

# Public Document Pack

**Minutes of a meeting of the  
Worthing Planning Committee  
22 February 2023  
at 6.30 pm**

Councillor Jim Deen  
Councillor John Turley

Councillor Noel Atkins  
Councillor Russ Cochran  
Councillor Dan Coxhill

Councillor Helen Silman  
Councillor Andy Whight  
Councillor Samuel Theodoridi

**Officers:** Head of Planning and Development, Planning Services Manager, Adur Planning Policy Manager, Senior Legal Officer and Democratic Services Officer

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## **WBC-PC/62/22-23 Substitute Members**

There were no substitute Members.

## **WBC-PC/63/22-23 Declarations of Interest**

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

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.

Cllr Sam Theodoridi declared that in relation to planning application 3, he was the Ward Councillor for Castle Ward.

## **WBC-PC/64/22-23 Public Question Time**

There were no pre submitted questions received from the public.

## **WBC-PC/65/22-23 Members Questions**

There were no pre submitted questions from Members.

## **WBC-PC/66/22-23 Confirmation of Minutes**

**RESOLVED**, that the minutes of the Planning Committee meeting held on 25 January 2023 be confirmed as a correct record and that they be signed by the Chair.

## **WBC-PC/67/22-23 Items Raised Under Urgency Provisions**

### **A Report by the Director for Economy –**

Levelling Up and Regeneration Bill: Reforms to National Planning Policy.

The Adur Planning Policy Manager presented the report explaining it had been added to the agenda as an urgent item as the consultation period closed on 2 March 2023.

The Officer clarified that the Government were seeking views on the proposed reforms to the National Planning Policy Framework set out in the report and the recommendation for members tonight was to consider the report and refer any comments to the Executive member.

Members commented that with regards to measuring carbon impact it would be beneficial to also prescribe that developers were required to give expected carbon emissions produced by each development from beginning to end, including details of where materials used would be coming from, what type of materials they were and what transportation would be used for the materials.

Members also noted that in response to a consultation question regarding the exceptional circumstances for the use of alternative approaches to assessing local housing needs, the response should state that any guidance should allow for local circumstances.

## **WBC-PC/68/22-23 Planning Applications**

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

## **WBC-PC/69/22-23 High Hedge Complaint**

The application was determined as set out in the attached appendix.

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The meeting ended at 10.39 pm

**Chair**

Planning Applications

1

<b>Application Number:</b>	<b>AWDM/1141/22</b>	<b>Recommendation - REFUSE</b>
<b>Site:</b>	<b>Miller House, 14 - 16 Farncombe Road, Worthing, West Sussex</b>	
<b>Proposal:</b>	<b>New build 4 no. 2 bedroom houses</b>	
<b>Applicant:</b>	Patagonia Properties Ltd	Ward:Selden
<b>Agent:</b>	Stickland Wright Ltd	
<b>Case Officer:</b>	Jacqueline Fox	

The Planning Services Manager presented the report and explained there had been additional comments submitted from the Worthing Society which were in Addendum 2 that had been circulated to Members.

There was one registered speaker who gave a representation on behalf of the Worthing Society in objection to the application. Her representation expressed concerns about the style and materials planned for the development being out of keeping with the surrounding conservation area, an erosion of open light and visibility for the existing villas as well as the visible roof line to the west of the proposed structure diminishing the separation of the villas. In addition the speaker confirmed the society were apprehensive regarding the flint wall being retained.

There was a representation from the Ward Councillor who represented the perspective that saw Worthing's substantial shortfall in housing outweighing heritage concerns.

There was one registered speaker, who gave a representation on behalf of the developers in support of the application. He explained that the applicant had liaised at length with the Council regarding the design of the proposed properties. He also confirmed that there were no plans to remove any part of the flint wall.

During debate Members concurred that the red brick coach house design was out of keeping with the other surrounding properties and whilst they were in agreement that Worthing's need for housing mitigated any concerns regarding this being a backland development, it was still of great importance that the conservation area should be protected as much as possible. Members suggested that a rendered finish to the proposed building may be more agreeable than the red brick design within the application.

