

Minutes of a meeting of the
Worthing Planning Committee
21 November 2018
at 6.30 pm

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

Councillor Noel Atkins
Councillor Hazel Thorpe
**Councillor Paul Westover

**Councillor Richard Mulholland
Councillor Nicola Waight
Councillor Steve Wills

** Absent

Officers: Head of Planning and Development, Planning Services Manager, Lawyer
and Democratic Services Officer

WBC-PC/039/18-19 Substitute Members

Councillor Rebecca Cooper substituted for Councillor Richard Mulholland.
Councillor Louise Murphy substituted for Councillor Paul Westover.

WBC-PC/040/18-19 Declarations of Interest

Councillor Noel Atkins declared an interest in items 5.1, Jubilee Hall, Greenland Road and 5.2, Durrington New Life Church, as a Member of New Life Church, and elected to leave the room when the items were considered.

Councillor Hazel Thorpe declared an interest in item 5.6, Field Row, Worthing, as she was acquainted with the applicant however, had not predetermined the application.

WBC-PC/041/18-19 Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 17 October 2018 be confirmed as a correct record and that they be signed by the Chairman.

WBC-PC/042/18-19 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

WBC-PC/043/18-19 Planning Applications

The planning applications were considered, see attached appendix.

WBC-PC/044/18-19 Public Question Time

There were no questions raised under Public Question Time.

The meeting ended at 10:15 pm

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| Application No. AWDM/0263/18 | |
| Site: | Jubilee Hall, Greenland Road, Worthing |
| Proposal: | Demolition of Jubilee Hall and No.10 Greenland Road and erection of 7 no. three-bedroom and 2 no. two-bedroom houses and 1no. block of 5 no. two-bedroom flats with associated landscaping, car parking, car barn and vehicular access drive. |

The Chairman advised the Committee Members that he had agreed to defer item 5.4, Land south of 6 Grand Avenue, West Parade, as the applicant had asked for more time to discuss the matter further with Officers.

Councillor Noel Atkins left the room when the first two items were considered by the Committee.

The Planning Services Manager advised Members that Officers had received further comments from the highways authority since publication of the agenda. The highway authority had objected to the application due to insufficient highways and transport information to show that the proposed development was not prejudicial to highway safety. The applicant's response had included a range of information to meet the authority's concerns, which the Officer summarised for Members. The highway authority now raised no objection to the proposal, subject to additional conditions in respect of drainage, a Construction Management Plan, protection of the highway from mud and provision of pedestrian intervisibility splays.

There had also been further representations received following notification of the most recent amended plans. 6 further objections had been received from occupiers in Ellison Court, Salvington Road and Edgehill Close which the Officer summarised for Members.

The Officer's presentation included an aerial view of the site, various plans, photographs and artist's impressions of the proposal to assist Members in their consideration of the application.

The Officer advised Members the recommendation was to grant permission, subject to an amendment to condition 5 to include a Construction Management Plan and to protect the highway from mud; to re-word condition number 16 in respect of visibility splays; impose an additional condition to prevent surface water from discharging onto the highway; and

completion of a S.106 unilateral undertaking to secure implementation of a replacement community facility.

Following the presentation, a Member requested Officers email the Committee Members with additional information received once the agenda had been published, instead of verbally at the meeting.

Members raised a number of queries with both the Head of Planning and Development and Planning Services Manager, which were answered in turn, and included:-

- mitigation against radon gas/ventilation detail;
- sustainability measures;
- possible surface water flooding; and
- the scheme being exempt from any affordable housing contribution.

The Head of Planning and Development referred to the issue of viability and explained the calculation of any off site contribution.

The Officer referred Members to the Summary of Overall Project Costs on Page 92 of the report and particularly, the shortfall in funding of around £2.5 million. He stated the applicant had indicated that the cost of implementing the planning permission for the new church, on land of the Tesco store at Durrington, was significant and the project could only proceed if the Church could maximise the development value of both its existing sites for residential development.

The Officer said the Committee had to decide whether the overall planning objectives of the new facility and the requirement through a legal agreement for the proceeds to be spent on the new community facility justify waiving the affordable housing contribution.

The Officer concluded by stating that he appreciated the information within the report was set out as if the applicant was building out the two schemes however, the intention was to sell the sites with planning permission.

