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Minutes of a Meeting of the Worthing Planning Committee held in the Council Chamber, Worthing Town Hall on 24 November 2021

Councillor Noel Atkins (Chair)
Councillor Karen Harman (Vice-Chair)

Councillor Dan Coxhill
Councillor Jim Deen
Councillor Martin McCabe

Councillor Helen Silman
Councillor John Turley
Councillor Steve Wills

**Absent

Officers:

Head of Planning and Development, Planning Services Manager, Senior Lawyer, and Democratic Services Officer

WBC-PC/45/21-22 Substitute Members

There were no substitute members.

WBC-PC/46/21-22 Declarations of Interest

Councillor Noel Atkins declared an interest as an elected Member of WSCC and a personal interest in Central pavilion, Beach House Park.

WBC-PC/47/21-22 Public Question Time

There were no questions raised under Public Question Time.

WBC-PC/48/21-22 Confirmation of Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 20 October 2021 be confirmed as a correct record and that they be signed by the Chairman.

WBC-PC/49/21-22 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

WBC-PC/50/21-22 Planning Applications

The applications were considered, see attached appendix.

WBC-PC/51/21-22 Planning Appeals

None to report since the last meeting.

The Chairman declared the meeting closed at 10.13 pm, having commenced at 6.30 pm

Chairman

Application Number: AWD/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 application originally came before the Planning committee on 25 August 2021, it was further presented at a committee meeting on 22 September 2021 and again at the planning committee on 20 October 2021 where it had been agreed to defer the application to enable further negotiations between the developer and local residents in connection with improvements to the unadopted lane serving the site.

It was noted by the Chair that since this was the fourth time this application had been heard, if it was refused, appealed and went to an inspector it was likely to be approved because it was the Lane that was under debate and not the building.

There was one member present that had not attended the previous committees where this application had been heard and so the Head of Planning and Development stated he would give the full presentation again for the benefit of that member.

During his presentation the Officer explained that a turn space had now been included in the plans following the representations from the residents at the previous meeting.

After his presentation the Officer explained that since the last meeting this application was heard at, he had facilitated a meeting between the applicant and some of the residents as had been suggested by members.

Unfortunately differences between the two parties over issues involving the Lane still remained unresolved, including the turn space being deemed as too small for the purpose it was most needed for, which was to allow commercial vehicles to turn.

There were representations from two registered objectors from Cobden Road and the Officer read out a representation from Cobden Road and Norfolk Street Residents' Group. There was a further representation from the agent and the Officer also read out a representation from the applicant.

During the debate members brought up the possibility of bollards providing an answer to some of the residents' concerns and the officer confirmed that the applicant was willing to discuss several measures that may help the situation including bollards and signage.

Members considered that it was not necessary for the rear unadopted service road to be improved given the views of local residents and they also did not consider that the turn on site offered by the applicant was necessary.

Decision

APPROVED

subject to the following conditions :-

1. Approved Plans
2. Full permission
3. Submission of details of materials of the building, external areas and gates
4. cycle building provided
5. Construction method statement
6. Hours of construction work
7. Sprinkler system to be provided in accordance with standards
8. Surface water drainage details submitted
9. Maintenance of surface water drainage system
10. Submission of details of risks from contaminants on site
11. Refuse and waste facilities provided in accordance with the plans
12. Details of the landscaping of the communal amenity area and the green roof on the cycle store including maintenance.
13. Details of measures of sustainability including use of renewable energy
14. A condition survey of the access road serving the site shall be undertaken and prior to occupation of the dwellings hereby approved any damage undertaken to the track during construction shall be undertaken in accordance with a schedule submitted to and approved in writing with the LPA.
15. The turning head indicated on the submitted plans shall be retained at all times and this area shall not be used for the parking of vehicles.

An additional Informative to be added to ensure that the submitted landscaping scheme does not incorporate artificial grass for the courtyard amenity area.

Application Number: AWDM/1875/21	
Site:	Kingswood Home, 140 Heene Road Worthing
Proposal:	Conversion of existing care home to provide 7no. residential apartments involving demolition of attached conservatory; development of a detached 2-bedroom bungalow to south side and adaptation and enlargement of original coach house to provide a 3-bedroom dwelling (9no. dwellings in total) plus 7no. parking spaces (resubmission of planning application AWDM/0601/21).