A proposal was put forward to overturn the Officers recommendation to refuse the application and instead **APPROVE** the application subject to conditions. The Officer reminded the committee that if this proposal was carried all the regular conditions would also apply to the approval.

This proposal was seconded and voted on with an outcome of 5 in favour and 3 against.

**Decision -**

**Recommendation overturned. Application delegated with a view to approval to draw up suitable conditions including a materials conditions specifying that the dwellings be rendered to match adjacent developments. Wording of material condition to be agreed with the Chair prior to decision being issued.**

The Chair confirmed to Members that he would keep them informed of proposed changes to the application design.

<b>Application Number:</b>	<b>AWDM/1884/22</b>	<b>Recommendation - Approve and delegate to Head of Development to issue the decision upon completion of a s.106 undertaking.</b>
<b>Site:</b>	<b>10 - 20 Marine Place, Worthing, BN11 3DN</b>	
<b>Proposal:</b>	<b>Demolition of existing commercial storage buildings, erection of new 3-storey building containing 9 apartments, with additional studio/ office space at lower ground floor level. To include on-site secure bicycle and refuse storage, and the relocation of an existing electrical substation.</b>	
<b>Applicant:</b>	<b>Star Property Investment and Management Ltd</b>	<b>Ward: Central</b>
<b>Agent:</b>	<b>Rodway Planning Consultancy Limited</b>	
<b>Case Officer:</b>	<b>Stephen Cantwell</b>	

The Head of Planning and Development delivered the presentation explaining that there had been two additional objections since agenda publication and that these were covered in Addendum 1 that had been circulated to Members.

Members had questions for the Officer regarding archeological interest in view of the fact that the area had many cellars with historical connections to smuggling. The Officer confirmed that this was covered in condition 13. Members also asked for clarification regarding the commercial space and were informed that it would be available for rent on a very flexible basis to residents and non residents.

There were two registered speakers who gave representations objecting to the application. Their presentations voiced concerns over overlooking, regarding the proposed development opposite in the vacant debenhams building, loss of natural light, air flow and ventilation to the adjacent Yoga Centre and disruption during construction.

There was one registered speaker, the agent, who gave a representation in support of the application. He responded to Members' queries regarding sustainability aspects of the development and future management of landscaping and the proposed wildlife area.

During debate Members discussed aspects of the design of the proposed building and issues surrounding loss of light for the adjacent Yoga Centre.

A proposal was made to accept the officers recommendation to delegate for approval agreed subject to the conditions set out in the report and on page 9 of Addendum report.

This proposal was seconded and voted on with an outcome of a unanimous vote in favour.

**Decision -**

**APPROVE and delegate to the Head of Planning and Development for approval agreed subject to the conditions set out in the report and on page 9 of Addendum report 1. No requirement to complete a S106 agreement**

**Subject to Conditions:-**

1. Approved Plans
2. Time – 3 years to implement permission
3. Materials and large scale detailing
4. Landscaping – Hard and Soft Details, including biodiversity
5. Means of Enclosure – details and limitation of Permitted Development Rights at site frontage.
6. Rear boundary – detailed modifications and implementation.
7. Use of obscure glazing and side screen at south east corner of terrace
8. Office use of lower ground floor and no conversion to habitable space
9. Sound insulation between floors
10. Management of office space
11. Secure cycle stores, details and implementation.
12. Travel Plan
13. Archaeology – investigation and details of method
14. Site remediation – investigation and details of method
15. Levels – floors and land levels
16. Flood evacuation plan, including management and updating
17. Sustainable drainage and maintenance.
18. Construction management plan
19. Construction works – hours of.
20. Widening of pavement
21. Any other appropriate conditions