Members raised further queries with the Officers, which included:-

- the effect of the development on existing dwellings; and
- installation of EV charging points.

There were further representations from:-

Objector: Mr Brunt
Ward Councillor: Charles James
Supporters: Rev. Paul Hammond
Mr Peter Rainier

The Committee Members debated the application at length, and despite the proposed residential development providing family housing, which met the principles of Core Strategy Policy 8, their main contention was the waiving of the affordable housing contribution. The Committee Members agreed affordable housing was vital for the Borough, and had been disappointed to learn of the applicant's request.

Following the debate, all Members agreed an amended version of the Officer's recommendation in an effort to secure an appropriate level of Section 106 contribution for off site affordable housing, together with the addition of a condition to ensure mitigation against radon gas, to include ventilation details.

Decision

That the application be **GRANTED**, subject to a legal agreement securing an appropriate level of Section 106 contribution for off site affordable housing in line with the Council's Supplementary Planning Document (SPD) and to secure the implementation of a replacement community facility. To amend condition 5 to include a Construction Traffic Management Plan and to protect the highway from mud; amend condition 16 to become pre-commencement; and add conditions, 26 - to prevent surface water being discharged onto the highway and 27 - to ensure mitigation against radon gas including ventilation details, and subject to the following conditions:-

1. Approved plans
2. Standard time limit
3. (Pre-commencement) Agree and implement noise insulation scheme
4. (Pre-commencement) Agree and implement temporary arrangements for access for construction traffic
5. (Pre-commencement) Agree and include Construction Management Plan
6. (Pre-commencement) Agree foul and surface water sewerage disposal in consultation with Southern Water.
7. (Pre-commencement) Agree measures to divert public sewer in consultation with Southern Water
8. Agree and implement external materials and finishes
9. Agree architectural details (windows, doors, balconies, canopy porches)
10. Agree and implement hard and soft landscaping scheme to include native plants/shrubs and specimen trees within the communal landscaped areas and

- screen planting to i) south site boundary to Plot 3 and south side boundary to Plots 4-7
11. Agree boundary treatment to include boundary 1.8m high wall to enclose north and west side of the communal garden to apartment block and dwarf wall to frontage
 12. Agree and implement refuse storage provision
 13. Agree and implement accesses and access road in accordance with construction details to be agreed
 14. Agree and implement parking provision
 15. Agree and measures to prevent surface water draining onto highway
 16. (Pre-commencement) No part of the development shall be first occupied until pedestrian visibility splays of 2m x 2m have been provided either side of the proposed site vehicular accesses onto Greenland Road in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6m above adjoining carriageway level or as otherwise agreed.
 17. Agree and implement secure, covered cycle parking
 18. Control hours of construction
 19. No external plant other than in accordance with details to be agreed
 20. No meter boxes, flues, pipework, vents, aerials or dishes fitted to road-facing elevations
 21. Agree communal TV facility to flat block
 22. Agree and implement bat and bird boxes
 23. Remove 'PD' entitlement for extensions and alterations to dwellings under classes A, B, C, D and E of Part 1 of the GPDO.
 24. No windows to be inserted into side walls of Plots 1, 3, 4, and 8.
 25. Secure and implement 15 no. EV charging points
 26. To prevent surface water being discharged onto the highway
 27. To ensure mitigation against radon gas including ventilation details

The meeting was adjourned at 8.25pm and reconvened at 8.30pm.

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| Application No. AWDM/0271/18 | |
| Site: | Durrington New Life Church, 113 Salvington Road, Worthing |
| Proposal: | Demolition of Durrington New Life Church and erection of part two/part three-storey flat block consisting of 7 no. 2-bedroom flats with associated landscaping and car parking accessed off Salvington Road and Greenland Road. |

The Planning Services Manager advised that following notification of the amended plans, 3 further objections had been received from the occupiers of 111 and 125 Salvington Road which were summarised for Members. There had also been one further representation in support of the application.

The Officer outlined the proposal and an aerial view of the site, together with a variety of plans and photographs were shown to Members to assist in their consideration of the application.

The Officer's recommendation was to grant permission, subject to the prior completion of a S.106 unilateral undertaking to secure implementation of a replacement community facility.

