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Minutes of a Meeting of the Worthing Planning Committee held in the Council Chamber, Worthing Town Hall on 25 August 2021

Councillor Noel Atkins
Councillor Karen Harman

**Councillor Daniel Coxhill
Councillor Jim Deen
Councillor Helen Silman

**Councillor Edward Crouch
Councillor Martin McCabe
Councilor Steve Wills

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

WBC-PC/22/21-22 Substitute Members

Councillor Lionel Harman substituted for Councillor Edward Crouch.

Councillor Kevin Jenkins substituted for Councillor Dan Coxhill.

WBC-PC/23/21-22 Declarations of Interest

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

Councillor Kevin Jenkins declared an interest as the owner of a property in Worthing with trees subject to a TPO and told the Committee that item would be considered with an open mind.

WBC-PC/24/21-22 Public Question Time

There were no questions raised under Public Question Time.

WBC-PC/25/21-22 Confirmation of Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 21 July 2021 be confirmed as a correct record and that they be signed by the Chairman.

WBC-PC/26/21-22 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

WBC-PC/27/21-22 Planning Applications

The applications were considered, see attached appendix.

WBC-PC/28/21-22 Planning Appeals

None to report since the last meeting.

**WBC-PC/29/21-22 Tree Preservation Order 4 of 2021 - Whitebeam Woods,
Whitebeam Road, Worthing**

Before the Committee was a report by the Director for the Economy, a copy of which was circulated to all members, a copy of which is attached to the signed version of these minutes as item 8. The report before members detailed that a provisional Tree Preservation Order had been placed on the woodland of the public open space known as Whitebeam Woods. Members were asked to consider and confirm the Tree Preservation Order.

Members discussed the merits of the application and unanimously approved the officer recommendation

Resolved: That Worthing Tree Preservation Order Number 4 of 2021 be confirmed as made.

The Chairman declared the meeting closed at 9.00 pm, having commenced at 6.30 pm

Chairman

Application Number: AWDM/0550/21	
Site:	Garage Site South Of Heene C Of E Primary School Norfolk Street, Worthing
Proposal:	Demolition of existing storage buildings. Construction of replacement building comprising 4no. one-bedroom flats and 2no. two-bedroom flats, bin and bike storage and associated landscaping.

The Planning Services Manager introduced the Application to members displaying plans and photos of the current site and proposals.

A Member asked if there remained a holding objection from Drainage Engineers. The Committee was told that the Engineer had recommended that matter could be dealt with by conditions and an informative.

A Member asked if there was an intention to improve the access road to a suitable standard. The Officer was not aware of any such plans.

Representations were made by three members of the public and the agent for the applicant. The applicant was questioned about the condition of the access road and whether there were plans to improve the condition. Members were told that the access road was in private ownership and it was not possible for the developer to improve the road. However, it was put forward that the developer could undertake to seek to contact the private owner to see if it was possible to make improvements.

The Committee debated the application and concern was expressed about the suitability of the access road. Members were concerned that the quality of the road and the narrowness of its nature, its heavy use and the lack of lighting would present a risk to the safety of those residents using it. It was noted that there had been no concern from WSCC although it was felt that there had been no specific attention given to concerns expressed by members. Given the Committee's concerns and the nature of the ownership of the access road it was decided that the matter should be deferred for further consultation and allow the developer to seek to contact the private owner of the access road.

Decision

Application **DEFERRED** to further consider accessibility issues to the site with a view to upgrading the private track to ensure it is adequate to serve future users including wheelchair users

Application Number: AWDM/0941/21	
Site:	Shelter South Of West Buildings, The Promenade, Marine Parade, Worthing
Proposal:	Variation of Condition 1 (approved plans) of AWDM/1303/19 (Demolition of existing public shelter and redevelopment to provide an A3 restaurant set over two floors with outdoor seating area at ground floor and a covered external first floor terrace) to create 2 units set over two floors.

The Planning Services Manager introduced the report to the Committee and told Members that updated plans had been submitted to Officers the day of the meeting.

