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Minutes of a Meeting of the Worthing Planning Committee held in the Council Chamber, Worthing Town Hall on 21 July 2021

Councillor Noel Atkins
Councillor Karen Harman

Councillor Dan Coxhill
**Councillor Edward Crouch
Councillor Jim Deen

**Councillor Martin McCabe
Councillor Helen Silman
**Councillor Steve Wills

****Absent**

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

WBC-PC/15/21-22 Substitute Members

Councillor Daniel Humphreys substituted for Councillor Edward Crouch.
Councillor Lionel Harman substituted for Councillor Steve Wills.

WBC-PC/16/21-22 Declarations of Interest

Councillor Noel Atkins declared an interest as an elected Member of West Sussex County Council.

WBC-PC/17/21-22 Public Question Time

There were no questions raised under Public Question Time.

WBC-PC/18/21-22 Confirmation of Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 23 June 2021 be confirmed as a correct record and that they be signed by the Chairman.

WBC-PC/19/21-22 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

WBC-PC/20/21-22 Planning Applications

The applications were considered, see attached appendix.

WBC-PC/21/21-22 Planning Appeals

None to report since the last meeting.

The Chairman declared the meeting closed at 8.06 pm, having commenced at 6.30 pm

Chairman

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Application Number: AWDM/0130/21	
Site:	22 Lyndhurst Road, Worthing
Proposal:	Demolition of two-storey building and erection of four-storey block of 30 apartments comprising 5no. one bedroom, 24no. two bedroom and 1no. three bedroom units, provision of under croft access to car park to the rear, removal of trees and provision of associated landscaping. (Resubmission of AWDM/1518/17)

The Head of Planning and Development began his presentation by showing Members an aerial photograph of the site. The proposal followed the refusal, and subsequent dismissal at appeal, of a previous scheme originally submitted in 2017.

Within the applicant's revised Design and Access Statement, it had highlighted a number of issues that had been discussed with Officers in an attempt to address the concerns of the previous appeal Inspector. These concerns were summarised by the Officer and included the over assertive nature of the building on the corner and approach into the Conservation Area and the overall scale, bulk and massing of the building, particularly the Farncombe Road elevation.

Members were shown a number of plans and photographs by the Officer, which included plans that highlighted the contrast between the appeal scheme and what was currently proposed. The Officer advised that on the third floor level there had been the most significant reduction in floor space, with trees being preserved on site which the inspector recognised would help provide screening and softening of the Lyndhurst Road and Farncombe Road frontages. To assist, Members were shown the revised layout and floor plans of the proposed scheme, and also advised that the Highway Authority were happy with the proposed 21 car parking spaces for the scheme.

Further images, which included Computer Generated Images (CGI), were shown by the Officer as he felt this was the most effective way of clarifying how the applicant had sought to address the Inspector's concerns. The Officer stressed that the previous appeal decision was a material consideration and that the key issue was whether the harm addressed by the Inspector had been overcome by the revised scheme.

The Officer advised a daylight/sunlight report had been produced by the applicant and they had provided a number of details to demonstrate that the scheme would be sustainable in particular including air source heat pumps to provide renewable energy for proposed flats.

Members were advised that another key issue for Members was viability. The Inspector had accepted the viability argument but had not felt that this was compelling due to the harm identified. The Officer referred to the previous appeal decision that accepted the viability position and this had, once again, been supported by the Councils independent viability consultant. The Officer advised Members that the scheme would not provide affordable housing or open space contributions but they would be keen to ensure that

there was a legal agreement in place to include a viability review. This review would ensure that any profit beyond a developer's normal commercial profit margin would be provided towards affordable housing or open space contributions (the development would normally be required to contribute £51,640 towards open space improvements in the vicinity of the site).

The Officer advised that the applicant was happy to accept a condition restricting accommodation to those over 65, but this would be difficult to justify on planning grounds if there was an application in the future to remove such a condition. However, the applicant was keen to put such a restriction in the leases for the flats and it did help to address concerns of local residents about the level of parking provided for the development. The applicant's transport assessment had also been prepared on the assumption that the development would be age restricted.

In conclusion, on balance, the Head of Planning and Development felt that the proposal had now addressed some of the key criticisms of the scheme by the previous Inspector, in particular the prominent corner and the Farncombe Road frontage. It was recommended permission be granted but delegated to secure a s106 agreement seeking a viability review.

A Member raised a couple of queries on the presentation for clarification, which were answered by the Officer.

There were further representations from two objectors, Ward Councillor Jon Roser and two supporters who all attended the meeting, apart from one of the objectors whose representation was read out by an Officer.

During the debate, some Members expressed the view they felt the scheme was an improvement on the refused scheme and were aware of the housing need in the town. Others were still concerned about the bulk and massing, despite the changes to the scheme, and its effect on the Conservation Area. However, following further discussion all Planning Committee Members agreed the Officer's recommendation to approve the application as set out below.

Decision

The Planning Committee unanimously **APPROVED** the application, subject to the completion of a Section 106 agreement securing a viability review of the scheme to assess whether affordable housing and open space contribution could be justified in the future and the following conditions:-

1. Approved Plans
2. Full Permission (5 years commencement)
3. No development shall commence until a Traffic Regulation Order (or revisions to existing Order/s), amending the existing on street parking bays in the vicinity of the proposed access onto Lyndhurst Road and that part of the TRO at the existing access onto Farncombe Road required to enable the development to be implemented, has been approved by the County Council and written confirmation of this approval is made available to the Local Planning Authority. The cost of the Order and the resulting works to be met in full by the applicant.

Reason: In the interests of road safety and amenity.

4. No part of the development shall be occupied until the proposed vehicular access serving the development has been constructed in accordance with the approved planning drawing, including revisions to all road markings as necessary as part of any TRO approval.