Members raised queries with both the Planning Services Manager and Head of Planning and Development, which were answered in turn by the Officers.

There were further representations from:-

Ward Councillor: Charles James
 Supporters: Rev. Paul Hammond
 Mr Peter Rainier

The Committee began their debate on the proposal and some Members reiterated their concerns with the previous application as to the waiving of the affordable housing contribution, and the Borough not being consistent in their approach.

The Head of Planning and Development addressed the Committee on the issue of affordable housing and advised the Council had agreed not to follow the advice of the Ministerial Statement in November 2014, which resisted affordable housing and other contributions on development of 10 or less and this approach had been supported at appeal. However, this advice was now included in the revised NPPF and this was now a material planning consideration and meant that adopted policy was now out of date. The Officer urged the Committee there would be a risk, if the Council ignored the latest government guidance, and refused the application, that costs could be incurred. The Officer stated it was a brownfield site, and provided good quality two-bedroom accommodation which was desperately needed in Worthing and felt in principle the development should be supported.

The Officer referred to the Officer's recommendation and stated that approval was subject to the prior completion of a legal agreement to ensure the implementation of the permission for the new church facility. He felt it could be argued that this had already been secured on the previous application and perhaps the development should be allowed without the agreement as it complied with Local and National Policies as a brownfield site.

The majority of Members voted in favour of the application.

The Chairman advised the Committee a Member had questioned the procedure for voting on the previous application during the adjournment. The Legal Officer had checked the Constitution and with the Chairman's approval, and the Committee's agreement, re-voted on the application, to ensure compliance with the constitution.

Decision

That the planning application be **APPROVED**, subject to the prior completion of a S.106 unilateral undertaking to secure implementation of a replacement community facility, and the following conditions:-

1. Approved plans
2. Standard time limit
3. (Pre-commencement) Agree and implement noise insulation scheme
4. (Pre-commencement) Agree and implement temporary arrangements for access for construction traffic
5. (Pre-commencement) Agree and implement Construction Management Plan
6. (Pre-commencement) Agree foul and surface water sewerage disposal in consultation with Southern Water.

7. Pre-commencement) Agree measures to divert public sewer in consultation with Southern Water
8. Agree and implement external materials and finishes
9. Agree architectural details (windows, doors, balconies, roof parapets, canopy porch)
10. Agree and implement hard and soft landscaping scheme
11. Agree boundary treatment
12. Agree and implement refuse storage provision
13. Agree and implement vehicle accesses/parking provision
14. Agree and measures to prevent surface water draining onto highway
15. No part of the development shall be first occupied until pedestrian visibility splays of 2m x 2m have been provided either side of the proposed site vehicular accesses onto Greenland Road and Salvington Road, in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6m above adjoining carriageway level or as otherwise agreed.
16. Agree and implement secure, covered cycle parking
17. Control hours of construction
18. No external plant other than in accordance with details to be agreed
19. No meter boxes, flues, pipework, vents, aerials or dishes fitted to road-facing elevations
20. Agree communal TV facility
21. Obscure glazing to east-facing bathroom / hall windows in Units 3 and 6

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| Application No. AWDM/1202/18 | |
| Site: | 32-36 South Street, Worthing |
| Proposal: | Residential conversion of part of first floor and all of second floor, with construction of third floor and rear extension at first and second floor level to provide 8no. flats and third floor roof terraces. Other external alterations including replacement shopfront on front (west) elevation with new front entrance door to proposed flats; ground floor alterations to rear (east) elevation to include rear access to flats; installation of new windows to upper floors and new style rendering to front elevations. |

Councillor Noel Atkins returned to the meeting.

The Planning Services Manager advised Members of additional comments received from The Worthing Society since publication of the agenda. They were broadly supportive of the proposals; had no overriding objection; and were pleased to note the timber cladding for the penthouse would be replaced with white render.

The Officer also summarised comments from the Environmental Health Officer (EHO) in respect of noise. The Officer agreed the recommendations of the acoustic report and that an additional condition be added, should permission be granted, in respect of noise insulation. In respect of odour, the EHO agreed some mitigation of odour risks was necessary, the windows on the northern elevation being non-opening as well as alternative ventilation, which could be controlled by condition.

