



WORTHING BOROUGH
C O U N C I L

13 September 2022

Worthing Planning Committee

Date:	21 September 2022
Time:	6.30 pm
Venue:	The Gordon Room, Worthing Town Hall

Committee Membership: Councillors Jim Deen (Chair), John Turley (Vice-Chairman), Noel Atkins, Russ Cochran, Dan Coxhill, Helen Silman, Emma Taylor and Andy Whight

NOTE:

Anyone wishing to speak at this meeting on a planning application before the Committee should register by telephone (01903 221006) or e-mail democratic.services@adur-worthing.gov.uk before noon on Tuesday 20 September 2022.

Agenda

Part A

- a) Addendum Report (Pages 3 - 14)

Recording of this meeting

Please note that this meeting is being live streamed and a recording of the meeting will be available to view on the Council's website. This meeting will be available to view on our website for one year and will be deleted after that period. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Katy McMullan Democratic Services Officer 01903 221006 katy.mcmullan@adur-worthing.gov.uk	Caroline Perry Senior Lawyer & Deputy Monitoring Officer 01903 221081 Caroline.perry@adur-worthing.gov.uk

Duration of the Meeting: Four hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.

ADDENDUM REPORT

Application Number:	AWDM/0605/22	Recommendation - APPROVE
Site:	HM Revenues And Customs, Barrington Road, Worthing	
Proposal:	Reserved matters application for Appearance, Landscape, Layout, Scale and access within the site, for 287 new homes (Use Class C3) together with car parking, landscaping and associated works.	
Applicant:	Bellway Homes Ltd (South London)	Ward: Goring
Agent:	DHA Planning	
Case Officer:	Stephen Cantwell	

Amended Plans and Additional Supporting Information

The applicant has sought to address the various outstanding points in the report and additional information will be available at the meeting. In relation to **daylight and sunlight impacts** it is submitted that the assessment is being updated but the relevant Consultant has submitted the following statement to demonstrate that there is no unacceptable impact:

‘The Daylight and Sunlight report considered whether the scheme subtends a 25 degree line from the centre point of the lowest windows within the residential accommodation surrounding the site. If the scheme sits within the 25 degree line extent, the scheme is unlikely to cause a noticeable change in the daylight and sunlight levels.

Eb7 have reviewed the revised massing for the site. Whilst the scheme now includes blocks which are located closer to the north eastern boundary of the site, these blocks will sit within the 25 degree line and therefore the proposed development will not cause a noticeable impact to the surrounding residential properties.

In addition, a sunlight amenity study was undertaken for the rear gardens serving the properties at 23-57 Chesterfield Road and Durston House. Given the nature of the scheme changes, these gardens will continue to see 2 hours or direct sunlight across at least 50% of the assessed areas and are therefore considered compliant with the BRE guidelines.’

Regarding the proposed Energy Strategy the applicants Energy Consultant states that,

‘Worthing Borough Council’s Condition 7 of outline planning permission has no specific target in terms of a quantity of energy or carbon emissions reduction that should be achieved. Furthermore, the condition does not state that gas boilers

should not be used. As the condition wording does not specify a target, the Sustainability Plan (DC-ES-BWSL-BR-22-02) submitted as part of the reserved matters application, makes reference to the emerging policies DM16 and DM17 that are detailed within the Worthing Borough Council's Submission Draft Local Plan 2020 – 2036 (January 2021).

Emerging policy DM16(b) requires all new housing to achieve a minimum 20% CO2 reduction compared to the Building Regulations Part L 2013 standard through energy efficiency measures. Emerging policy DM17 requires that all new housing development should incorporate renewable and low carbon energy production equipment to meet at least 10% of predicted total energy requirements. In addition, the recent uplift to Part L of the Building Regulations (2021) demands a 31% carbon emissions reduction compared with the Part L 2013 Building Regulations baseline. Therefore, the 31% target along with the emerging policies DM16 and DM17, have formed the basis of the energy strategy detailed within the submitted Sustainability Plan.

At the time of writing, there is no current adopted policy or regulatory requirements that rule against the use of gas boilers within new developments. Under the UK Government's current plans, it is anticipated that the use of gas boilers in new dwellings will no longer be used from 2025. Therefore, and in spite of the recent uplift to Part L of the Building Regulations (2021), compliance can still be achieved with the use of gas boilers. The energy strategy proposed within the submitted Sustainability Plan (DC-ES-BWSL-BR-22-02) details an approach which includes a highly efficient fabric specification to ensure the 20% CO2 reduction through energy efficiency measures is met, as per the requirements of emerging policy DM16.

