

Minutes of a meeting of the
Worthing Planning Committee
17 October 2018
at 6.30 pm

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

Councillor Noel Atkins
Councillor Nicola Waight
Councillor Steve Wills

Councillor Hazel Thorpe
**Councillor Paul Westover
Vacancy

** Absent

Officers: Planning Services Manager, Lawyer and Democratic Services Officer

WBC-PC/032/18-19 Substitute Members

Councillor Daniel Humphreys substituted for Councillor Paul Westover.

WBC-PC/033/18-19 Declarations of Interest

Councillor Alex Harman declared an interest in AWDM/0703/18, 6 New Street, Worthing, as he had a working relationship with the owner of the business, and therefore elected to leave the room when the item was considered.

Councillor Paul Yallop declared an interest in AWDM/0703/18, 6 New Street, Worthing, as he had been acquainted with the owner for some years, however he had not discussed the application to be considered. With regard to application AWDM/0728/18, Land between Station Car Park and Footbridge, Tarring Road, Worthing, the registered speaker, Mr Sapsted, had approached the Member, as his Ward Councillor, for advice but the Councillor stated he had not predetermined the application.

Councillor Daniel Humphreys and Councillor Noel Atkins both declared an interest in AWDM/0703/18, 6 New Street, Worthing, as they were acquainted with the owner, but stated they had not predetermined the application.

WBC-PC/034/18-19 Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 19 September 2018 be confirmed as a correct record and that they be signed by the Chairman.

WBC-PC/035/18-19 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

WBC-PC/036/18-19 Planning Applications

The planning applications were considered, see attached appendix.

WBC-PC/037/18-19 Public Question Time

There were no questions raised under Public Question Time.

WBC-PC/038/18-19 Proposed Revision to Pre-Application Charging

Consideration of the committee report was deferred.

The meeting ended at 8:15pm

Application No. AWDM/0884/18	
Site:	106 Warren Road, Worthing
Proposal:	Demolition of existing house and erection of three and half storey 60 bedroom care home with access from Warren Road following the demolition of the existing building.

The Planning Services Manager advised there were further updates to relay to Members since publication of the report. There was a correction to be made at the end of the first paragraph on page 15 of the agenda, the very last sentence should read 'the degree of privacy is not considered to be sufficiently protected'.

The Officer also advised further consultation responses had been received since publication of the report. The Arboricultural Officer had added to his comments, stating that in terms of the distance of the building towards existing trees it was possible some crown lifting and minor reduction in height would be accepted, but would be reluctant to allow more in the future should a request be made by future residents. The Environmental Health Officer had commented and raised no objections, subject to conditions in respect of air quality mitigation, electric vehicle charging provision, a construction management plan, a noise impact assessment, details of sound insulation and details of air extraction to be submitted.

The Public Rights of Way Officer from the County Council had not replied directly to Officers regarding the application. The applicant had advised the servicing had been agreed with the Rights of Way Officer but Officers had not had same confirmed as yet from the County Council. Three further letters of objection had been received, from new addresses that had not previously written in before, and reasons had included inadequate parking, and the size of the building and impact upon neighbours. The Officer also advised the neighbour to the west had not raised any objection to the proposed development.

Since viewing the committee report, the Officer advised the applicant had made a number of comments which had included the need for care beds was locally based, and had highlighted the economic benefits of the proposed development by employing skilled and unskilled personnel.

The Officer advised comments had still not been received from the Highways Authority and the Committee were therefore advised the second refusal reason remained.

The Planning Services Manager outlined the application for Members by showing an aerial view of the site, proposed block plan, site plan, elevations, street scene, floor plans and a number of photographs taken at the site. The Officer advised the recommendation was for refusal for the reasons set out in the report.

Following the presentation, a Member raised a query regarding the size of the proposed building in comparison to the former. The Officer stated the proposal was approximately double the length on one side.

There was a further representation from Giles Brockbank, the agent for the applicant.

Members considered the application and recognised the proposal met a need and could provide good quality accommodation however, the majority felt the merits of the proposal were outweighed by its impact on neighbouring properties and its position along the A27.

