

Minutes of a meeting of the  
Worthing Planning Committee  
14 March 2018  
at 6.30 pm

Councillor Paul Yallop (Chairman)  
Councillor Vicky Vaughan (Vice-Chairman)

Councillor Noel Atkins  
Councillor Joshua High  
Councillor Paul Westover

Councillor Paul Baker  
Councillor Hazel Thorpe  
Councillor Steve Wills

\*\* Absent

**Officers:** Planning Services Manager, Lawyers and Democratic Services Officer

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**WBC-PC/060/17-18      Substitute Members**

There were no substitute Members.

**WBC-PC/061/17-18      Declarations of Interest**

Councillor Paul Baker declared a pecuniary interest in Item 5.1, 22 Lyndhurst Road, as his wife worked indirectly for Roffey Homes and therefore elected to leave the room for that item. For Item 5.3, 88 Bramley Road, Councillor Baker advised he was Ward Councillor, and acquainted with the objector, Mark Sanderson, but came to the meeting with an open mind.

Councillor Hazel Thorpe declared a personal interest in Item 5.1, 22 Lyndhurst Road, as the company Lizard Landscape was mentioned within the report, and advised the Council may be working with them in the near future.

Councillor Vicky Vaughan declared an interest in 5.3, 88 Bramley Road, as Ward Councillor, but came to the meeting with an open mind.

**WBC-PC/062/17-18      Minutes**

**RESOLVED**, that the minutes of the Planning Committee meeting held on 7 February 2018 be confirmed as a correct record and that they be signed by the Chairman.

**WBC-PC/063/17-18      Items Raised Under Urgency Provisions**

There were no items raised under urgency provisions.

**WBC-PC/064/17-18      Planning Applications**

The planning applications were considered, see attached appendix.

**WBC-PC/065/17-18      Public Question Time**

There were no questions raised under Public Question Time.

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The meeting ended at 9.00 pm

Application No. AWDM/1518/17	
Site:	<b>22 Lyndhurst Road, Worthing</b>
Proposal:	Demolition of existing building and erection of three to four-storey block of 30 flats comprising 4no. one-bedroom, 24no. two-bedroom and 2no. three-bedroom units all with balconies with provision of bin and cycle storage and under croft access to car parking area, new vehicular access onto Lyndhurst Road and removal of trees and associated landscaping.

The Chairman advised the Committee the application had an exempt appendix and a Member had indicated to him prior to the meeting that he may wish to speak on the appendix.

The Chairman agreed the Planning Services Manager run through his presentation on the matter; allow the registered speakers to make their representations and following those representations would confirm whether the Member still required to speak on the exempt Appendix. Should he still wish to do so, the press and public would be excluded from the meeting for the Committee debate on the exempt appendix.

The Chairman also referred Members to a late addendum circulated to Members prior to the Committee.

*Councillor Paul Baker left the room before the presentation on the item.*

As there was an addendum to the committee report, which had been handed round to the Members at the start of the meeting, the Planning Services Manager summarised the contents for the Committee.

The Officer advised a further representation had been received from Office 1, 19 Farncombe Road, objecting to the application on highways grounds i.e. under provision of parking for the development.

The Highways Authority, West Sussex County Council (WSSCC), had made a further consultation response following receipt of further information from the applicant and had since withdrawn their objection, recommending approval subject to conditions. The County Council had suggested eight conditions, most of which Members were familiar with, but one condition, unusually requested, was the requirement to alter the Traffic Regulation Order (TRO), prior to commencement of the development. The Officer was of

the opinion that that condition could not be justified and should Members decide to grant permission, his advice was the condition not be imposed.

The Officer advised Members the recommendation had been altered, still to refuse the application, but with the first reason only as shown in the addendum.

The Planning Services Manager summarised the committee report, and Members were shown a bird's eye view of the site, existing block plan, site location plan, proposed elevations, floor plans, the amended Design & Access Statement, Landscape Master Plan, and a number of photographs.

The Officer's recommendation was for refusal with the first reason only as stated within the addendum.

The Committee raised a number of queries with the Officer, which were answered in turn.

There were further representations from:

Objectors: Susan Belton  
Scott O'Connell  
Edmund Curtis

Supporters: Chris Barker  
Nick Lomax  
Ben Cheale

A Member raised a question with the applicant, Mr Cheale, as to why retirement homes had been proposed for the scheme. The applicant stated he felt there was a very strong need in the town for modern retirement flats which could be easily converted for those with disabilities at a later time to allow residents to stay in their homes longer.

