

Minutes of a meeting of the
Worthing Planning Committee
19 September 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: Head of Planning and Development, Planning Services Manager,
Planning Policy Manager (Worthing), Lawyer and Democratic Services
Officer

WBC-PC/025/18-19 Substitute Members

There were no substitute Members.

The Chairman advised the Committee Members that Councillor Jim Deen had been withdrawn from the Planning Committee by his group and that his position was currently vacant.

The Committee were advised the Chairman had raised some further queries with regard to the representation from Sussex Police contained within the report on 5.3, AWDM/0703/18, Food, 6 New Street, Worthing, and had therefore agreed with Officers that the application be deferred.

The Chairman also adjusted the running order of the agenda, taking Item 7, Draft Worthing Local Plan - Proposed Consultation, first, followed by consideration of the three planning applications.

WBC-PC/026/18-19 Declarations of Interest

There were no declarations of interest.

WBC-PC/027/18-19 Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 22 August 2018 be confirmed as a correct record and that they be signed by the Chairman.

WBC-PC/028/18-19 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

WBC-PC/029/18-19 Planning Applications

The planning applications were considered, see attached appendix.

WBC-PC/030/18-19 Public Question Time

A member of the public requested to know how many days before the committee meeting the agenda was published. The Democratic Services Officer advised five clear working days.

WBC-PC/031/18-19 Draft Worthing Local Plan - Proposed Consultation

The report before the Committee explained the background to the development of the Draft Plan; the stage now reached; summarised the role and objectives of the Plan; set out the key elements; highlighted the forthcoming consultation programme and concluded by clarifying the steps for progression of the Plan.

The Planning Policy Manager introduced the report by reminding Members that the Council had committed to replace the Core Strategy with a new Local Plan for the Borough. The Core Strategy had been adopted in 2011 and the intention had been that the document would help to guide development in the Borough until 2026.

The Officer advised that when the Local Plan was in place it would provide a very important tool for the local community, key stakeholders and for Members when determining planning applications. It would also help to set the strategy for development of the Borough whilst also seeking to protect important valued facilities and places about the town.

To progress the draft Local Plan, an Issues and Options consultation was undertaken in 2016 which informed the local community of the Plan and their comments had been taken into account when it was being drafted. The Officer advised a huge amount of evidence gathering had also taken place, which included work on infrastructure capacity, sustainability, transport, retail needs, infrastructure, flood risk, housing need and capacity and landscape and biodiversity assessments.

The Officer advised Local Plans had to conform to national guidance and legislation, in particular the National Planning Policy Framework (NPPF). He stated that very recently, in July 2018, the Government had published its revised NPPF and therefore subsequent revision to the Plan would be needed in light of the changes.

Members were advised the Draft Local Plan was divided into 4 parts:-

Part 1 - Introduction & Context

Part 2 - Spatial Strategy

Part 3 - Development Sites

Part 4 - Core Policies

The Officer summarised for Members each part of the draft Local Plan and the key issues, which included housing need and capacity. Despite taking a positive approach to development, the Committee were advised the delivery rate for housing would fall significantly below the levels of housing need identified, some 15,000 dwellings over the Plan period. However, the team had taken a very positive approach to exploring sites and the Local Plan proposed a strategy that would deliver approximately 250 dwellings per year, a target that is significantly higher (approx. 25%) than the levels of growth planned for within the Core Strategy. However, there was still likely to be a shortfall in housing delivery of approx. 11,000 dwellings.

The Officer advised there were three significant areas that were proposed as Local Gaps and Local Green Spaces, namely Brooklands, to the east and two gaps to the west - Chatsmore Farm and the Goring-Ferring Gap.

The formal and informal stages of consultation with the public and all relevant stakeholders was integral to the development of a new Local Plan. It was proposed the Draft Worthing Local Plan would be made available for a six week consultation period from the end of October to mid December 2018. Following consultation, the responses submitted on the draft Plan would be analysed and reported to Members. The Officer outlined the next steps for the Plan, and once the Plan had been submitted for formal Examination, towards the end of 2019, this could result in adoption of the Worthing Local Plan by Spring 2020.

Following the presentation, the Chairman stressed how important the Draft Worthing Local Plan was for the Borough and the Committee were recommended to make comments, prior to consideration by the Joint Strategic Committee on 9 October 2018.

Members raised a number of questions with the Officer, which were answered in turn to the Members' satisfaction. They commended the report, and thanked the Planning Policy Manager and his team for all the work undertaken in producing the Draft Local Plan.

The Chairman referred to CP14 - Retail of the Draft Local Plan (page 119) and recognised the traditional role of the High Street, with its primarily retail focus, had

changed significantly over recent years, which was not practical and would ultimately mean a lot of empty space and issues for Landlords.