Furthermore, gas boilers and PV was specified to all of the houses on the development, and the apartments to be all electric heating with low carbon technology in the form of hot water heat pumps to each of the apartment dwellings. Using this strategy, it was calculated that a 32% saving would be achieved when compared with Part L of the Building Regulations 2013 and was therefore in excess of the 31% reduction target required by the recent introduction of the new Part L of the Building Regulations (2021).

In light of concerns raised by Worthing Borough Council, the Developer has decided to review the energy strategy to now include additional low carbon technology, in the form of air source heat pumps, to 33 houses that were previously specified as having gas boilers. This change now see's the CO2 saving improved to 35% when compared with Part L of the Building Regulations 2013. This is a 3% additional reduction from the previous strategy. It is intended that the 150.42 kWp (460 x 327w panels) estimated quantity of PV from the submitted Sustainability Plan will remain the same. When included within the updated figures this achieves an 11.4% of the total predicted energy requirements, which is in excess of the 10% minimum requirement of Worthing Borough Council's emerging policy DM17.'

The Agent also confirms that the scheme architect is reviewing various matters raised in the report in relation to: garden sizes; house types and number of

bedrooms; scope to reduce overlooking windows on the north elevation of apartment blocks and overall massing.

In response to concerns about the **central SUD's balancing feature** it is submitted that,

'There is fencing along the SuDS, and a hedgerow along the road. This allows the play area to naturally flow into the mown grass area around it and extends the informal play. See the submitted CGI of this space. However, if preferred, a fence around the full play area could be added. However, this detail can be addressed as part discharging the landscaping condition.'

The central basin is up to 2m deep with gentle slopes at a minimum of 1:3 in line with the CIRIA SuDS Manual. The estimated peak depths of water will be: 211mm in the 1 year storm event and 873mm in the 100 year + 40% climate change storm event. The basin will usually be dry and will only fill in the more extreme rainfall events and discharge at a controlled rate. The basin will therefore be usable open space for the majority of the time.'

In relation to controlling works **adjacent to the railway** the agent states that,

'All work within close proximity to a railway needs to have a Basic Asset Protection Agreement (BAPA) , which covers everything from materials used, crane use/proximity, scaffolding, excavations, vibrations, dust, and anything else that could have an effect on the railway, this is controlled by Network Rail. The approval process of these details is therefore covered under another consenting regime and thus a planning condition covering this is not required.'

Additional Consultation Responses

The Tree Officer comments that,

'The trees along the western boundary of the site are worthy of a Tree Preservation Order (TPO), however, it would be prudent to undertake appropriate pruning prior to new residents moving into adjoining houses. It is also possible to retain the trees along the northern boundary of the site but it would be also appropriate to carry out pruning works prior to the occupation of houses adjacent to these trees.'

Planning Assessment Update

Members will be aware of the local communities desire to retain and improve the well used cyclepath which extends along the southern boundary of the site. The applicant has agreed to use all reasonable endeavours to upgrade the path at an early stage in the development and ensure as far as possible that a route is maintained at all times. This can be secured by an amendment to the Construction Management Plan (CMP) effectively requiring a phasing plan and appropriate steps to retain a east west route for the public at all times.

Revised Recommendation

To delegate the decision to approve Reserved Matters to the Head of Planning and Development subject to the satisfactory comments of Environmental Health in relation to the amended Noise Strategy, and Technical Services and subject to all outline conditions and:-

1. Approved Plans
2. As per outline and any additional required by Consultees.
3. Amended CMP condition to ensure retention of east west public access

HMRC 0605/22 - Points Arising from Committee Report (V4) 14/09/22

With LW Notes following meeting with Case Officer 14/09/22

Actions/Notes in blue

1. Timing of remediation surveys post demolition, to inform any detailed SUDS design and possible Infiltration

The intention would be to undertake soakaway testing in Jan-February 2023 as requested by the drainage officer subject to date of planning approval and demolition.