Before his presentation the Planning Services Manager drew the members attention to a holding objection Technical Services had raised. He advised that further discussions had taken place with the Council's Engineer in an effort to overcome the issue and more information would be provided in due course. If members granted permission for this application it would be subject to that matter being resolved.

The Planning Services Manager gave his presentation and explained that permission had already been granted for conversion of the main villa to provide 7no dwelling units and alterations to create the 'coach house' dwelling. The main difference in the current application was the proposed development of a detached, 2 bedroom bungalow on the south side of the villa.

There was one registered speaker who was the agent who stated that the application should not be refused but instead discussions about alternative design were the solution.

During debate members discussed the green space currently around the villas and agreed that it was this that kept the character of the area as well as the building styles and that any further dwelling on the site was undesirable.

Decision

Refused

For the reason(s):-

1. By reason of its siting, scale, layout, massing and design the proposed detached 2-bedroom infill bungalow (Unit 9) would appear 'crammed' and intrusive within the street scene, and together with the erosion of the existing space to the south side of the existing grand Edwardian villa would irrevocably damage its setting and seriously detract from the historic character and appearance of the Heene Conservation Area. The proposed development would therefore conflict with policy

16 of the adopted Worthing Core Strategy, policies DM5 and DM24 of the Submission Draft Worthing Local Plan and the relevant paragraphs of the NPPF.

2. Due to the scale, layout and massing of the proposed detached, 2-bedroom infill bungalow, the proposed development would provide an unacceptably poor standard of accommodation for the future occupiers of the converted ground-floor flat (Unit 3) and for the occupiers of the converted flats in general (Units 1-7) owing to the lack of usable, external amenity space. The proposed development is therefore contrary to policy 8 of the Worthing Core Strategy, policies DM1 and DM2 of the Submission Draft Worthing Local Plan and the relevant paragraphs of the NPPF.2

Application Number: AWDM/1102/21	
Site:	Land Between Station Car Park and Footbridge, Tarring Road, Worthing
Proposal:	Proposed detached 2-storey 3-bedroom flat-roofed house with south-facing first-floor balcony, parking, driveway and landscaping

The Head of Planning and Development gave his presentation explaining that this application related to a tapering piece of unused land sandwiched between the Brighton-Southampton railway line to the north and highway land adjoining the carriageway of Tarring Road to the south. He also explained that planning permission under AWDM/0106/21 had been refused in March this year for 2no 2-storey 3-bedroom houses with south-facing first-floor balconies, parking, driveways and landscaping because it was decided the siting, layout, massing and design of the proposals would represent a cramped overdevelopment.

The Officer explained that the dwelling proposed in this application would be smaller in scale at 2-storeys and its main front wall would be positioned some 2 metres behind the front building line of the pair of houses on the adjoining development site. This, combined with the reduced scale and massing of the proposed dwelling was considered to satisfactorily address the appeal Inspector's previous concerns, and ensure the building would not appear 'crammed' or unduly dominant.

There was a representation from one registered objector focusing on the street losing many mature trees with TPO's. In addition the Officer read out a representation from Cllr Edward Crouch also objecting to the application on the grounds of overdevelopment and loss of trees.

The Architect made a representation which included explaining the new owner of the land was unaware of the illegally felled trees and brought attention to the proposed plan to collaborate with the adjoining developer to plant 16 trees to replace those lost. He also brought to the committee's attention that the boilers in the property were to be electric.

During the debate members sought clarification regarding the reasons for the choice of trees replacing the lost trees. The Officer explained that the size of the trees were governed by the Southern Water easement covenant and restrictions on overhanging branches over the railway line.