He suggested looking at other business uses within the town centre to keep employment and perhaps try and relax some of the conversion to residential.

The Chairman stressed it was important the public got involved with the process and asked the Committee Members to look at ways to better engage with the public and for those ideas to be forwarded to the Planning Policy Manager and his team.

Decision

The Planning Committee considered and agreed the Officer's report and made comments on the Draft Worthing Local Plan and the proposed work programme prior to consideration by the Joint Strategic Committee on 9 October 2018.

The meeting ended at 9:05 pm

Application No. AWDM/0530/18	
Site:	Land South of Malthouse Way, Durrington
Proposal:	Installation of underground surface water pumping station and associated manholes and above ground electrical cabinet (land South of 20-22 Malthouse Way).

The Head of Planning and Development presented the report and advised Members the proposal was largely retrospective and for the installation of an underground water-pumping station.

The Officer produced an aerial photograph of the site, indicated the key areas for Members' consideration and outlined the up-to-date position of the application.

The Officer apologised for the production of a very technical report for Members, but it had been important to cover a lot of the detail in relation to future management and maintenance of the surface water pumping station. He also referred Members to the number of representations received from objectors to the application.

Photographs were produced to assist the Committee with their consideration of the application.

The Officer advised the recommendation was to approve on the basis that there was no planning or technical reason to resist the pumping station, however, agreed there had been an error at some point by the developer that had caused the need for the pumping station.

There was further information still outstanding from the Consortium, i.e. an amended plan in respect of the red line boundary to ensure that the spillway is fully included, and confirmation of capacity of the Malthouse Way basin. Officers also needed to discuss and ascertain the approximate installation and annual maintenance costs from the Consortium.

The Officer spoke regarding the visual and residential amenity and impact and advised Environmental Health had recommended the use of a planning condition which would set the maximum noise limit and a low vibration level.

The Officer advised the application was recommended to be granted but only once all the outstanding information from the Consortium had been received, and the completion of a satisfactory legal agreement/and or deed of variation.

The Officer stated the original approval did have the option of a Management Company taking on the open space or it being transferred to the local authority. The developer had decided all responsibility for open space and the SUDs would go the Management Company.

Members raised queries on the presentation, which were answered in turn to the Members' satisfaction.

There were further representations from:-

Objectors: Colin Stowe
 Terry Woodjetts
 Chris Janes

Following the representations, the Committee Members debated the application at length and in summary, the main issues raised were:-

- the outstanding information from the Consortium;
- residents' concerns;
- the responsibility for maintenance;
- flood risk and engagement with the local lead flood authority - WSCC; and
- wording of the Legal Agreement.

In conclusion, the Committee agreed the Officer's recommendation however, were disappointed with the design errors made by the Consortium on such an important part of the development. The Officer therefore agreed to draft a letter, for the Chairman to sign, addressed to the Consortium outlining Members' disappointment and the concerns raised.

Decision

That the authority be delegated to the Head of Planning, in consultation with the Chairman, to **APPROVE** the application, to secure the amended plans; the receipt of additional information requested in the report; the continuation of discussions with regard to the 'sinking fund', and subject to the completion of a satisfactory legal agreement and/or deed of variation, subject to the following planning conditions:

Conditions:

1. The development hereby approved shall be fully implemented within six months of the date of this notice of permission, unless another time period is first agreed in writing by the Local Planning Authority.
Reason: To ensure that the partially implemented development hereby approved, which is important in the overall drainage of the West Durrington development site, is implemented expeditiously, in the interests of effective land drainage and flood risk management.
2. Approved plans (to be listed)
3. Within three months of the date of this notice of permission, an amended landscaping plan, together with details of the intersection of the spillway and amenity footpath, (with sections and including reinforcements), and of plant, type, variety, size and number or planting density, shall be submitted to and approved in writing by the Local Planning Authority. All landscaping works, including any planting, shall be carried out during the next planting season following the approval of these details under this condition. Any tree, shrub or plant forming part of that approved scheme which dies, becomes diseased or is removed within five years of planting, shall be replaced by another of similar type and size, unless the Local Planning Authority gives prior written approval for any variation.
Reason: To ensure that drainage features are robust and compatible with the multi-functional and accessible open space and the amenities of the area.
4. Noise from the pumping station shall not exceed 45dB LAeq_{15mins} with no tonal components at the boundary of the nearest noise sensitive property. The vibration dose value (VDV) shall not exceed the 'low probability of adverse comment' level contained within BS6472:2008 inside the nearest property. Details of the predicted acoustic performance and vibration of the pumping station shall be submitted to and approved in writing by the Local Planning Authority, before the development first becomes operational. The pumps and associated apparatus shall only be installed in accordance with these details.
Reason: To control risk of noise and vibration and to safeguard the amenities of the area, including nearby residents.
5. A test of the actual noise levels and vibration environment to demonstrate compliance with the levels approved under condition 4 above, shall be undertaken within 3 months of the development first becomes operational and submitted to and agreed in writing by the Local Planning Authority. Any remedial action which is required by the Local Planning Authority shall be implemented within a further three month period, or such other period as may be mutually agreed in advance.
Reason: To control risk of noise and vibration and to safeguard the amenities of the area, including nearby residents.
6. The pumping station and spillway shall not become operational until the ditch adjoining the site has been cleared and dredged and after this has been verified by inspection by the Drainage Engineer of the Local Planning Authority.
Reason: In the interests of effective land drainage and flood risk management.

