

Minutes of a meeting of the
Worthing Planning Committee
18 January 2017
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/042/16-17 Substitute Members

There were no substitute Members.

WBC-PC/043/16-17 Declarations of Interest

Councillor Paul Westover declared an interest in 4.1 112-114 Chapel Road, Worthing as Ward Councillor.

Councillor Vicky Vaughan declared an interest in 4.2 Unit 6, Northbrook Trading Estate, Worthing as Ward Councillor.

WBC-PC/044/16-17 Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 14 December 2016 be confirmed as a correct record and that they be signed by the Chairman.

WBC-PC/045/16-17 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

WBC-PC/046/16-17 Planning Applications

The planning applications were considered, see attached appendix.

There were no questions raised under Public Question Time.

The meeting ended at 7:50 pm

Application Number: AWD/1542/16	
Site:	112-114 Chapel Road, Worthing, West Sussex BN11 1BX
Proposal:	Proposed demolition of existing buildings (Bunces Home Hardware Store) and construction of a mixed-use development comprising 32 No. residential dwellings and 235 square metres (GIA) commercial floorspace with the potential for A1 (shops), A2 (professional and financial services), B1a/b (offices etc) and D1 (medical) uses in the form of a part 3, 4 and 5 storey building together with associated parking, landscaping and re-location of the site access from Chapel Road to Lennox Road.

The Planning Services Manager advised the Committee of amendments to the proposed conditions since the papers were published. Condition 4 - work undertaken on the site to commence at 8am to include Saturday due to the central location of the site, and 17 and 18 - prior to above ground construction rather than pre-commencement of development.

Two further letters had been received since publication of the papers; one letter of comment requesting access to the rear of 116 to be provided and maintained and one advising 12 parking spaces would not assist in relieving parking problems in the area.

The Officer referred to a typographical error on page 7 which should read 32 flats and not 33, and to the final paragraph on page 30 concerning Community Infrastructure Levy (CIL). He advised discussions had taken place and the requisite amount would be between £80-90,000, which had been agreed by the applicant.

The Planning Services Manager outlined the application by showing Members a bird's eye view of the site, various photographs, proposed block plan, elevations and floor plans. There would be soft landscaping at the front and rear of the mews and by the north west corner of the car park.

The Committee were advised Officers found the scheme acceptable and the recommendation was for approval.

There were further representations from:

Objector: Mrs Syphas
 Supporter: Mr Chris Barker

Following each of the representations, made by the neighbour and agent, the Members raised a number of queries for clarity, which were answered in turn. An extra condition was agreed for the provision and maintenance of a secure gate to the Chapel Road entrance in accordance with details to be submitted and approved.

Members considered the application and felt the scheme was well designed; an attractive building and a welcome addition to the area. However, comments were made regarding parking in the area, even though the scheme was in a sustainable location and the Highway Authority had raised no objection.

The Committee's main concern was the lack of affordable housing with the scheme and requested Officers provide a fuller breakdown of figures should there be a similar lack of affordable housing provision on other schemes in the future.

Decision

That the decision in this case be delegated to the Head of Planning and Development to secure a Legal Agreement in respect of development contributions towards off site affordable housing as agreed with a view to planning permission being granted subject to the following conditions:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out in accordance with the following approved plans unless specified by any other conditions attached to this planning permission.
03. No development shall commence unless and until Construction and Demolition Method Statement, including dust emissions, has been agreed and all demolition and construction shall comply with this.
04. No work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or on Bank or Public Holidays. On all other days such work shall only be implemented between the hours of 8.00 a.m. and 6.00 p.m. inclusive, except between 8am to 1pm on Saturdays.
05. No demolition of existing buildings or other development shall commence within the site until:
 - a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
 - b) The approved programme of archaeological work has been carried out in accordance with the approved details.

