

Minutes of a meeting of the
Worthing Planning Committee
27 April 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: Head of Planning & Development, Solicitor and Democratic Services
Officer

WBC-PC/068/16-17 Substitute Members

There were no substitute Members.

WBC-PC/069/16-17 Declarations of Interest

Councillor Vicky Vaughan declared a pecuniary interest in item 5.1 AWDM/0202/17, 6 New Street, as the applicant was a business client and elected to leave the room when the item was considered.

Councillor Noel Atkins declared an interest in item 5.1 AWDM/0202/17, 6 New Street, having frequented the restaurant many times.

Councillor Edward Crouch declared a pecuniary interest in item 5.2 AWDM/1840/16, O'Brien of Worthing, as a paid Director of Worthing Homes and elected to leave the room when the item was considered.

Councillor Paul Westover declared an interest in items 5.1 AWDM/0202/17, 6 New Street, and 5.3 AWDM/0181/17 as Ward Central Councillor.

Councillor Kevin Jenkins declared an interest in item 5.1 AWDM/0202/17, 6 New Street, as one of the speakers, Mr Simmonds, had been a work colleague some time ago however, the Councillor had had no contact since.

WBC-PC/070/16-17 Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 22 March 2017 be confirmed as a correct record and that they be signed by the Chairman.

WBC-PC/071/16-17 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

WBC-PC/072/16-17 Planning Applications

The planning applications were considered, see attached appendix.

WBC-PC/073/16-17 Public Question Time

There were no questions raised under Public Question Time.

The meeting ended at 9:00 pm

Application No: AWDM/0202/17	
Site:	6 New Street, Worthing
Proposal:	Variation of condition 3 of approved application WB/05/0225/Full to change opening times to Monday-Thursday: 1 hour longer trading from 8.00am - 1.00am; Friday- Saturday: 2 hours longer trading from 8.00am-2.00am; Sunday and Bank holidays 1 hour longer trading from 8.00am - 24.00 hrs.

Cllr Vicky Vaughan left the room for the item.

The Head of Planning & Development began his presentation by showing Members an aerial photograph of the site and a number of photographs to highlight the premises' relationship with other commercial and more particularly, residential properties.

The Officer stated the key issue was balancing the desire of the applicant to extend the hours of use and what impact this had on the nearby residential community.

The Officer referred Members to the addendum, which had been circulated since the agenda and reports had been despatched, and included an additional supporting statement from the Chamber of Commerce and additional consultation response from the Police.

The Committee were advised the applicant had not sought to regularise the outside seating and drinking area on the forecourt of the restaurant in order to address concerns from neighbouring properties.

Members were referred by the Officer to the number of representations received, both from objectors and supporters, which were summarised within the report.

The Officer advised the applicant did not intend to serve any additional customers at the premises, but simply allow customers the opportunity to continue their evening in the same venue. He advised no new customers would enter the premises after 11.30pm.

Officers felt that opening the restaurant until 2am on Friday and Saturday would be too intrusive for neighbours and could not be accepted however, a compromise proposal had been reached, which was outlined in the Officer's recommendation at the end of the report. The recommendation was also subject to a number of conditions, some of which had been agreed following discussions with Environmental Health in respect of noise mitigation, use of waste bins and bottle recycling bins, which were close to the boundary with neighbouring properties.

The Officer briefly referred to the licence that had recently been granted, together with the conditions attached, and also the conflicting views of the police. He advised the police had recently raised some concerns with the planning application, even though, following mediation, they had not objected to the licensing application. As the police were a statutory consultee, Officers felt they should address the issues before making a decision.

The Officer's recommendation was for approval.

There were a number of questions raised by the Committee, both directed at the Officer and registered speakers, which were answered in turn.

There were further representations from:

Objectors: Ms Amanda Warren
Ms Heather Massey

Supporters: Ms Sharon Clark
Mr Doug Simmonds
Mr Andrew Sparsis

Following the representations, the Committee Members considered the application at length..

In summary, Members were sympathetic with neighbours' concerns regarding the proposed extensions to the operational hours, but understood the applicant's wish to secure the future of his business. The Committee were in agreement the restaurant was an integral part of Worthing town centre, and as the permission would be for no more than a year to allow for the proposed new arrangements to be trialled, monitored and reviewed, the majority of Members agreed the Officer's recommendation to grant permission, subject to amendment to conditions 9, 10 and 12 and an extra condition limiting live music at the venue apart from New Year's Eve.