7. The spillway shall be constructed in accordance with the approved plans, including those pursuant to condition 3 above, before the pumping station becomes operational, and it shall have been verified first by inspection by the Drainage Engineer of the Local Planning Authority and it shall be maintained permanently thereafter.

Reason: In the interests of effective land drainage and flood risk management.

Application No. AWDM/0123/18	
Site:	Chiltingtons, 127-131 Lyndhurst Road, Worthing
Proposal:	Change of use from C2 Residential Institutions to C1 Hotels/Guest House.

At the June meeting of the Committee, the Committee Members resolved to defer the application to seek further clarification from the applicant regarding the proposed use of the building.

The Planning Services Manager advised there was nothing further to add to the report and referred Members to pages 20 and 21, with amended conditions on page 22.

The Committee Members were shown an aerial view of the site, and the Officer reminded Members of the site and proposal. Existing and proposed plans, together with a layout plan and photographs were also shown to assist in Members' consideration of the application.

The Officer reminded Members that there had been some concern about the use of the property, which was set out on pages 20 and 21 of the report. The application as submitted proposed a change of use to C1 use.

The Officer's recommendation was for approval subject to conditions.

Some Members raised queries with the Officer, which were answered in turn to Members' satisfaction.

There was a further representation from an objector, Claire Allwright.

Following the representation, the Committee Members began their debate on the proposal. A number of issues were raised, which included:-

- the lack of en-suite facilities for a Hotel/Guest House
- a possible layout/internal reconfiguration of the property; and
- the addition of an informative to limit use to hotel/guest house only.

The Committee Members reluctantly agreed the Officer's recommendation to approve the proposal but requested condition 4 be more robust, to include the monitoring of the

Management Plan by Officers and the addition of an informative stating that the building is not to be used as short term emergency accommodation as this would constitute a material change of use which would require a further application.

Decision

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

1. Approved Plans
2. Standard 3 year time limit
3. Use limited to hotel/guest house only
4. Management plan to be submitted prior to commencement of development and monitored by Officers
5. Standard hours of demolition/construction/works
6. Storage of refuse/recycling to be agreed
7. Cycle storage to be agreed
8. Travel Plan Statement to be agreed

Informative: Not to be used as short term emergency accommodation as this would represent a material change of use which would require a further planning application.

Application No. AWDM/0703/18	
Site:	Food, 6 New Street, Worthing
Proposal:	Variation of condition 3 of approved application WB/05/0225/Full for Food Restaurant for permanent planning permission for opening hours 8am to 1am Monday to Saturday and 8am to 12 midnight Sundays and Bank Holidays (as permitted temporarily under AWDM/0202/17).

The application was **DEFERRED**.

Application No. AWDM/1003/18	
Site:	14 St Lawrence Avenue, Worthing
Proposal:	Detached single-storey two-bedroom bungalow with sedum roof fronting Balcombe Avenue (in rear garden of 14 St Lawrence Avenue) with car parking space and detached bike store.

The Planning Services Manager introduced the report and referred to a letter in objection received from a neighbour who was unable to attend due to holiday commitments. The Officer advised the representation had been circulated to Committee Members, which they confirmed.

An aerial view of the site, a number of plans, proposed and existing, together with photographs were shown to Members to assist in their consideration of the application.

The Officer advised the recommendation was for refusal for the reasons outlined in the report.

There were further representations from:

Objector: Karen Barnett-Cottle
Applicant's agent: Steve Bennett

The Committee Members debated the proposal and unanimously agreed the Officer's recommendation to refuse the application.

Decision

That the application be **REFUSED** for the reason:-

The proposed infill development would be out of keeping with the pattern of existing development and sense of openness and space between buildings that is characteristic of the area. The harmful effects of the development would be exacerbated by the incongruous architectural form, layout and detailed design of the proposed development which would be wholly out of keeping with the distinctive appearance and identity of existing dwellings in Balcombe Avenue and harmful to local character. The proposal is therefore contrary to Worthing Core Strategy Policy 16 and allied Supplementary Planning Document 'A Guide for Residential Development', along with the relevant policies of the revised National Planning Policy Framework.