The plans originally submitted had an increase in size but had not extended beyond the boundary of the original application. There had been concerns expressed by officers regarding the dark colouring of the building. This had been addressed by the new designs which had included a white colouring. Initial comments received from officers had indicated that significant progress had been made, however there had been very limited time to properly assess changes.

Representations were made by a representative from the Worthing Society and the agent for the applicant. The applicant was questioned about the proposed changes to the internal structure including what facilities would be shared.

Members debated the proposals and concerns were raised about the lateness of changes made to plans. A Member noted that since the approval of the original plans there had been a change in the economic situation nationwide as a result of the Covid pandemic and understood why changes were necessary in this case. A proposal was agreed by vote whereby the decision be delegated to Officers with a view to approval subject to securing further design improvements in consultation with the Chair and Vice Chair.

Decision

That the planning application be delegated for **APPROVAL** to the Head of Planning and Development, in consultation with the Chairman, subject to the receipt of satisfactory amended plans in respect of the design of the building and the following conditions:-

1. Development in accordance with Approved Plans

2. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

3. The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development.

Reason: *To ensure adequate protection of the public sewers in the vicinity of the site.*

4. 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.

Reason: *To ensure adequate provision is made for foul and surface water sewerage disposal.*

5. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

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

6. 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,
- methods to control dust from the site
- HGV construction traffic routings shall be designed to minimise journey distance through the AQMA's

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

7. The premises, excluding the external seating area, shall only be open for the public between the hours of 08:00hrs until 00:30 hrs, Monday to Sunday. The external seating area shall only be used between 0800 hours and 23:00hrs Mon - Sat and 0800 to 22:00hrs on Sundays and Bank and Public holidays, with external tables and chairs removed or rendered inaccessible to customers, all doors, windows closed and no drinks to be taken outside of those times).

Reason: *In the interests of the amenities of nearby residential properties.*

8. The use hereby permitted shall not be carried out unless and until a Noise Management Plan identifying the main sources of noise and methods of controlling them has been submitted to and approved in writing by the Local Planning Authority. Thereafter the Noise Management Plan shall be adhered to at all times the premises is open for business.

The Noise Management Plan should include:

- Details of Signage
- Monitoring with intervention when necessary
- Any noise complaints to be investigated and the Management Plan reviewed if necessary.
- Only unobtrusive background music shall be played in the internal seating area of the premises up to 22:30 hrs Monday to Saturday and 22:00 hrs on Sundays and Bank Holidays. For this purpose the music noise level shall not exceed 75dB (LAeq15min) anywhere within the premises. No music permitted outside the premises.
- Bottles to be disposed of between 08:00 hrs - 19:00 hrs only, and waste collection of bottles should be arranged for day time hours.

Reason: *To ensure the adequate control of noise from the site in the interests of the amenities of neighbouring properties.*

9. A scheme shall be submitted to and approved by the local planning authority for attenuating all external fixed plant. The scheme shall have regard to the principles of BS 4142:2014+A1:2019 and ensure there is no detrimental impact to the nearest residential dwellings. A test to demonstrate compliance with the scheme shall be undertaken within one month of the scheme being implemented. All plant shall be maintained in accordance with manufacturers guidance and any future plant shall also meet the specified levels within the approved scheme.

Reason: *To ensure there is no detrimental impact to the nearest residential properties from any external fixed plant.*

10. The use hereby permitted shall not be carried on unless and until details of a suitable system for the extraction and disposal of cooking odours (including details of the extract fans, filters, fan units and ducting together with method of noise abatement, as well as details of grease traps and extraction hoods) has

been submitted to and approved in writing by the Local Planning Authority. The equipment approved under this condition shall be installed before the use hereby permitted commences and thereafter shall be maintained in accordance with the manufacturer's instructions.

Reason: *To ensure the installation of a suitable extraction system.*

11. All works of demolition and construction, including the use of plant and machinery and any deliveries or collections necessary for implementation of this consent shall be limited to the following times. Monday - Friday 08:00 -18:00 Hours Saturday 09:00 - 13:00 Hours Sundays and Bank Holidays no work permitted.

Reason: *In the interests of amenity.*

12. Prior to the commencement of development, details of the floor level of the proposed building and any alterations to the ground levels of the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in strict accordance with such details as approved.