2. Northern block - mass and windows facing north design changes possible? Pg 30

Following the meeting between yourself, Cooper Baillie and DHA planning. We have explored the options for reducing the height of the buildings as discussed, which included introducing “flat” roof sections. Whilst we understand there may be concerns from the residents north of the railway line, the apartments are well within the approved parameters of 7 storeys; we are proposing 5 storeys as a maximum height. Through your workshops with Ben Baillie and the wider consultant team, the scheme has been substantially redesigned from that which was submitted and responds to all concerns, particularly the loss of the large ‘expansive’ carpark to the north, at the Council’s request. We have worked through the design collaboratively and understood that with yourself, Richard and James, that the proposed design was acceptable. Moreover, the letter from the Sunlight//Daylight consultant provides further confidence that the proposals will not give rise to unacceptable impacts in that regard.

Bellway wish to deliver a high-quality development and are concerned the impression of the proposed recent changes will undermine the experience for those arriving by train or, bicycle and foot from the north as well as the overall architectural quality of the building. Bellway therefore proposes to continue with the design as submitted.

In respect of windows on the northern elevation, it was discussed in our meeting that the design Code suggests their avoidance (above ground floor) where overlooking is a consideration. Owing to the distance between the apartment block, properties to the north and the intervening vegetation, the relationship is not considered unacceptable and therefore their avoidance and /or amended design is unnecessary.

3. Sunlight Daylight impact - for update to reflect amended plan

The sunlight and daylight assessment is currently being updated. However, an interim letter has been provided by the consultants advising the scheme is acceptable.

4. Detailed measurements of gardens requested – pg 21

Garden plan to be prepared by Cooper Baillie

5. Checking size of house types – pg 33

Potter & Mariner 2 beds with 3rd upper room. Potter also appears to be below 79sqm for 2b4p under Nationally Described standards

Wainwright & Gilder 3 beds appear to have 2 additional upper rooms (some gaps in floor plans)

Reviewing size and plans being updated. Areas of non-compliance will be addressed.

As discussed, this will be addressed through re-locating internal walls to studies.

Final plans to follow planning committee.

6. Tree planting in relation to underground services - need added confidence of practicability

Confirmed in our meeting that the landscape design has been informed by the drainage design.

As discussed, details of landscaping are already to be conditioned. Condition to be expanded to also require details of service locations to ensure the tree planting shown can be delivered.

7. Advises a “Safe Environment Plan” is yet to be provided (pg 28). This is clarified in the Planning Statement and subsequent e-mail correspondence that this is covered in the DAS. Further clarification from Stephen is sought on what is required.

Cooper Baillie extracting the pgs from the DAS and putting a front cover on it. Currently being prepared. No necessary for Planning Committee.

8. A robust fencing solution is required adjacent to the turning area and no. 66 Barrington Road (pg 31) – it is not entirely clear what is being sought here and if this can be addressed by Condition. To be clarified with Stephen.

Railing and gates to be added.

Additional bollards or other means to enclose around plot 54 to stop people travelling over the end of the road and adjacent driveway (south-western corner)

Layout plan updated.

9. To note – Housing Officers comments are awaited on the increased provision of affordable homes and mix (pg33).

Inclusion of additional homes agreed. As set out in the submitted Viability report the tenure of these units are affordable rent.

Layout plan and Affordable housing plan amended to included. Amended house types to follow committee.

Advice being sought for the need for more yellow lining on Barrington Road – pg 36 – clarification sought on when this will be provided.

Stephen sending e-mail to County Highways

10. Pending comments for the Parks Officer on the play equipment (bottom pg 25) – when are these expected? Safety within the play area and depth of basin to be confirmed.

There is fencing along the SuDS, and a hedgerow along the road. This allows the play area to naturally flow into the mown grass area around it and extends the informal play. See the submitted CGI of this space. However, if preferred, a fence around the full play area could be added. However, this detail can be addressed as part discharging the landscaping condition.

11. Further comment is sought from the applicant Re the need to remove vegetation on the northern boundary following comments from Network Rail. Pg 27.

Liaising with network rail and confirmed removals are not required. See the tree plan at the back of the Ecology Report.

12. Confirmation of the management approach to the drainage has been sought – it is suggested this will be covered by the site management company. (Pg 40 bottom & top pg 41)

Majority southern water

13. Pg 43 - confirmation is sought that 100% EV passive provision is made for the apartments in accordance with Building Regulations.

Yes 100% passive provision confirmed.

