating to wall around the substation/transformer, the fence around the Dotcom parking area to the south of Canberra Road and the acoustic fence to the rear of No.'s 45 to 49 Canberra Road.
13. Development retained in accordance approved parking provision and maneuvering areas shown on the approved phasing plan. The approved parking and maneuvering areas shall thereafter be only used for this purpose.
14. Development retained in accordance with approved details for the loading and unloading of vehicles and parking of delivery vehicles and this space shall not thereafter be used for any purpose other than for the purposes for which it is provided.
15. No external lighting or flood lighting shall be installed.

16. Development retained in accordance with the approved ventilation system for the extraction and disposal of cooking odours.
17. Development retained in accordance with the previously approved landscaping scheme.
18. Development retained in accordance with the approved acoustic barrier and associated tree and shrub planting along the boundary of the site parallel with Varey Road.
19. Any facilities, above ground for the storage of oils, fuels or chemicals, shall be sited on an impervious base and surrounded by impervious walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. Such facilities shall be constructed and completed in accordance with plans approved by the Local Planning Authority.
20. No additional floorspace shall be provided within the store, including any mezzanine floor, without the prior approval of the Local Planning Authority in an application on that behalf.
21. The level of convenience floor space within the Tesco superstore shall not exceed 3,750 square metres unless approved by the Local Planning Authority in an application on that behalf.
22. The approved District Centre in addition to the superstore floorspace referred to in condition 21 shall provide a minimum of 2,765 square metres for unit shops and shopper café. These unit shops/café shall be located outside of the superstore retail area (i.e. beyond the till area).

Application Number: AWDM/1086/16	
Site:	Glaxo Smithkline Southdownview Way Worthing West Sussex BN14 8QH
Proposal:	The provision of new security fencing to the area west and south of Buildings 25A, B, C, D, E and F.

The Planning Services Manager introduced the report and advised he had nothing further to add since publication.

Members were shown a bird's eye view of the site, plans and photographs and stated Officers felt there would be no adverse impact and supported the proposal.

Members unanimously agreed the Officer's recommendation to approve the application..

Decision

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

1. Implement within 3 years.
2. Build in accordance with approved plans.
3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted a remediation strategy to the LPA detailing how this unsuspected contamination shall be dealt with and obtained written approval from the LPA. The remediation strategy shall be implemented as approved.
4. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
5. Limit construction hours to between 8 am to 6pm Monday to Friday and 9am to 1pm Saturday excluding bank/public holidays.

Application Number: AWDM/1340/16	
Site:	139 Findon Road Worthing West Sussex BN14 0BQ
Proposal:	Front porch to east; single storey north and west extension; boundary wall with fence atop to east (including gates), north west and south east boundaries to a maximum height of 2m.

The Planning stated there was nothing further to add to the published report. The application was required to be determined by the Committee as the applicant was a member of staff and there were no delegation arrangements in place.

Members were shown an aerial view of the site, and the Officer briefly outlined the proposals, including plans and photographs.

The Officer's recommendation was to grant permission.

Decision

That planning permission be **GRANTED**, subject to the following conditions (summary)

1. Implement within 3 years.
2. Build in accordance with approved plans
3. No new windows in north elevation of rear extension.
4. Material to match existing and notwithstanding the submitted drawing hips of porch and extension to use bonnet tiles.
5. Sustainable surface water drainage.
6. Gates to be inward opening only

TREE PRESERVATION ORDERS

1

TPO 1 of 2016

Site: Greenwood Crockhurst Hill Worthing BN13 3EE

Proposal: Confirmation of Worthing TPO No.1 of 2016

The Planning Services Manager briefly outlined the proposal, showing Members photographs of varying views of the site.

The Officer advised the Tree Preservation Order would not prevent any future applications for surgery to the tree, if considered appropriate, but would provide protection that the tree could not be removed without consideration by the Council.

Officers considered that tree presence should be maintained in the Conservation Area and the Order would ensure this.

Members unanimously agreed the Officer's recommendation.

Decision

That the Worthing Tree Preservation Order No.1 of 2016 be confirmed as made.

2

TPO 3 of 2016

Site: East of Garage Block North of 10b Western Row

Proposal: Confirmation of Tree Preservation Order Number 3 of 2016

The Planning Services Manager outlined the proposal for Members, which included sight of an aerial view of the site and photographs.

The Order referred to a Goat Willow tree, west of the rear garden of 17 Western Place, Worthing. The tree was one of few trees in the area and sat within a Conservation Area.

The Officer stated that whilst the concerns of the objector were noted, the TPO would not prevent the consideration of a future application to restrict the size and spread of the tree.

The recommendation was to confirm the Order.

There was one further representation from an objector, Mr Scott Winterberg, a direct neighbour.

Following the representation, a number of queries were raised by Members, which the Planning Services Manager answered in turn.

The Committee considered the matter further and sympathised with the objector's comments. The Members agreed the matter should be deferred to receive further evidence, to include the tree surveys undertaken by the objector, and response from the Arboricultural Officer.

Decision

That Worthing Tree Preservation Order Number 3 of 2016 be **DEFERRED**.

The Committee requested that more information be submitted/included in a future Committee report, including the tree surveys previously undertaken by the objector, Mr Winterberg, and a response from the Arboricultural Officer in respect of these surveys assessing the safety/future health of a tree.

This further information to be considered at a future Planning Committee meeting, in the next 6 months. The TPO would have to be confirmed by 12 January 2017 (within 6 months of provisional TPO) so it would have to come back to the Committee by 14 December as Committee in January is after the 6 months.