

Minutes of a meeting of the
Worthing Planning Committee
27 June 2018
at 6.30 pm

Councillor Paul Yallop (Chairman)
Councillor Alex Harman (Vice-Chairman)

Councillor Noel Atkins
Councillor Hazel Thorpe
Councillor Paul Westover

Councillor Jim Deen
Councillor Nicola Waight
Councillor Steve Wills

** Absent

Officers: Planning Services Manager, Locum Legal Officer, and Democratic Services Officer

WBC-PC/007/18-19 Substitute Members

There were no substitute Members.

WBC-PC/008/18-19 Declarations of Interest

Councillor Elizabeth Sparkes (who was sat in the public gallery) declared an interest, as a Member of Worthing Borough Council and West Sussex County Council, in item 5.2 AWDM/0436/18, 45 First Avenue, as she resided in one of the neighbouring properties and had registered to speak in objection. The Councillor elected to leave the room when the item was debated.

Councillor Noel Atkins, as Ward Councillor, declared an interest in item 5.3 AWDM/0520/18 6, Furze Close, as he had registered to speak on the application and elected to leave the room when the item was debated.

Councillor Keith Bickers (who was sat in the public gallery), as Ward Councillor, declared an interest in item 5.1 AWDM/0123/18, Chilmington, 127-131 Lyndhurst Road, as he was registered to speak on the application.

Councillor Hazel Thorpe declared an interest in item 5.2 AWDM/0436/18, 45 First Avenue, as a Governor of Worthing College which was mentioned within the report.

WBC-PC/009/18-19 Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 30 May 2018 be confirmed as a correct record and that they be signed by the Chairman.

WBC-PC/010/18-19 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

WBC-PC/011/18-19 Planning Applications

The planning applications were considered, see attached appendix.

WBC-PC/012/18-19 Public Question Time

There were no questions raised under Public Question Time.

The meeting ended at 8:55 pm

Application Number: AWDM/0123/18	
Site:	Chiltings, 127-131 Lyndhurst Road
Proposal:	Change of use from C2 Residential Institution to C1 Hotel/Guest House

This application had been called in to the Planning Committee at the request of Councillor Keith Bickers.

The Planning Services Manager advised there were no further additions to the report and began his presentation by showing Members an aerial view of the site, which sat on the corner of Lyndhurst Road and Ladydell Road, Worthing. The Officer stated the building had previously been used as a residential care home.

The Committee were shown a number of photographs of the area, a location plan, together with a layout plan for the ground and first floor of the building.

The Officer's recommendation was to grant permission.

A Member raised a query with the Officer which was answered to her satisfaction.

There were further representations from:-

Objector: Claire Allwright
 Ward Councillor: Cllr Keith Bickers
 Supporters: Chris Williams
 Burak Sungur

The Members began their debate on the application however, the Planning Services Manager interjected and stated that on listening to the last two registered speakers in support, it appeared that the proposed use of the building had altered since publication of the report.

The Officer advised Members that he believed the consultations from the Environmental Health Officer and the Highway Authority would have differed had they been made aware that the potential use was for student accommodation, through the Centre of English Studies, and not tourism as stated within the planning application.

The Committee Members agreed to defer the application for further information, to include re-visiting the conditions set out in the report.

Decision

The Committee Members **DEFERRED** the application as it did not accurately convey the proposed use of the building and therefore further information was required.

Application Number: AWDM/0436/18	
Site:	45 First Avenue, Worthing, West Sussex
Proposal:	Demolition of existing dwelling and attached garage and erection of two detached dwellings with integral garages.

This application had been called in to the Planning Committee at the request of Councillor Louise Murphy.

The Chairman stated he was aware Cllr Elizabeth Sparkes was well known to a number of the Committee Members, including himself, and believed that should they all make a declaration of interest, the Committee would not be able to consider the application. In addition, he sought legal advice from the legal adviser at the committee. He was advised by the legal adviser for the committee that he could chair the meeting.

The Planning Services Manager advised there was one further issue to report to the Members since publication of the papers. Amended plans had been received, which included a reduction to the ridge height of plot 2, but as the Officer had only received the information the day before the meeting, they had not been subject to consultation.

The Officer included within his presentation, an aerial photograph of the site, a number of plans and photographs showing various views around the area, which included the proposal's relationship, both internally and externally, with neighbouring properties.

The Officer advised the recommendation was to grant permission.

A Member raised a query with the Officer as to the minimum distance permitted between houses and the actual distance between the proposed dwellings. The Officer replied there was no minimum distance set down, and advised it would be dependent on the character of the area.