14. Management of parking space and resident permits, how and whether wider than apartment area

There will be a Management Company for the apartment block parking.

15. Third para on pg 42 states that “The applicant has indicated that the low-spot itself could only be eliminated by infilling of ground by 2m height in this area, but it is unclear how this informs the height of the proposed ground floor, and the height itself.” Clarification to be provided

This reference to the low spot seems to be talking about keeping buildings higher than externals to avoid ponding. For clarity we are not raising floor levels to avoid ponding, the flat blocks are set at the FFLs that they need to be. “Eliminating the low spot” would only be done to try and get drainage to fall by gravity back to the centre of the site to omit the pump, which we are not proposing.

The ground floor levels (thus max height) of the flat blocks are set and we do not intend on raising the flat blocks by 2m.

16. Depth of central basin - how much water/frequency of water depth - ephemeral?

The central basin is up to 2m deep with gentle slopes at a minimum of 1:3 in line with the CIRIA SuDS Manual. The estimated peak depths of water will be: 211mm in the 1 year storm event and 873mm in the 100 year + 40% climate change storm event. The basin will usually be dry and will only fill in the more extreme rainfall events and discharge at a controlled rate.

The basin will therefore be usable open space for the majority of the time.

17. Management and fencing of tree space alongside/r/o 6 Barrington Road (nr emergency access)

Management company

18. Need a long view of elevations to eastern footpath for Committee

Additional street scene provided.

Others

19. Size of gardens e.g. 40/45 sqm at plots 19 & 45

Covered above

20. Homes England – endeavours to date?

Update to be provided.

21. (Adoptable Road – Appendix E)

Stephen checking

22. Management of parking – does 106 cover adequately?

Covered above

23. Indemnity insurances to cover servicing of un-adopted roads and lighting

Indemnity insurance is not required. It will be managed by a management company.

24. Energy – strategy and verification

Update letter has been prepared, which updates the energy calculations to take account of the houses with Air Source Heat Pumps.

For clarification, where the ASHP have been added to the 33 houses, this supersedes the requirement for PV on these plots.

25. Yellow lining – WSCC

Covered above. Stephen investigating with Highway Authority.

26. Noise & Ventilation – possible MVHR?

Meeting to be arranged. Can be addressed post committee.

27. Drainage Survey CCTV to check existing connections, also other inputs

There has previously been a survey locating drainage on the HMRC site. The survey suggests that some area on site soakaway (as indicated in the strategy), the remainder connects to the Southern Water manhole near the southern boundary. No additional connections are anticipated to be discharging into the manhole serving the former HMRC site. Again – Southern Water have confirmed no issues in principal with our proposals and we are providing storage on our site to restrict the runoff and provide betterment.

28. Pump- *This responsibility would include the pump serving, together with its telemetry system, alarms and an underground storage tank, which provides additional storage capacity in the event of an emergency (how? Is water ingress only in certain events – risk that storage may already be full)*

The storage will be connected to the surface water pump so will always be empty. It will only back up in the event of a failure

29. Tree planting within 6m of adoptable sewer

Covered above and proximity of trees to services.

30. Landscaping – extent of approval (Northern edge) street trees/pits etc)

Covered already

31. Railway - Approval of compacting/vibrating works nr railway, also lighting (condition)

All work within close proximity to a railway needs to have a Basic Asset Protection Agreement (BAPA) , which covers everything from materials used, crane use/proximity, scaffolding, excavations, vibrations, dust, and anything else that could have an effect on the railway, this is controlled by Network Rail

The approval process of these details is therefore covered under another consenting regime and thus a planning condition covering this is not required.

32. Police – security around apartments

Covered above

33. Narrowing of footpath from 3m to 2m as it approaches station?

Agreed no change necessary.

34. Southern Path – check s.106/conditions for approval mechanism

Note to Stephen not for us.

35. Footpath connections to adjoining streets/ WSCC – intervening land/s.278/38?

As above.