06. No D1 use shall be allowed except D1(a) medical or health services
07. No residential dwelling or commercial unit shall be occupied unless and until the accesses, parking and turning space as designated in the approved plans have been provided and the redundant access points closed and stopped up in accordance with The Highway Authority's requirements. Thereafter the said provision shall be retained.
08. No dwelling hereby approved shall be occupied unless and until a *scheme* for protecting the residential units from traffic noise has been submitted to and approved by the local planning authority. All works which form part of the scheme shall be completed in accordance with the approved details before the development is occupied. The scheme shall be designed to achieve the Good standard within BS8233:2014 to minimise noise in residential dwellings.. Following approval and completion of the scheme, a competent person employed by the developer shall undertake a test to demonstrate that the above standard is met and the results submitted to and approved by the local planning authority.
09. No dwelling hereby approved shall be occupied unless and until a scheme for protecting the first floor flats from noise from the commercial unit below has been submitted to and approved by the local planning authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall be designed to achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB
10. All deliveries to and collections from the commercial units are restricted to 07:00 to 20.00 Monday to Saturday and 09:00 to 18:00 on Sunday.
11. No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the approved drawing.
12. No part of the development shall be first occupied until such time as the existing vehicular access onto Chapel Road has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.
13. No part of the development shall be first occupied until visibility splay of 2.4 metres by 25 metres has been provided at the proposed site vehicular access onto Lennox Road in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.
Reason: In the interests of road safety.
14. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
15. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plans

16. No part of the retail store shall be first occupied until such time as until a Servicing Management Plan for has been submitted and approved in writing by the Local Planning Authority. This shall set out the arrangements for the loading and unloading of deliveries, vehicles used to service the site and frequency of servicing, and set out arrangements for the collection of refuse and recycling. Once occupied the use shall be carried out only in accordance with the approved Plan.
17. Prior to above ground construction, finalised details of surface water drainage designs and calculations for the site, based on sustainable drainage principles, and details of foul water sewage for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should clearly demonstrate that the surface water runoff generated up to and including the 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event. As part of the proposal is to dispose of surface water via infiltration methods, these should be shown to be suitable through an appropriate assessment carried out under the methodology set out in BRE Digest 365 or equivalent.
18. Prior to above ground construction, full details of the maintenance and management of the SUDs system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.
19. No dwelling or commercial use shall be occupied unless and until the domestic and commercial waste/recycling storage and access, including loading and unloading, for refuse/recycling collection vehicles has been provided in accordance with the approved plans or as amended under condition 15 or any other condition attached to this permission . Thereafter the facilities shall be retained.
20. Provide and retain access to rear of 116-120 Chapel Road and provide domestic waste and recycling storage facilities as shown on approved plans.
21. Provide solar panels and green roofs prior to first occupation.
22. Agree architectural details; facing materials; hard landscaping and boundary treatments
23. No new plant or machinery shall be installed unless and until a scheme has been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with any such approval. The approved machinery/plant shall be maintained thereafter in accordance with the manufacturer's instructions.
24. The Mews block west facing lower part (up to 1.1m high) first floor windows and the balcony screens at first and second floor levels shall be obscure glazed.
25. Details of the external lighting.

26. No works unless and until investigations and any necessary remedial works undertaken in respect of land contamination.
27. The provision and maintenance of a secure gate to the Chapel Road entrance in accordance with details to be submitted and approved.

It is also resolved that if the applicant subsequently decides not to sign the Legal Agreement, the Head of Planning and Development be authorised under delegated powers to refuse the application.

Application Number: AWD/1581/16	
Site:	Unit 6 Northbrook Trading Estate, 20 Northbrook Road, Worthing
Proposal:	Retrospective application for Change of Use from B1 to D2 (Assembly and Leisure) for classed based martial arts and fitness studio.

The Planning Services Manager advised nothing further to add to the report since publication.

A bird's eye view of the site, floor plan and photographs were shown to Members, and the Officer briefly outlined the proposal. The application had been submitted following an investigation by the Council's Enforcement team who had established planning permission was required for the change of use.

The applicant was seated in the public gallery and requested to speak despite not registering his intention. The Chairman allowed Mr Dean Evans to address the Committee.

Following Mr Evans' representation, Members considered the application and whilst they sympathised with his situation, recognised Worthing had an insufficient supply of industrial floor space to meet current and future needs.

The Committee therefore agreed the Officer's recommendation to refuse permission but requested the Economic Development team assist in relocating his business.

Decision

That planning permission be **REFUSED** for the following reason:

The retention of the D2 use would result in the loss of a viable business premises on a protected industrial estate to the detriment of the local economy and spatial strategy, contrary to Core Strategy Policy 4, guidance contained within the Sustainable Economy Supplementary Planning Document and the National Planning Policy Framework.

The Committee are further requested to authorise the serving of an Enforcement Notice to require the cessation of the use of the land as a martial arts studio and to remove all equipment, apparatus and furnishings used in connection with the unauthorised use with a time for compliance of 6 months after the notice takes effect.