Decision

APPROVED

subject to the following conditions:-

1. Approved plans
2. Standard 3yr time limit
3. Agree material schedule and samples (including windows and doors)
4. Agree hard surfacing details.
5. Implement tree protection measures in accordance with the Arboriculture Method Statement within the submitted Arboricultural Impact Assessment Report LLD2181-ARB-REP-001 Rev 01) and shown on Tree Retention and Protection Plan LLD2473-ARB-DWG-002 Rev 01 with Arboricultural Supervision of the site excavations.
6. Agree and implement a soft landscaping scheme to include new tree planting within the site shown on the Tree Layout Plan LLD2473-LAN-SKE-001 and the westernmost part of site to be retained as an informally landscaped area. In addition that the species, size and location of replacement trees are agreed prior to the commencement of development
7. Construction of the development shall not commence until details of the proposed means of foul water sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.
8. Development works 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 in consultation with Southern Water. 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.
9. The development hereby permitted shall be carried out in full accordance with the recommendations of the Transportation Noise Assessment (Residential Development) (Date: 16 August 2021 – Issue 2 Project: J3076) and all works which form part of the approved scheme shall be completed before the permitted dwelling is occupied. Following completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.
10. No dwelling shall be occupied unless and until the acoustic fence specified in section 7.6 of Transportation Noise Assessment (Residential Development) (Date: 16 August 2021 – Issue 2 Project: J3076) has been erected around the gardens and amenity area of the proposed development in accordance with details of its siting to be submitted and agreed in writing by the Local Planning Authority.
11. Construction work shall not commence until details (including a location plan of ductwork and ventilators) of the mechanical extract ventilation system and

- attenuated through wall ventilators have been submitted and approved. The mechanical extract ventilation should have a boost function, ductwork should be fitted on anti-vibration mounts and internal noise levels of the system when in operation should not exceed guidelines levels specified in BS8233:2014.
12. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plan.
 13. No part of the development shall be first occupied until such time as the vehicular and pedestrian accesses serving the development have been constructed in accordance with the details shown on the drawing titled Site Plan and Location Plan numbered 010 Rev B.
 14. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved Site Plan. These spaces shall thereafter be retained at all times for their designated purpose.
 15. Development works shall not commence unless and until a Construction Method Statement and Plan (including dust protection measures) has been agreed and implemented
 16. Development works shall not commence unless and until potential site contamination has been investigated and remediated.
 17. Control hours of construction Monday - Friday 08:00 - 18:00 Hours; Saturdays 09:00 - 13:00 Hours; No work permitted on Sundays, Public or Bank Holidays.
 18. No part of the development shall be first occupied until the Electric Vehicle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the local planning authority.
 19. Development works shall not commence unless and unit construction design details of the proposed parapet walls, 'meadow roof', balcony balustrade and fixings, dormer windows, cantilevered porch, brick soldier course, window reveals and rainwater goods have been submitted and agreed
 20. Glazing within windows on North elevation fixed shut
 21. Agree and implement boundary treatment (other than acoustic fence referred to in Condition 10 of this permission)
 22. Remove 'permitted development' entitlements for external alteration, extensions and enlargements, incidental outbuildings larger than 5 cubic metres and walls, fences and other means of enclosure forward of the front elevation of the dwelling.
 23. Agree and implement biodiversity enhancements
 24. Any heat source should be from renewable sources the scheme should not incorporate a gas boiler

Application Number: AWDM/1591/21	
Site:	42 Alfriston Road, Worthing
Proposal:	Construction of rear Workshop / Store Outbuilding (part retrospective).

The Planning Services Manager opened his presentation explaining that this was a partially retrospective application proposing the construction of a rear workshop/store at the rear of a bungalow. The previous application, which was approved 28th October 2020, was for a single storey rear extension, removal of an existing shed and workshop and construction of replacement workshop building. The new application was for an 'L'-shaped form that would measure approximately 7.7 metres in depth along the northern side wall and 7.7 metres in width along its east rear wall.

There were representations from 2 registered speakers objecting to the application. Their concerns were regarding the removal of a boundary wall, encroachment of the structure into the unadopted lane to the east of the site, that provided access to the rear of the terraced housing that lay to the east in Cranleigh Road. They also had additional concerns regarding a gateway that had been built into this same lane.

There was a representation from the applicant's agent, who explained that this further application was partially retrospective because a garage, previously on the property had been demolished and the applicant assumed he could add the footprint of that building onto the approved building. Also, on discovery that they had no lawful access to the lane to the east of their property, they removed the gateway they had installed and started constructing a fence to replace the boundary wall.