Decision

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

1. The proposal by reason of the size, height and mass of the proposed building, its elevated level and its position, which brings development much closer to the site frontages, would create an excessively built-up and over-developed appearance, which in combination with the amount of hard-surfacing and ancillary building at the access and parking and manoeuvring area will erode the spacious character of existing development. Furthermore, the design of the building, with a large proportion of glazing, long unbroken ridgelines and little variation in its main facades, would accentuate its size and variance from the prevailing scale and proportions of surrounding houses, which contribute the character of the area. This is contrary to policy 16 of the Worthing Core Strategy 2011.
2. On the basis of the information provided, the Local Planning Authority is not satisfied that the proposal, which constitutes a significant intensification of use of the site and associated vehicular, pedestrian and other trips, would provide for the safety and free-flow of traffic on the adjacent truck road and bridleway, including the safety of other users, motorists, pedestrians and horse-riders. The proposal is therefore contrary to Policies 12 & 19 of the Worthing Core Strategy 2011.

Application No. AWDM/0703/18	
Site:	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).

Councillor Alex Harman left the room before consideration of the application.

The Planning Services Manager advised there was nothing further to add to the committee report and Members were shown an aerial view of the site, together with a number of photographs to assist in their consideration of the application. The Officer reminded Members a temporary permission had previously been granted.

The Officer advised that Sussex Police had originally raised an objection to the application however, upon further consultation, it had been established that Sussex Police had raised no objection to the licence for the restaurant and therefore had now withdrawn their objection. The Police had also recommended a further trial period of one year however, the Officer advised that government advice had long been that planning authorities should avoid granting successive temporary permissions.

The Officer advised the recommendation was for approval.

Members raised queries with the Officer which were answered in turn by the Officer to their satisfaction.

There were further representations from:-

Objectors: Amanda Warren
Heather Massey

Applicant: Andy Sparsis

A Member sought clarification regarding parking in the area from the second registered objector in relation to car parking in the area; and two Members raised queries with the applicant regarding his reasons for the extension in opening hours and again in relation to parking issues.

The Committee Members considered the report, including the number of representations made in objection to the application and the evidence and lack of objection from Sussex Police and the Councils' Environmental Health Officer, and on balance, the majority agreed the Officer's recommendation to approve the application for the additional hours on a permanent basis.

Decision

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

1. The premises shall not be open for trade or business except between the hours of 08:00 to 01:00 the following day on Mondays to Saturdays and 08:00 and 24:00 on Sundays or on Bank or Public Holidays.
2. The premises shall only be used as a restaurant or cafe and for no other purpose, including any other purpose in Use Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).
3. 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.

Application No. AWDM/0728/18	
Site:	Land between Station Car Park and Footbridge Tarring Road, Worthing
Proposal:	Erection of pair of semi-detached three storey dwellings each with garden area and 1no. parking space (to match the recently completed houses to the east).

Councillor Alex Harman returned to the meeting room.

The Planning Services Manager advised there was nothing further to add to the report since publication. Members were shown an aerial view, photographs of the site, a location and block plan, site plan and elevations and advised the proposed dwellings were similar in style to those already in situ to the east.

The Officer concluded his presentation by showing a proposed street scene and advised the recommendation was for approval.

Members raised a number of queries with the Officer, which included the possible use of vacant tapered land to the west; the suggestion of an extra condition to enforce replanting of the trees before further development commenced; and the prevention of illegal damage to TPO trees/reconsideration of enforcement action.

There was a further representation from an objector, Simon Sapsted, a resident of Tarring Road.

Mr Sapsted's representation concentrated on the lack of care for the tree lined road and that he had recently noticed the illegal felling of TPO trees at the site. He stated he had made contact with the Council to request whether enforcement action could be taken against the landowner but at the time had been advised enforcement action would not be expedient.

A Member asked the Officer for his comments on the objector's representation. The Officer commented that the Council had to weigh up various considerations when deciding whether to implement enforcement. He felt that should Members agree to approve the application, the addition of an extra condition to enforce planting of the trees before further development took place would be a positive step and could be overseen by the Tree and Landscape Officer.

During the debate, a Member referred to Core Strategy Policy 8 which stated that within suburban areas only limited infilling would be supported, predominantly consisting of family housing. However, the submitted plans showed the floor area for bedroom 2 fell below the Council's minimum space standard for a double room. The Member questioned how the proposed pair of 2 bedroom semi-detached dwellings could be classed as family housing. Other Committee Members concurred with her view.

The Planning Services Manager gave Members advice on the use of Policy 8 and stated all factors had to be taken into consideration. There was a need to provide housing in the Borough and the proposal made a small, but limited, contribution.

After further discussion, the Members unanimously agreed the proposal failed to comply with Policy 8 or meet the Councils' space standards. For those reasons, the Members overturned the Officer's recommendation, and refused the application.

Decision

That the application be **REFUSED**, on the grounds of a failure to comply with Policy 8 and meet required space standards.