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Minutes of a Meeting of the Worthing Planning Committee 14 December 2022 at 6.30 pm

Councillor Jim Deen (Chair)
Councillor John Turley (Vice-Chair)

Councillor Noel Atkins
Councillor Russ Cochran
Councillor Dan Coxhill

Councillor Helen Silman
Councillor Emma Taylor
Councillor Andy Whight

Officers: Head of Planning and Development, Senior Legal Officer and Democratic Services Officer

WBC-PC/45/22-23 Substitute Members

There were no substitute members.

WBC-PC/46/22-23 Declarations of Interest

Cllr Emma Taylor declared that, in relation to application 1, she was a resident of Salvington Ward and, in relation to application 4, she was the Ward Councillor for Heene Ward.

Cllr Helen Silman declared that, in relation to application 1, she was a resident of Salvington Ward and, in relation to application 4, she was the Ward Councillor for Heene Ward.

Cllr Noel Atkins declared that, in relation to application 1, he was the Ward Councillor for Salvington Ward and that he was an elected member of West Sussex County Council in relation to any issues that may affect West Sussex.

Cllr Russ Cochran declared that, in relation to application 1, he had previously lived in Salvington ward for 30 years and so was acquainted with many of the residents the application would affect. In relation to application 3, he declared he was the Ward Councillor for Northbrook Ward.

Cllr John Turley declared an interest as an elected member of West Sussex County Council in relation to any issues that may affect West Sussex.

WBC-PC/47/22-23 Public Question Time

There were no questions received from the public.

WBC-PC/48/22-23 Members Questions

There were no questions received from members.

WBC-PC/49/22-23 Confirmation of Minutes

The Committee agreed to an amendment and addition to the Conditions of application one as follows -

~~7. **Amendment** - Additional condition stating that if traffic offences are found to occur as a result of the use of the building, the applicant shall enter into a TRO with the Highways Authority.~~

(Addition) If over the course of the next three years, the highways authority identifies traffic related issues directly attributable to the operation of the nursery, then the applicant is liable for a contribution of up to £6000 towards any remedial action / Traffic Regulation Order.

With the above addition, the Committee **RESOLVED**, that the minutes of the Planning Committee meeting held on 16 November 2022 be confirmed as a correct record and that they be signed by the Chair.

WBC-PC/50/22-23 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

WBC-PC/51/22-23 Planning Applications

The applications were determined as set out in the attached appendix.

WBC-PC/52/22-23 GlaxoSmithKline, Southdownview Road, Worthing

The Head of Planning and Development presented the report and the Committee unanimously agreed the restrictions on the land should be amended via a legal agreement to help facilitate employment allocation in the emerging Local Plan.

WBC-PC/53/22-23 Worthing Tree Preservation Order

The Head of Planning and Development delivered the report clarifying that even when a tree has a TPO maintenance is still permitted. He also confirmed that there is no evidence that the trees are causing any harm to adjacent structures.

The Committee agreed unanimously to grant the TPO.

WBC-PC/54/22-23 Worthing Infrastructure Funding Statement 2021-2022

The report by the director for Economy was noted by the committee. Members commended a very clear statement setting out how the Council is using S106 and CIL. Recommendation agreed with an additional reference to requesting WSCC to provide a summary of funding held by them for the Borough.

The Chairman declared the meeting closed at 9.06 pm, having commenced at 6.30 pm

Chair

Application Number:	NOTICE/0019/22	Recommendation - Prior Approval Required and Granted
Site:	Carnegie House, Littlehampton Road, Worthing, West Sussex	
Proposal:	Application for Prior Approval for construction of one additional storey of 9 no. 1 bedroom apartments and 6 no. 2 bedroom apartments immediately above the existing detached block of flats.	
Applicant:	Mr Bradburn	Ward:Salvington
Agent:	Mr Wong	
Case Officer:	Jackie Fox	

The Head of Planning and Development presented the application explaining that there had been a late addendum to the report. He clarified that a recent high court case had widened the scope of consideration for a planning committee when looking at applications proposing the additions of stories to an existing building.

Members had questions for the Officer regarding:

- The space standards for Public Sector Housing.
- Resident and visitor car parking.
- Waste facilities.

There were three registered speakers objecting to the application. Their representations demonstrated their concerns over the following:

- Parking issues and related air quality concerns.
- Overdevelopment of the site.
- Loss of privacy of existing residents.
- Overshadowing caused by the addition of a story.
- Poor design of the proposed structure.
- Noise and disruption of construction, particularly to those residents who are in their flats during the day.
- Detriment to the mental health of existing residents.
- The possible structural impact of construction on the existing building.

There was a representation made in objection to the application by the Ward Councillor who focused his presentation on:

- Poor design appearance.
- Traffic, parking and highway safety.
- Noise and disturbance to existing residents.

The applicant had provided a statement to be read out by the Head of Planning and Development in their absence. This statement reiterated points the Officer had covered

within the report and also brought to attention the applications similarity to another in the vicinity and expressed thoughts that this may be regarded as setting a precedent.