The Chairman reminded Members that one Member of the Committee wished to speak on the exempt appendix and therefore the Legal Officer advised the Committee on the best way to proceed. The Lawyer stated:-

*'As Members will be aware this report does contain some exempt information and if Members do wish to discuss it then a recommendation, as the Chair has pointed out, will need to be moved and seconded by the Committee to take that matter there. The reason for the information being exempt is that it does contain confidential financial information relating to the applicant which is one of the express exemptions under the 1972 Local Government Act for going into an exempt session. If Members were to raise those issues*

*during an open debate then the Council could be placed at risk of challenge, including a challenge of a financial nature’.*

Following receipt of the advice from the Legal Officer, Councillor Paul Westover proposed that the Committee go into closed session. Councillor Joshua High seconded the proposal and the majority of the Committee agreed to go into closed session, as per the wording under item 7 of the agenda, with the exclusion of the Press and Public.

The Chairman requested all public and press leave the public gallery apart from other Councillors attending the meeting.

The Chairman adjourned the meeting at 7.20pm and reconvened at 7.40pm to discuss the exempt appendix in closed session.

Up-to-date Computer Generated Images (CGIs) were shown by the Planning Services Manager for the Committee’s consideration at the request of the applicant’s agent.

The Committee debated the application at some length, and the key issues raised included:-

- height, massing and design of the development;
- impact on amenity of neighbours; and
- planning obligations, CIL and absence of affordable housing, development viability.

The majority of the Committee voted to defer the application in an effort to resolve their concerns on design/bulk/massing of the development.

## **Decision**

That the application be **DEFERRED** for further negotiation to seek to resolve design/bulk/massing concerns.

Application No. AWDM/0151/18	
Site:	<b>Multi Storey Car Park, Railway Approach, Worthing</b>
Proposal:	Construction of a 66 space temporary public car park with 3no. 3m high lighting columns on the approximate footprint of the demolished Teville Gate multi-storey car park using the existing vehicular access from Railway Approach with 2.4m high palisade fencing with lighting along the northern boundary and realignment of the existing solid hoarding with lighting along the southern boundary.

*Councillor Paul Baker returned to the meeting at 8.10pm.*

The Planning Services Manager advised Members of outstanding matters from the County Council which had now been resolved, and that therefore from a highways perspective no objection was raised subject to conditions outlined by the Officer.

The Committee were shown a bird's eye view of the site, proposed site plan and proposed car park and the Officer briefly outlined the application for Members' consideration.

The Officer advised the recommendation was to grant permission subject to the expiry of the consultation period on 19 March and the addition of conditions suggested by WSCC Highways.

Members unanimously agreed the Officer's recommendation to grant permission..

### **Decision**

That permission be **GRANTED**, subject to the expiry of the consultation period on 19 March 2018, conditions outlined within the report and additional conditions suggested by WSCC Highways:-

1. Temporary permission 1 year
2. Dust suppression details to be agreed
3. Lighting spillage details to be agreed
4. Contaminated land precautionary condition
5. Hours of construction works to be agreed
6. Access (details approved, access provided prior to first occupation)  
No part of the development shall be first occupied until such time as the vehicular access serving the development has been provided in accordance with the approved drawing.  
Reason: In the interests of highway safety.

7. Layout of site (details approved, to be provided prior to first occupation)  
No part of the development shall be occupied until it has been constructed in accordance with the approved drawings.  
Reason – In the interest of highway safety.
8. Structures within (and adjacent to) the site and footpath construction (details to be submitted for approval)  
Development shall not commence until plans and details of the proposed retaining wall structure (and any other structures adjacent required to be constructed alongside the proposal) and associated footpath between the site and the supermarket service access road have been submitted to and approved by the LPA after consultation with the CHA. Once agreed, such details shall be constructed as-per the approved plans.  
Reason – To ensure appropriate design of the proposal and in the interest of highway safety.
9. Construction Management Plan (details to be submitted for approval)  
No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-
  - the anticipated number, frequency and types of vehicles used during construction,
  - the method of access and routing of vehicles during construction,
  - the parking of vehicles by site operatives and visitors,
  - the loading and unloading of plant, materials and waste,
  - the storage of plant and materials used in construction of the development,
  - the erection and maintenance of security hoarding,
  - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
  - details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

***Informatives:***

***Section 59 of the 1980 Highways Act - Extraordinary Traffic***

The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Area Highway Engineer in order to commence this process.

***Section 278 Agreement of the 1980 Highways Act - Works within the Highway***

The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

### ***Temporary Works Required During Construction***

The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

### ***Temporary Developer Signage***

The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.