Decision

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

1. The premises shall not be open for trade or business except between the hours of 08:00 to 01:00 Mondays to Saturdays and 09:00 and 24:00 on Sundays or on Bank or Public Holidays up until 30.4.2018, after which the premises shall not be open for trade or business except between the hours of 08:00 to 24:00 Mondays to Saturdays and 09:00 and 23:00 on Sundays or on Bank or Public Holidays.
2. The use shall not operate other than with the boundary treatment approved under condition discharge of WB/05/0225/FULL.
3. The use hereby permitted shall not be carried on other than with the means of ventilation for the extraction and disposal of cooking odours approved under the condition discharge of WB/05/0225/FULL and this equipment shall be retained as such thereafter and maintained in accordance with the manufacturer's instructions.
4. The premises shall be used only as a restaurant or cafe and for no other purpose, including any other purpose in Use Class A3 or A5 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).
5. The use hereby permitted shall not be carried on other than with the sound insulation scheme approved under the condition discharge of WB/05/0225/FULL.
6. The forecourt of the building shall not be used as an outdoor eating or drinking area in connection with the approved use or any other use and no tables or chairs shall be placed in the forecourt.
7. The premises shall not operate other than with the design, siting and facing materials of the elevations, roof and ventilation flue as approved under the condition discharge of WB/05/0225/FULL.
8. No bottles or waste/recycling shall be placed outside of the building between 9pm and 8am the next day and the southern side door shall be kept shut at all at these times.
9. A scheme for a designated smoking area, away from No 4 News Street, shall be submitted for approval by the Local Planning Authority and any scheme agreeable to the Local Planning Authority shall be implemented within 4 weeks of such notification and retained thereafter. The extended hours only permitted after the implementation of conditions 9 and 12.
10. No new customers shall enter the premises between 11.30pm and 8am the next day.
11. No external air conditioning unit or condenser shall operate between midnight and 8am the next day.
12. A Noise Management Plan shall be submitted for approval by the Local Planning Authority and any scheme agreeable to the Local Planning Authority shall be implemented within 4 weeks of such notification and retained thereafter. The extended hours only permitted after the implementation of conditions 9 and 12.
13. No live music after 12.00 midnight, except on New Year's Eve.

Application No: AWDM/1840/16	
Site:	O'Brien of Worthing, Pages Corner, Ham Road
Proposal:	Demolition of existing removals storage building and erection of nine dwellings, comprising a terrace of five 2-bedroom houses on northern part of site and a two-storey block of four 1-bedroom flats on the southern part with communal garden area in between and associated bin and bike stores.

Councillor Vicky Vaughan returned to the meeting room.

Councillor Edward Crouch left the room and did not stay for the remainder of the meeting due to another appointment that evening.

The Committee were shown an aerial photograph of the area and the Officer highlighted the close proximity of The Range to the site. Further photographs were shown which illustrated access to the proposal would be from Ham Road, across the site of rear servicing and car parking for The Range.

The Head of Planning & Development outlined a number of issues raised with regard to the proposal, which included the lack of a dedicated footpath access to the site, loss of employment space and the impact on amenities of residential neighbours and quality of living environment for future residential occupiers of the development.

Members were shown the block plan and elevations for the proposal, and Officers felt the scale and design was acceptable.

The Officer stated comments had been received from the Environmental Health Manager concerned the proposed site was to be located immediately opposite the rear service yard of The Range. It was felt vehicles arriving and departing would create noise and have a significant adverse effect on the amenity of future residential occupiers.

The Head of Planning & Development advised the provision of affordable housing was greatly welcomed at a time of increasing need however, the principle of the loss of business use could not be justified. Officers felt appropriate marketing had not taken place, and that existing industrial sites needed to be protected.

The Officer's recommendation was for refusal.

Members raised queries on the presentation, which the Officer answered in turn.

There were further representations from:

Supporters: Mr Nick Antoniou
Mr Damien Haley
Mr Marcel Hoad

The Solicitor addressed the Committee Members on the issue of marketing, and reminded Members of the Sustainable Economy Supplementary Planning Document.

Members agreed the proposal made a small, but welcome, contribution to relieving the housing need, particularly for affordable housing however, the majority of Members raised concerns regarding access to the proposal, due to the site being landlocked and felt they had received no compelling evidence why the employment site should be lost.

The majority of Members agreed the Officer's recommendation to refuse the application.

Decision

That planning permission be **REFUSED** on the following grounds: -

1. The proposal would result in the unjustified loss of business premises to the detriment of the local economy and contrary to Core Strategy Policy 4 and allied Supplementary Planning Document: Sustainable Economy and the National Planning Policy Framework.
2. The proposal would by reason of its backland location, proximity to business uses, car parking, circulation, and servicing areas; its layout, and design and its access arrangements poorly relate to its surroundings and provide a poor quality of environment and access for future occupiers in conflict with Core Strategy policy 8 and Guide to residential development SPD, Saved Worthing Local Plan Policy H18 and the National Planning Policy Framework and Planning Practice Guidance and Local Transport Note 1/04.