36. Northern hedge – realistic future management regime (narrow railside space and multiple neighbours)

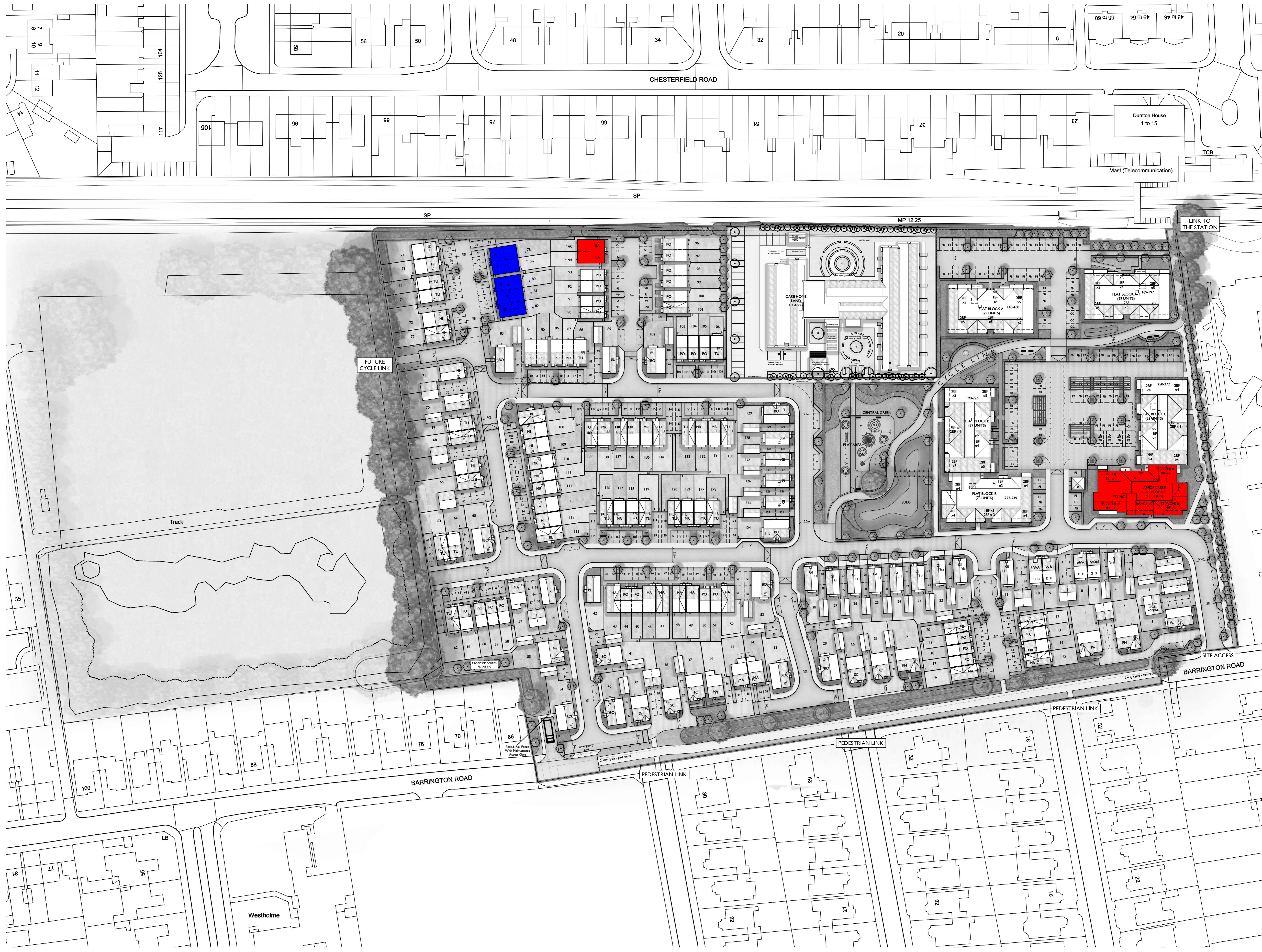
Addressed above.

37. Piers and balconies –metal?

Architect to advise

38. Hedgehogs, birds, bats etc – fences. Is Ecology report clear in specific actions and verification

Details submitted as part of the ecology report.



Key
■ Affordable Housing
■ Shared Ownership

Scale @ A0
 0 5 10 15 20 25m
 Scale 1:500
 Rev Date Drawn Checked
 B 16.09.22 LMD BB
 PLOTS 94-95 CHANGED TO AFFORDABLE

Project: BARRINGTON ROAD, DURRINGTON ON SEA
 Title: AFFORDABLE HOUSING PLAN
 Client: Bellway

Date: MARCH 2022
 Drawn by: TWV Checked by: BB
 Dwg No: CB_34_244_004 Rev: B



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