Reason: *In the interests of amenity and the environment having regard to policy 16 of the Worthing Core Strategy.*

13. Prior to the commencement of development, a Flood Evacuation Plan shall be submitted to and approved by the Local Planning Authority and the approved details maintained thereafter.

Reason: *To ensure adequate means of evacuation in the event of a flooding incident.*

14. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls (including windows and doors) and roof (to include provision of a green roof) of the proposed building has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule. The schedule shall include provision of a quality plan to ensure good quality low maintenance materials.

Reason: *In the interests of visual amenity and to comply with policy 16 of the Worthing Core Strategy.*

15. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), the premises shall be used only for purposes within Use Class A3 as defined in the Town and Country Planning (Use Classes) Order 1987 or in any equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.

Reason: *In the interest of amenity having regard to policy 16 of the Worthing Core Strategy.*

16. Prior to the commencement of the development, structural and coastal flooding and erosion prevention details shall be submitted to and agreed by the Local Planning Authority in consultation with its Technical Services section. Such details shall include the demonstration of adequate prevention of the building hereby permitted against wave overtopping, shingle erosion within the vicinity of the building, undermining of the building, washed up shingle against the floor slab of the building, details of any repositioned shingle and the method of support of the proposed decked area. The approved details shall be maintained thereafter unless otherwise agreed by way of application to the Local Planning Authority.

Reason: *To ensure that the building is suitably mitigated against any risk of flooding by its method of construction.*

Informatives / Notes to Applicant

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. The applicant is requested to have regard to the Adur and Worthing Councils Minimum standards of Customer WC provision in restaurants guidance and is invited to contact the Council's Food Safety team for further information.
3. A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>
4. A formal application for connection to the water supply is required in order to service this development. For further advice, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk

Application Number: AWDM/0953/21	
Site:	29 Marine Parade, Worthing
Proposal:	Conversion of upper floors from ancillary residential accommodation to provide 2no 2-bedroom self-contained flats with associated alterations to the existing shopfront to create a separate entrance, together with replacement windows and bin and bike store to rear.

The Planning Services Manager introduced the report to the Committee. Members were shown existing and proposed plans and facade comparisons with other premises adjacent to 29 Marine Parade.

There were three speakers for the applicant. The speakers explained the type of business proposed for the premises and the design history of the premises. Members were told that the replacement of windows to UPVC was not unique in the area and that the high quality replacements planned would not be visually that different from wooden alternatives.

Members discussed the application and noted that the property had remained unused for 17 years. Concern was shared that there was a lack of light and ventilation in bedrooms within the flats above the proposed premises and would seek to ensure that appropriate changes could be made. An offer had been made by the applicant to include windows but there had been no plans on which to make a determination.

The planning officer told members that the matter could be delegated to officers for approval if caveats around planning matters were precise. Some matters of concern within the application could be met with suitable planning conditions. If following receipt of further plans it became clear that approval of appropriate and satisfactory windows as well as ventilation and light matters within bedrooms had not been resolved then the matter could come back to the Committee for determination. Members were also told that conditions would also need to be sought from consultees including matters such as an evacuation plan.

The Committee agreed that the application be delegated for approval in consultation with the Chairman to secure acceptable improvements to the standards of amenity in flat one and to agree appropriate conditions including precise details of the windows and any other conditions suggested by consultees.

Decision

Application delegated for **APPROVAL** in consultation with the chair to secure acceptable improvements to the standard of amenity of flat 1 and to impose appropriate conditions including the precise details of the windows proposed and any other conditions required by consultees.

Application Number: AWDM/1207/21	
Site:	Broadwater Parish Rooms, 90 Broadwater Street West, Worthing
Proposal:	External Air Source Heat pump and louvred timber housing and 2no. conical LED wall mounted wall lights to North West elevation.

The Planning Services Manager introduced the report to the Committee. The Environmental Health Officer had confirmed that there was no objection and accordingly the recommendation was changed to Approval from delegation. Members considered the matter and agreed to approve the officer recommendation.

Decision

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

1. Approved Plans
2. Full Permission