Application No: AWDM/0181/17	
Site:	Connaught Theatre, Union Place
Proposal:	Advertisement Consent for the display of two vinyl signs to east elevation.

Members were shown a photograph of the site, and the Officer indicated where the posters would be sited on the wall of the Connaught Theatre. The Committee were advised the application was part retrospective.

Officers felt that although the posters were large, their size was proportionate to the scale of the fly tower and would break up the expanse of the wall.

A temporary advertisement consent was sought until 31 August 2017, although the Officer felt that if Members found the signage visibly acceptable they could consider extending that period.

The Officer's recommendation was for approval.

Members felt the posters enhanced the wall and was a good use of the space, but agreed to keep condition 2, to allow temporary consent until 31 August 2017.

Decision

That planning permission be **APPROVED**, subject to conditions:-

1. Standard advertisement conditions 1-5
2. Removal by 31 August 2017
3. Drawing numbers

Application No: AWDM/0518/17	
Site:	Worthing Sailing Club, 1 Sea Place
Proposal:	Proposed enclosure of open plan decking at first floor beach level.

The Officer gave a brief outline of the application and Members were shown an up-to-date aerial photograph of the site and proposed elevation plan.

The Officer advised Worthing Sailing Club owned the building but paid a ground rent to Worthing Borough Council, who owned the land.

The recommendation was for approval.

Members were happy to agree the Officer's recommendation.

Decision

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

1. Standard time limit
2. Approved Plans
3. Exterior painted to match existing

Application No: AWDM/1921/16	
Site:	25 Broadwater Road, Worthing
Proposal:	Change of use from 2 x 4no. bedroom semi-detached dwellings to 7 no. one bedroom and 3 no. two bedroom flats/maisonettes with the addition of a second floor (no's 25 and 27 Broadwater Road).

Members were shown an aerial view of the site and advised the proposal was to alter, extend and convert the properties to form 10 flats.

The Officer outlined the proposal and advised Members it was a site where permission had previously been granted for a pair of properties to the rear, and clarified that development on that part had now started.

Members were shown a proposed block plan and floor plan, and advised the key issues were whether the more restricted curtilage and number of properties being created was acceptable in terms of parking and amenity space and whether complied with internal space standards.

The Officer advised the Local Highway Authority were seeking clarification on a number of points, although the Officer had taken advice from the Council's parking team who had assessed the demand for parking in the area. It was felt any parking proposed within the curtilage would limit amenity space for the 10 flats, and there could be safety issues with extra on-street parking.

The Officer's recommendation was for refusal.

The Committee agreed the reasons the Officers had put forward for refusal and therefore supported the Officer's recommendation to refuse.

Decision

That planning permission be **REFUSED**, for the following reasons:-

1. The proposal would by reason of the size, form and design of the reconfigured and enlarged roof and its prominent position appear top heavy, alien, discordant to the detriment of the period and vernacular character of the properties and the quality and character for the townscape. As such it fails to respect local distinctiveness and is contrary to Core Strategy Policy 16 and the National Planning Policy Framework.
2. The proposal has failed to demonstrate that the absence of on-site parking would not

lead to displaced parking pressure onto the adjacent streets and junction to the detriment of road safety and neighbour residents amenity. Provision on site would be at the material expense of already substandard external amenity space as set out in (1) above. As a result the proposal is contrary to Saved Local Plan policy H18 and the National Planning Policy Framework and WSCC Guide to Residential Development; West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003); West Sussex 'Guidance for Parking in New Residential Developments' and 'Residential Parking Demand Calculator' (WSCC 2010).

3. The proposed flats are substandard in terms of Technical housing standards – nationally described space standard - for one bedroom, two person flats and external amenity space in respect of Worthing Supplementary Planning Document, Space Standards. As such, they would not provide future occupiers with acceptable living conditions and are contrary to Core Strategy Policy 8, Saved Local Plan policy H18; Worthing Supplementary Planning Document, Space Standards and the National Planning Policy Framework (paragraph 17).
4. The proposal has failed to provide for the requisite affordable housing planning obligation and failed to make any justification for such. As such it is contrary to Core Strategy policy 10.
5. The proposal has failed to demonstrate it makes adequate provision for sustainable surface water drainage contrary to Core Strategy Policy 15 and the National Planning Policy Framework and Planning Practice Guidance.

Application No: AWDM/0267/17	
Site:	Glaxo Smithkline, Southdownview Way
Proposal:	Provision of replacement temporary Biotechnology Development Labs using a single storey modular building in land north of Building 19D.

The application was withdrawn as the applicant was not proceeding with the development.