Decision

APPROVED

subject to the following conditions:-

1. Approved Plans
2. Materials as indicated and matching roof tiles.
3. Use of building for incidental purposes only
4. Removal of permitted development rights for further windows or doors

Application Number: AWDM/1422/21	
Site:	24 Vale Drive, Worthing
Proposal:	Use of part of front driveway/hardstanding to station a non-static vehicle for the sale of refreshments (specification not exceeding 4m in length, 2m width and 2.5m high).

The Head of Planning and Development presented the application explaining that similar applications had, in the past, been approved, although in those cases the refreshment vehicles had been on public sites and not a private driveway. Because of the unusual nature of this application the Officers had recommended that a temporary approval of 12 months be granted to ascertain the impact of the business on the locality.

There were two representations from registered objectors both of which focused on the concerns about increased traffic and litter in the area. A further representation from a Ward Councillor was read out by the Officer which expressed similar concerns.

During debate the members were keen to ascertain if the refreshment vehicle would be moved to the back of the residence when not in use and this arrangement was confirmed. It was also confirmed by the applicant that he intended to offer healthy food where possible and he would not be adding seating facilities alongside the vehicle.

Members queried what would happen at the end of the 12 month trial and the Officer explained that the Planning team would have the concluding decision but would take into account any complaints received

Decision

APPROVED

subject to the following conditions:-

1. Approved Plans
2. Temporary permission - 12 months
3. Trading hours from 8.30am to 10.00am and 1.30pm to 4.30pm Monday to Friday and 9.00am to 4.00pm on Saturdays and Sundays.
4. No hot food preparation on or sales from the premises
5. No customer seating (tables/chairs) to be provided at the site
6. Power supply by mains electricity supply only
7. Storage of vehicle on rear gated driveway at the end of trading and overnight each day

8. 'Keep waste' policy to implemented with details of customer litter bins to be agreed, and provided on site when use is in operation
9. No customer parking is permitted within the residential curtilage of the site.

Application Number: AWDM/1746/21	
Site:	Central Pavilion, Beach House Park, Lyndhurst Road, Worthing
Proposal:	Change of use from clubhouse to restaurant/cafe (Use Class A3) on the ground floor with associated function space at first floor (application to Vary Condition 4 of previously approved AWDM/0624/15 to allow occasional wedding ceremonies).

This application was brought before the committee as the council is the land owner and sought to vary the condition to allow the occasional use of the building for wedding ceremonies.

Decision

APPROVED

subject to the following conditions:-

1. Approved Plans
2. The building shall be used only as a cafe/restaurant (Use Class A3) with associated function room (including use for wedding ceremonies) and for no other purpose.

Reason: *In the interests of amenity having regard to saved policy H18 of the Worthing Local Plan.*

3. The premises shall not be open for trade, business or private functions other than between the hours of 8am and 11pm Monday-Sunday and there shall be no outside activities or use of the terrace before 8am or after 10pm on any day. All activity associated with the restaurant shall cease within 30 minutes of closing time (i.e. by 11.30pm Monday-Sunday).

Reason: *In the interests of amenity having regard to saved policies RES7 and H18 of the Worthing Local Plan.*

4. The level of music played at the premises shall not exceed a level of 55dB LAeq, measured at a height of 1.5m at any position on the boundary of Beach House Park, Lyndhurst Road. No music shall be played outside of the pavilion or relayed to the outside from the pavilion.

Reason: *To safeguard the amenities of nearby properties having regard to saved policies RES7 and H18 of the Worthing Local Plan.*

5. No deliveries to or collections from the premises shall take place other than between 07:30 to 20:00 hours Monday to Saturday and 10:00 to 18:00 hours on Sundays and Public Holidays

Reason: *To safeguard the amenities of nearby properties having regard to saved policies RES7 and H18 of the Worthing Local Plan.*

6. No bottles shall be placed into any outside receptacles after 22:00 hours or before 07:30 hours on any day.

Reason: *To safeguard the amenities of nearby properties having regard to saved policies RES7 and H18 of the Worthing Local Plan.*

Application Number: AWDM/1843/21	
Site:	Brooklands Pleasure Park, Brighton Road, Worthing
Proposal:	Demolition of existing toilet block and proposed new cafe and public toilets, plant and refuse room, accessible play area, with associated landscaping and bike storage (application to vary condition No. 1 of previous approval AWDM/0266/20 - amending the approved plans relating to the design and size of the approved cafe and toilet building).