Reason: In the interests of road safety.

5. No part of the development shall be occupied until such time as the existing vehicular access onto Farncombe Road has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority after consultation with the Highway Authority.

Reason: In the interests of road safety.

6. No part of the development shall be occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development.

7. No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies

8. No part of the development shall be occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plans.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

9. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-
 - . the anticipated number, frequency and types of vehicles used during construction,
 - . the method of access and routing of vehicles during construction,
 - . the parking of vehicles by site operatives and visitors,
 - . the loading and unloading of plant, materials and waste,
 - . the storage of plant and materials used in construction of the development,
 - . the erection and maintenance of security hoarding,
 - . the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - . details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

10. No part of the development shall be first occupied until such time as a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport.

11. Land Contamination - details to be reported to the Local Planning Authority
12. Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.
13. Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.
14. Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented schemes together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.
15. Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water
16. Approval of Materials

17. Hours of Working to be restricted from 8 to 5 Mondays to Fridays, 9-1 on Saturdays and no working on Sundays or Bank and Public Holidays
18. Landscaping scheme (full details)
19. Finished Floor Levels
20. Accommodation restricted to over 65s

Informatives

Minor Highway Works

The applicant is advised to contact the Highway Licensing team (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.

Temporary Works Required During Construction

The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

Temporary Developer Signage

The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

Traffic Regulation Order

The applicant is advised to contact the WSCC Traffic Regulation Order team to obtain the necessary paperwork and commence the process associated with the proposed development (i.e. removal of parking bays, replacement of bays etc). The applicant would be responsible for meeting all costs associated with this process including implementation of works and infrastructure (signs, marking etc.). The applicant should note that the outcome of this process cannot be guaranteed.

Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The Percolation tests must be carried out in accordance with BRE DG365, CIRIA R156 or similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes,

as an allowance for climate change. Adequate Freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Further Detail regarding our requirements are available on the following webpage

<https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms>

A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions

Application Number: AWDM/0895/21 and AWDM/0896/21	
Site:	Town Hall, Chapel Road, Worthing
Proposal:	Internal refurbishment of the Town Hall, installation of secondary glazing and replacement of single glazed second floor windows.

The Head of Planning and Development introduced the report and advised the application sought to refurbish and re-plan the Town Hall to accommodate staff moving from Portland House.

Members were shown on screen the Interior Design Development document which looked at a renewed palette of materials and refreshing some tired elements of the Town Hall to create a more modern office environment for a larger number of staff with blended ways of working.

The Officer referred specifically to the changes proposed to the Gordon Room in order to make it a more modern flexible space for meetings and exhibitions. Whilst it was felt that the alterations could be justified in listed building terms to ensure that a viable use can be made of the building to support modern day office use, further supporting information should have been provided in the application (within the Planning and Heritage Statement). There was also a need for additional conditions to require a photographic survey of any changes removing historic features and to ensure that secondary glazing does not exceed the frame widths of the original sash windows.

The Officer advised Members of a change to the Officer's recommendation within the report for permission to be delegated to Officers to secure additional supporting information and the conditions referred to above.

The Committee Members unanimously agreed the Officer's recommendation to approve, subject to the changes to the Officer's recommendation as outlined.

Decision (AWDM/0895/21)

The Planning Committee unanimously agreed that the decision to **APPROVE** be delegated to Officers, subject to securing an amended Planning and Heritage Statement, setting out justification for the alterations to the old Court Room (Gordon Room); two additional conditions (added below) seeking a photographic survey of any original features altered by the proposal; that any secondary glazing shall not exceed the frame widths of the original sash windows (require details of all frame widths in comparison to frame widths of sashes to be replaced) and the following conditions:-

1. Drawing Numbers
2. Standard 3 year time limit
3. Photographic survey of original features altered by proposal
4. Secondary glazing not to exceed the frame widths of original sash windows

Decision (AWDM/0896/21)

The Planning Committee unanimously **APPROVED** the application, subject to the following conditions:-

1. Approved plans
2. Listed building time
3. Protect Listed Building during works

Application Number: AWDM/0876/21	
Site:	Allergy Therapeutics Ltd, Dominion Way, Worthing
Proposal:	Construction of single storey metal clad utility plant room and waste compound building to the north of Building 21.

The Head of Planning and Development outlined the application for Members and advised the recommendation was for approval.

Decision

The Planning Committee **GRANTED** planning permission, subject to the following conditions:-

1. Approved Plans
2. Full Permission
3. Approval of Materials and Ducting to be submitted for prior approval
4. Restrict use as ancillary to Allergy Therapeutics only

Application Number: AWDM/0612/21	
Site:	Land East Of 34 To 36 Montague Street, Worthing
Proposal:	Re-siting BT Public Telephone Kiosk due to work being carried out as part of Public realm works scheme at Portland Road.

The Head of Planning and Development introduced the report and advised the application had only been brought to Committee as the kiosk was being relocated onto land owned by the Council.

During questions and debate, some Members queried whether there was a need for telephone kiosks considering the majority of the public now used mobile phones. However, other Members still felt it was a useful and vital public service.

One Member raised concern about the general maintenance of public telephone kiosks and felt they often became eyesores. The Officer agreed to include a condition regarding details of a maintenance/cleaning regime.

Another Member questioned whether a defibrillator could be incorporated into the kiosk, and the Officer agreed to write separately to BT to ascertain whether this was feasible.

The Planning Committee unanimously agreed to approve the application.

Decision

The Planning Committee **APPROVED** the application, subject to the following conditions:-

1. Approved Plans
2. Full Permission
3. Details of a maintenance/cleaning regime

Note: Officers to write to BT to see whether they would agree to the addition of a Defibrillator within the phone box