There were further representations from:-

Objectors: Elizabeth Sparkes
Roger Sparkes
Paul Davies
Ward Councillor: Cllr Louise Murphy

Supporter: Michael Dade

Councillor Elizabeth Sparkes left the room before the debate.

The Committee Members raised a number of comments and concerns in their consideration of the application, and these are summarised below -

- The distance between the proposed properties;
- subdivision of the proposed plots;
- the impact on the character and appearance of the area;
- the effect on the amenity of neighbours;
- the mix of dwelling types and mature landscaping in the area; and
- the possible impact on ecology and biodiversity.

Following the debate, the majority of Members voted to overturn the Officer's recommendation to approve and elected to refuse the planning application.

The meeting was adjourned at 8.15 pm, to agree the reasons for the Committee's decision, and reconvened at 8.20 pm.

Decision

The Committee overturned the Officer's recommendation to approve the planning application and **REFUSED** the application for the following reasons:-

The proposed development, by virtue of its sub-division of the plot and limited spacing between dwellings, is considered to represent an overdevelopment of the site which fails to take into account the distinctive local character of the area contrary to policy 16 of the Worthing Core Strategy and guidance contained within the Residential Development Supplementary Planning Document. The development will also result in the loss of a large family sized dwelling adversely affecting the mix of dwellings within a suburban area contrary to policy 8 of the Worthing Core Strategy.

Application Number: AWDM/0520/18	
Site:	6 Furze Close, Worthing, West Sussex
Proposal:	Retention of concrete apron in front of existing driveway together with 1.8m feather edge fence along eastern boundary of property. Proposed double hardwood driveway gates and side access gate. Proposed reinstatement of grass verge. (Part retrospective).

This application had been called in to the Planning Committee at the request of Councillor Noel Atkins.

The Planning Services Manager advised a further letter of representation had been received from the next door neighbour who had disputed the points made by the applicant and concluded that the fence should be in the correct area and not obstruct the public right of way.

The Officer advised that the the Chairman had notified him, just prior to commencement of the meeting, that the High Salvington Residents' Association (HSRA) had confirmed they would not speak at the meeting and had withdrawn their objection. The Officer stated he would ensure that information was added to the planning file.

The Committee were shown an aerial view of the site and advised the fence was located on the western side of Furze Close, in High Salvington. A number of photographs, together with location and block plans, were also shown to assist Members' consideration of the application.

The Officer's recommendation was to approve the application.

There were further representations from:-

Objector: John Potts
Ward Councillor: Cllr Noel Atkins

Cllr Noel Atkins left the room before the application was debated.

During the debate, the Officer advised the Committee that their main consideration should be whether the fence was visually acceptable and in keeping with the street scene.

Following discussion, the majority of the Committee Members supported the Officer's recommendation to approve the application as although the fence was visible from some of the neighbouring properties they felt it did not result in any loss of amenity.

Decision

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

1. Approved Plans
2. Standard time limit
3. Grass verge to be installed in accordance with submitted plan in the first available planting season, left open or lined with timber sleepers or stones, and maintained in such a condition thereafter.

Cllr Noel Atkins returned to the meeting.

Application Number: AWDM/0178/18	
Site:	Unit B, Lyons Farm Retail Park, Lyons Way, Worthing
Proposal:	Change of use of the retail unit (A1) to use as a gym/health and fitness centre (D2) and installation of a mezzanine level.

The Planning Services Manager advised the Members of further comments from Environmental Health. Their preference would be for the mitigation of air quality to be provided on site however, if not possible, they would accept a contribution secured by a Legal Agreement. The applicant had advised they do not have control over all the car park and therefore preferred to enter into a Legal Agreement as suggested.

The Committee Members were shown an aerial photograph of the site, proposed plans and photographs of the site, showing both external and internal views of the building. The application site related to a vacant retail unit located within the Lyons Farm Retail Park and therefore well separated from residential properties.

The Officer's recommendation was to grant permission.

The Committee Members unanimously voted to grant permission for the change of use.

Decision

That the decision in this case be delegated to the Head of Planning and Development to secure a satisfactory Legal Agreement in respect of development contributions towards air quality mitigation measures, with a view to planning permission being **GRANTED**, subject to the following conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Use limited to Gym/Health and Fitness Centre only and for no other purpose within use class D2
4. Standard hours of demolition/construction/works
5. Noise from activities within the premises shall not exceed 45dB(A) before 07.00 hours and after 23.00 hours and 50dB(A) between 07.00 hours and 23.00 hours at 1 metre for the facade of the closest sensitive receptor
6. Noise Management Strategy to be agreed
7. Delivery/ collection vehicles limited to between 07.00 hours and 20:00 hours