Planning permission was granted in May 2020 for the Demolition of existing toilet block and proposed new cafe and public toilets, plant and refuse room, accessible play area, with associated landscaping and bike storage (AWDM/0266/20). The application site is owned by the Council.

The application sought a variation of design of the cafe building, being smaller than that previously approved (reduced by just over 50 square metres from the original size of 365 square metres).

There was a representation from the Head of Major Projects and Investment who explained that this variation was being sought because the previous design had proven too expensive. Members raised questions regarding whether the sustainability aspects of the previous design would be incorporated within the new one. The officer explained that not all sustainability aspects would be included but that this application, rather than having sustainability features on the building, looked more at the total carbon budget, which was much smaller.

Decision

APPROVED

subject to the following conditions:-

1. 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. 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 principles set out in 3568-BROO-ICS-XX-RP-C-07.001_Rev A_Brooklands Park - FRA. Adequate pollution mitigation shall be provided in design to mitigate pollution hazard indices associated with medium pollution hazard areas, in accordance with Chapter 26 of

the SuDS manual. No 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.

Reason: *To ensure the provision of an acceptable surface water drainage system*

4. 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 maintenance manual provided within 3568-BROO-ICS-XX-RP-C-07.001_Rev A_Brooklands Park - FRA shall be used as the basis for the final maintenance manual, and shall be updated to appropriately address any changes to design. Upon completed construction of the surface water drainage system, the owner shall strictly adhere to and implement the recommendations contained within the manual.

Reason: *To ensure suitable maintenance and management of the surface water drainage system*

5. 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 scheme 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.

Reason: *To ensure compliance with the approved details*

6. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: *To provide car-parking space for the use*

7. 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.*

8. If, during development, any visibly contaminated or odorous material (for example asbestos-containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified is found to be present at the site, then, unless otherwise agreed in writing with the Local Planning Authority, no further development shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination is proposed to be dealt with shall be submitted

to and approved in writing by the Local Planning Authority and shall then be implemented as approved within an approved time period contained in the method statement.

Reason: *To prevent pollution of groundwater and in the interests of environmental protection and public health and safety, in compliance with the National Planning Policy Framework and saved policy RES9 of the Worthing Local Plan.*

9. 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 a satisfactory means of foul and surface water sewerage disposal*

10. Prior to the first occupation of the cafe hereby approved, details of a scheme to provide 12 active and 46 passive EV parking spaces shall be submitted to and approved by the Local Planning Authority and the approved details maintained thereafter unless otherwise subsequently agreed in writing.

Reason: *To ensure adequate provision of EV charging points*

11. 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 of the proposed cafe 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.

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

12. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority

Soft landscape works shall include detailed proposals for the planting of 4 new trees between the new cafe building and Western Road, taking into account any proposals for a new cycleway and for the remainder of the site, planting plans; written specifications; schedules of plants stating species, sizes and numbers/densities; and the implementation programme. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be completed before any part of the development is occupied or in accordance with the implementation programme approved in writing by the Local Planning Authority.

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

Application Number: AWDM/1806/21	
Site:	Portland House, 44 Richmond Road, Worthing
Proposal:	Replacement of white UPVC windows and doors to composite white polyester powder coated aluminium/timber framed triple glazed windows and doors.

Planning permission was sought to remove the existing white uPVC framed double-glazed windows and external doors and replace them with new white polyester powder-coated aluminium / timber composite framed triple-glazed windows and external doors.

The proposal was to change the existing uPVC frames to composite frames with powder-coated aluminium externally and timber finish internally.

Decision

APPROVED

subject to the following conditions:-

1. Approved Plans
2. Standard 3 year time limit