<b>Application Number:</b>	<b>AWDM/1680/22</b>	<b>Recommendation - REFUSE</b>
<b>Site:</b>	<b>Cissbury Chase (Former Worthing Sixth Form College)</b>	
<b>Proposal:</b>	<b>Application to vary conditions 2, 9 and 11 of planning permission AWDM/0363/11 to extend residential curtilage to allow the extension to rear gardens of residential dwellings at Cissbury Chase [Planning permission AWDM/0363/11: Demolition of existing college buildings and construction of 265 dwellings together with floor space for commercial nursery units with associated access, parking and landscaping. Amendments - commercial nursery units replacing doctors' surgery in corner block, amendments to central square and surrounding buildings, minor elevational changes to other buildings, minor modifications to layout of streets.]</b>	
<b>Applicant:</b>	<b>Cissbury Chase (Worthing) Management Company Ltd</b>	<b>Ward: Castle</b>
<b>Agent:</b>	<b>ECE Planning Limited</b>	
<b>Case Officer:</b>	<b>Jo Morin</b>	

The Head of Planning and Development delivered the presentation explaining that the application related to three 'buffer strips' of land to the north, east and south of the site with which the developer had failed to reach the original conditions.

There was one registered speaker who gave a representation in objection to the application. She explained how the buffer strip behind her residence in Bolsover Road provided much needed privacy from the three story houses behind her garden. She was of the opinion that the trees and shrubs there should be retained to safeguard the ecology of the area and in the interests of the protected species to be found there.

The Ward Councillor gave a representation in support of the application explaining how none of the original conditions regarding these strips had been met, either by the developers or the subsequent management company resulting in the strips being a dumping ground for building waste. He clarified that 64 of the 66 residents whose gardens backed on to these strips had, at their own cost, arranged a local ecology survey that concluded that the land was of little or no ecological value in its current state.

There were three registered speakers who gave representations supporting the application. They clarified that the strips were badly designed and too narrow to allow landscaping and access for maintenance. The ground was largely made up of rubble

which caused drainage issues and the trees that had grown there were the wrong type of trees to maintain wildlife.

*(At this point the meeting had reached 3 hours long and so the members voted in agreement of continuing)*

During debate Members discussed that there may not be one suitable solution for all three strips and they should possibly be looked at separately. It was felt there were too many options and differences between the strips to allow a decision at this point.

It was therefore proposed that the application be deferred to consider further options for each individual buffer area. This proposal was seconded and voted in favour of unanimously.

**Decision -**

**Application deferred to consider further options for each individual buffer area.**



## Remedial Notice - High Hedge Complaint

<b>Application Number:</b>	<b>AWEN/0019/20</b>	<b>Recommendation - Confirm the issuing of the Remedial Notice</b>
<b>Site:</b>	<b>39 Hollingbury Gardens Worthing</b>	
<b>Proposal:</b>	<b>Confirmation of Issuing Remedial Notice</b>	
<b>Case Officer:</b>	Jeremy Sergeant	

The Planning Services Manager delivered the report and explained the background to the case.

Members had questions for the Officer regarding how the prescribed suitable height for the trees had been reached by the Tree Officer. The Officer clarified that British Daylight Standards had been used to calculate the height of 6.5 metres and the maximum height of 7 metres was to allow some tolerance for growth of the trees.

There were two registered speakers objecting to the application who were the residents of the dwelling housing the site of the trees. They explained that the complainants had purchased their property when the trees were in situ and of substantial height. They also clarified that they had obtained a report by a Tree Surgeon confirming that excessive cutting could cause the death of this type of tree.

The Ward Councillor gave a representation explaining that the Tree Officer had issued his concluding report before the deadline for comments had passed resulting in the owners of the trees views not being considered so in the interests of balance and fairness it was important to hear both sides of the debate today.

There was one registered speaker who gave a representation supporting the application reiterating issues addressed in her written representation including concerns regarding the effect of the tree's roots within her own garden and the dangers of large branches falling into her land.

*(At this point the meeting had reached 4 hours long and so the members voted in agreement of continuing)*

During debate Members discussed the dangers of cutting back this type of tree and the biodiverse benefits the trees currently provided.

A proposal was put forward to reject the Officers recommendation to issue the Remedial Notice. This proposal was seconded and voted on with a result of 7 in favour, 0 against and 1 abstention.

**Decision -**

**Recommendation overturned.**

**The Committee considered that the enforcement of works or conditions regarding the trees would be damaging to the trees and detrimental to the local landscape. Further, that the effect of the trees on the neighbouring property did not justify any remedial action.**