Application No. AWDM/1957/17	
Site:	<b>88 Bramley Road, Worthing</b>
Proposal:	Change of Use from private residence to independent psychology practice for a temporary period of 5 years (retrospective).

The Planning Services Manager advised there was nothing further to add to the committee report.

The Members were shown a bird's eye view of the site, location and block plans, and floor plans which showed the layout of the building, with the conservatory to be utilised as a waiting room.

The Officer also referred to photographs of the street at varying times of the day and to photographs taken by Mr Sanderson, an objector to the change of use. Mr Sanderson's objections were in connection with disturbance to neighbours and car parking difficulties.

The Officer outlined the application for Members and advised the recommendation was for approval.

Two Members raised a couple of queries with the Officer, which were answered in turn.

There were further representations from:

Objector: Mark Sanderson

Supporter: Richard Maile

Some Members raised queries with Mr Maile, which he answered in turn to their satisfaction.

The Committee considered the application and noted that the retrospective application was subject to submission of a Management Plan. The Officer advised the Plan would give the Council a remedy should there be a breach of any of the conditions set down.

Members concluded their discussion and agreed to the temporary permission for five years however, an amendment was agreed in respect of condition 3 i.e. that the latest time for seeing patients be 5.30pm instead of 6pm which had been recommended by Officers.

## Decision

That permission be **GRANTED**, subject to the following conditions:-

1. Temporary Permission – 5 years
2. Use as a psychology practice only
3. Restriction on hours – no patients to be seen outside of 0900 to 1730 hours  
Monday to Friday
4. Submission of Management Plan

Application No. AWDM/1505/17	
Site:	<b>19 Winchester Road, Worthing</b>
Proposal:	Conversion of existing dwelling house to create 4no. flats comprising 3no. two-bedroom and 1no. one-bedroom flats with raised patio areas for each of the two ground floor flats and balconies above the existing rear extension for the two first-floor flats all on the rear (south) elevation and associated alterations to windows and doors, bin and bike storage and provision of six car parking spaces on existing frontage.

The Planning Services Manager advised an amendment to the description of the proposal which should read 2 x 2 bed and 2 x 1 bed and not as printed at the top of the report.

A bird's eye view of the site, site location plan and elevations were shown to the Committee and the Officer advised the property had been used as a House in Multiple Occupation (HMO) in the recent past.

The Officer advised there would be a slight amendment to the recommendation as the entrance to flat number 4 had since altered and the agent had recently realised he had not submitted the most up-to-date plans. The Officer confirmed the amended plans would be registered officially on the file.

The Officer's recommendation was for approval.

There were no further representations.

Following a short debate, the Committee unanimously agreed the Officer's recommendation to approve.

### **Decision**

The Committee **APPROVED** the application, subject to the following conditions:

1. Approved Plans
2. Standard 3 year time limit
3. External materials to match existing
4. No windows to be formed in west side wall
5. Provision and retention of car parking spaces
6. Provision and retention of cycle store

7. Provision for storage of refuse/recycling bins to be made on the site prior to first occupation and thereafter retained
8. Rear garden to be sub-divided and gated access to the rear garden area for the first-floor flats to be implemented prior to first occupation
9. Surface and foul water drainage details.
10. Details of boundary treatment, walling to the front and fencing between gardens
11. Details of hard surfacing to the front

### **Informatives**

1. Pro-active – amendment
2. New address
3. Southern Water

Application No. AWDM/1878/17	
Site:	<b>Multi Storey Car Park, High Street, Worthing</b>
Proposal:	Replacement glazing to north, south and west elevations of the west lift tower and staircase.

The Planning Services Manager advised there was nothing further to add to the report since publication and briefly outlined the application. Members were shown a bird's eye view of the site, together with existing and proposed plans and photographs.

The Committee unanimously agreed the Officer's recommendation to approve.

### **Decision**

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

1. Standard time
2. Approved Plans
3. Details of the colour of the frames and panels to be submitted and approved

Application No. AWDM/1981/17	
Site:	<b>3 Palma Court, Manor Road</b>
Proposal:	Relocation of front door to Flat 3, blocking up of existing kitchen door and bathroom window and extend canopy over front door (north elevation).

The Planning Services Manager briefly outlined the application which had been referred to Committee for a decision as the applicant was a member of staff.

The Committee unanimously agreed the Officer's recommendation to approve.

### **Decision**

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

1. Approved Drawings
2. Standard time limit
3. Materials to consist of brickwork to match and rendered panel