The Officer stated it was proposed a sustainable transport condition be imposed, which could include the use of a Car Club. The Officer also referred Members to 7.7 of the report where it stated Officers were awaiting some amended plans to confirm the retention of the rendered mouldings. The plans had not been received as yet, so the recommendation would still include receipt of satisfactory amended plans.

The Planning Services Manager included within his presentation an aerial view of the site, photographs and various plans to assist Members in their consideration of the application.

The Officer's recommendation was to grant permission.

There was a further representation from Ms Lotte Hirst, in support of the application.

The majority of the Members voted in support of the Officer's recommendation as they recognised town centres needed to evolve with the greater use of internet shopping and they needed to remain vibrant.

Decision

That authority be delegated to the Head of Planning to **GRANT** permission, to secure plans to ensure the mouldings are retained; impose additional conditions in respect of noise insulation; mitigation against odour risks to be agreed with the Local Planning Authority; provide non-opening windows on northern elevation, sustainable transport, to include possible Car Club, and subject to the following conditions:-

1. Time
2. Development in accordance with approved plans
3. Submission and agreement of external materials, colours and finishes, including safety rail
4. Details of joinery/frames some with 1.20 cross-sections, rainwater goods, fascias & roof intersections and window recesses
5. Retention and renovation of external rendered relief
6. Details of external air moving/extraction equipment
7. Provision and maintenance of bicycle storage space
8. Provision and maintenance of bin and waste storage area
9. Use of ancillary storage space at first floor, only in connection with ground floor retail space, for storage or as sales space
10. Details of flood resilient design
11. Management and maintenance plan for light-well, bin-store & common areas and flood risk management
12. Details of foul and surface water connection
13. Details of means to assess and manage historic ground contamination in the event of ground works.
14. Noise insulation.
15. Mitigation of odour risks/alternative ventilation
16. Windows on northern elevation to be non-opening
17. Sustainable transport/possible Car Club

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| Application No. AWDM/0879/18 | |
| Site: | Land south of 6 Grand Avenue, West Parade, Worthing |
| Proposal: | Variation of condition 1 and partial variation of condition 12 of Planning permission AWDM/1713/16 in order that some windows on parts of the east elevation are no longer obscure-glazed and that all balconies on the east elevation and the roof-terrace to flat 29, do not have privacy screens on their east side (this variation does not affect privacy screens to the roof terrace and stairs to flat 4). |

The Chairman agreed the item be **DEFERRED**.

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| Application No. AWDM/1141/18 | |
| Site: | 58/62 Portland Road, Worthing |
| Proposal: | Change of use from car sales to private pay and display car park for the public with 8 parking spaces. |

The Planning Services Manager briefly outlined the application and produced an aerial view of the site, block plan and photographs to assist Members in their consideration of the application.

The Officer's recommendation was to grant the change of use.

There was a further representation from:-

Objector: Ms Susan Belton (Worthing Society)

Supporter: Nick Brewer

Members raised queries with both registered speakers which were answered in turn.

During the debate, some Members felt extra parking spaces were needed and would ease the parking pressure within the town. They were also encouraged by the inclusion of EV charging points. Other Members felt the limited number of spaces proposed would make a minimal difference to parking pressure and felt it was a key site and would not enhance the Chapel Road Conservation Area.

The majority of Members voted to overturn the Officer's recommendation, and refuse the application.

Decision

The Committee Members overturned the Officer's recommendation to approve the application.

The change of use was **REFUSED**, on the grounds that the proposal was detrimental to the Conservation Area and represented piecemeal development which would not allow the site to be developed in a manner that preserved and enhanced the Conservation Area.

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| Application No. AWDM/1177/18 | |
| Site: | 12 Field Row, Worthing |
| Proposal: | Demolition of store in rear yard and replace with single-storey extension to west elevation. |

The application was brought before the Committee as the applicant was a Member of staff.

The Planning Services Manager had nothing further to add to the report and briefly outlined the application for Members' consideration.

The Members voted unanimously in favour of the application.

Decision

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

1. Permission relates to approved plans
2. Standard time limit
3. Matching materials
4. Obscure glazed roof light windows

Informatives

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Full contamination informative.