During debate Members discussed the following issues:

- The Construction Management Plan. With the existing lack of parking, concerns were raised regarding where the builders' vehicles would be parked during construction.
- Trees on the site. Members expressed apprehensions regarding the possible loss of trees on the site to make way for parking.
- Lack of consideration to existing residents. Discussion took place regarding the disruption, noise, additional air pollution and impact on mental health of existing residents.
- Members considered the similar site in the vicinity mentioned in the applicants statement and it was discussed that, due to this site being positioned next to an existing 4 story structure, there was not sufficient comparison between the two applications to be thought of as setting a precedent.
- Members deliberated over the design of the application and opinions were voiced that it was not favourable.
- Sustainability. Members felt that it was unacceptable there were no solar panels or green roof planned for the new story.

A motion was put forward to **REFUSE** the application on the grounds of unacceptable design / loss of amenity and lack of parking. This motion was seconded and unanimously voted in favour of.

Application Number:	AWDM/0056/22	Recommendation Delegate to Head of Planning and Development to APPROVE subject to further comments
Site:	Former EDF Car Park, Southdownview Road, Worthing	
Proposal:	Construction of 3no. buildings providing 11no. light industrial units (Class E(g)) with associated car parking, landscaping and acoustic fence to north side of access road.	
Applicant:	Worthing Borough Council	Ward:Broadwater
Agent:	ECE Planning Ltd	
Case Officer:	Jo Morin	

The Head of Planning and Development advised Members that the application required some adjustments and requested that members consider deferring to a future meeting.

Via a vote, Members agreed unanimously to defer this application.

Application Number:	AWDM/1433/22	Recommendation - APPROVE
Site:	Tesco Supermarket Former West Durrington Shopping Centre, New Road, Worthing	
Proposal:	<p>Variation of Condition 9 of WB/05/0245/OUT and Condition 5 of WB/09/0146/ARM to allow an additional delivery to the Tesco store between the hours of 11pm and 6am on a permanent basis. Application for variation of conditions 3, 4 and 7 of planning permission ref. AWDM/1568/17 to allow an additional night time delivery and extended operational hours for the home shopping facility at their store at West Durrington (both associated with the installation of an Urban Fulfilment Centre at the store).</p> <p>Variation of condition 3 to read: Notwithstanding the wording of condition 2, two deliveries shall be allowed between the hours of 23:00 hours and 06:00 hours Monday to Sunday.</p> <p>Variation of condition 4 to read: Loading, unloading, dispatch, deliveries, collections or vehicle movements associated with Dotcom deliveries shall only be undertaken between the hours of 05:45 hours and 23:00 hours on any day and the cooling process in relation to the Dotcom vehicles shall only be undertaken between the hours of 05:00 hours and 23:00 hours on any day.</p> <p>Variation of Condition 7 to read: The premises shall not be open to the public for trade of business except between the hours of 06:00 hours and 00:00 hours Mondays to Saturdays and 10:00 hours and 18:00 hours on Sundays.</p>	
Applicant:	Mr Ben Train	Ward:Northbrook
Agent:	Mr Roderick MacLeod	
Case Officer:	Jackie Fox	

The Head of Planning and Development presented the report explaining that this was an application for a variation of a condition allowing additional deliveries between 11pm and 6am.

There was one registered speaker who gave a representation in support of the application. He explained that an increase in the demand for home delivery of groceries had made this application necessary.

Members had questions for the speaker regarding:

- How Tesco's were ensuring that delivery drivers were complying with the delivery management plan.
- What impact this may have on the new development adjacent to Tesco.
- The issue of current antisocial behaviour in the Tesco car park at night.
- Noise assessment.

During debate members discussed the possibility of placing a one year trial on the permission and the need for regular intervals of noise measurements. The Officer confirmed that if planning permission were granted, and excess noise became an issue in the future, then separate action could be taken to deal with that. Members also discussed the maintenance of an adjacent piece of land and a suggestion was made that a plea to Tesco to consider additional planting on the land be made.

A proposal was made to **APPROVE** subject to amending condition 6 to require details of monitoring compliance with the Service Yard Management Plan and measures to ensure breaches are dealt with to be submitted after 6 months commencement of the extended delivery hours. The Head of Planning was to write to Tesco encouraging the company to address some of the general noise issues associated with the use of the car park particularly out of hours and to look at tree planting to the east of the loading area. This was seconded and voted in favour of unanimously.

Application Number:	AWDM/1554/21	Recommendation - To delegate to the Head of Planning to APPROVE subject to the completion of a s106 agreement
Site:	19 Manor Road, Worthing, West Sussex, BN11 3RT	
Proposal:	Application to Vary Condition 1 of previously approved AWDM/0762/19. Amendments: position of lift shaft, reconstructed wall in fair face brick along Manor Road, refuse/recycle store relocated, alterations to approved balconies and new feature stone frame around window on south eastern corner. Proposed Car Port over 6no parking spaces, photovoltaic panels and electric car charging points	
Applicant:	Mr P Le	Ward:Heene
Agent:	Rodway Planning Consultancy Limited	
Case Officer:	Jackie Fox	

The Head of Planning and Development presented the report explaining that this application had previously come before Committee in February 2022, and members had agreed the variation to condition 1 subject to a S106 legal agreement to secure a contribution to affordable housing. The S106 has not been signed and the applicants had now made further amendments, as per the proposal, which required this application to be reconsidered.

There were no registered speakers for this application.

During debate members agreed that this amendment was a great improvement to the application and it was proposed, seconded and voted on with an outcome of unanimously in favour of delegating the decision to the Head of Planning and Development to approve subject to the completion of a variation of the Section 106 Agreement to secure an affordable housing contribution and subject to conditions.