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## Minutes of a meeting of the Worthing Planning Committee 21 February 2024 at 6.30 pm

Councillor Andy Whight (Chair)  
Councillor Ödül Bozkurt (Vice-Chair)

Councillor Helen Abrahams  
Councillor Noel Atkins  
Councillor Samuel Theodoridi

Councillor Rosey Whorlow  
Councillor Richard Nowak  
\*Councillor Russ Cochran

\*Absent

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

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*Councillor Andy Whight announced that following decisions made at the Full Council meeting on 20 February 2024, he was now the Chair of the Planning Committee and Councillor Ödül Bozkurt was vice chair.*

### **WBC-PC/64/23-24 Substitute Members**

Councillor Kevin Jenkins substituted for Councillor Russ Cochran.

### **WBC-PC/65/23-24 Declarations of Interest**

Councillor Sam Theodoridi declared that, in relation to AWDM/1669/23, he had objected to the original application when it first came to committee. He stated that, in his opinion, the current application did not differ substantially from the original one and so he considered himself to be predetermined regarding the application. For this reason, he stated that he would absent himself from the meeting during this item.

Councillor Richard Nowak declared he was a member of the Worthing Society with regards to the Conservation Area Review item.

Councillor Noel Atkins declared an interest as an elected member of West Sussex County Council in relation to any issues that may affect West Sussex. He also declared that in relation to application AWDM/1017/23, he had visited the premises several times in his capacity as a Debt Advisor with the CAB, but was not predetermined.

Councillor Kevin Jenkins declared that regarding the Conservation Area Review, he was the Ward Councillor for Goring Ward. He also declared that he called in application AWDM/1017/23 on behalf of residents but had made no comments himself and was not predetermined regarding the application.

### **WBC-PC/66/23-24 Public Question Time**

There were no questions received from the public.

**WBC-PC/67/23-24 Members Questions**

There were no questions from Members.

**WBC-PC/68/23-24 Confirmation of Minutes**

**RESOLVED**, that the minutes of the Planning Committee meeting held on **31 January 2024** be confirmed as a correct record and that they be signed by the Chair.

**WBC-PC/69/23-24 Items Raised Under Urgency Provisions**

There were no items raised under urgency provisions.

**WBC-PC/70/23-24 Planning Applications**

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

**WBC-PC/71/23-24 Draft Worthing Affordable Housing Supplementary Planning Document**

This item was deferred due to lack of time and will be heard at the Planning Committee meeting on 20 March 2024.

**WBC-PC/72/23-24 Worthing Conservation Area Reviews**

This item was deferred due to lack of time and will be heard at the Planning Committee meeting on 20 March 2024.

The meeting ended at 10.04 pm

**Chair**

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<b>Application Number:</b>	<b>AWDM/1017/23</b>	<b>Recommendation - Delegate to Head of Planning to APPROVE subject to the receipt of amended plans</b>
<b>Site:</b>	<b>Guest House, 6 Windsor Road, Worthing</b>	
<b>Proposal:</b>	<b>Retrospective application to retain use as a 14-bedroom HMO (sui generis), and with proposed managers accommodation including new roof extensions and alterations at second floor level, single storey side extension, and retain rear garden outbuilding as managers office.</b>	
<b>Applicant:</b>	<b>Mr M Strom</b>	<b>Ward:Selden</b>
<b>Agent:</b>	<b>Mr Colm McKee</b>	
<b>Case Officer:</b>	<b>Rebekah Hincke</b>	

The Head of Planning and Development presented the report. He explained that an appeal was pending from a similar, but larger, application for an HMO in the same road which had been rejected by committee several months ago. Whilst it would be preferable to wait for the outcome of this, the publication of the appeal decision may take some months and we could not delay the determination of this current application that had to be dealt with on its own merits.

The Officer clarified for members the reasons behind the application being a retrospective one and confirmed that the council had been using the facility as temporary and emergency accommodation for approximately 10 years.

Members had questions for the Officer regarding the Local plan, in particular DM12. The Officer explained that, whilst the Local Plan had been considered carefully, the need for this type of accommodation was acute and Officers did not consider that the application was overly divergent from the Local Plan's aspirations. The Local Plan policy seeking to retain existing hotel accommodation was based on evidence of existing hotels that were currently trading, however, the Council's own survey in 2013 noted it was not operating as a Guest House.

There was one speaker, a resident of Windsor Road, who gave a representation in objection to the application. She explained to members that the over-saturation of HMO's in this area was a great concern to residents and there were many incidents of antisocial behaviour in this vicinity.

There was one representation from a Councillor, the Cabinet Member for Housing and Citizen Services, who explained the desperate need for this type of accommodation. With regards to antisocial behaviour she suggested that support was required to overcome

this problem rather than policing and expected the 24/7 presence of an on site manager to be greatly beneficial.

There were three registered speakers, giving representations in support of the application. A resident of the former Guest House gave a representation in support of the application. She explained to the committee how she had found herself in the situation of needing emergency accommodation and demonstrated how the HMO had been of immense help and support to her enabling her to feel safe whilst coping with her circumstances. The current manager of the property explained during his representation how the HMO had a zero alcohol and drugs allowed policy.

During debate members discussed the change of use of the building and whether or not it was warranted. There was some discussion that the DM12 policy of the Local Plan was created to protect current visitor accommodation but as this property had been used as an HMO for a while, it could be argued that it shouldn't apply in this instance.

Some members expressed concern over the management plan being adequate whilst others suggested that the on site management presence would be of a great benefit to the proposed application.

Although there was concern regarding the density of HMO's in this area it was also recognised that there was a great need for emergency and temporary accommodation.

A suggestion was made to add an additional condition regarding soundproofing between this property and the neighbouring one and this was voted in favour of by the Members.

A proposal was made to accept the Officers recommendation, with the additional condition. This was seconded and voted on with an outcome of 5 votes in favour and 3 votes against.

**Decision - APPROVE.** Recommendation agreed in relation to the latest amended plans increasing the size of the dormer to comply with National Space Standards. Additional Condition to be added in relation to additional sound insulation.

### **Conditions**

1. Approved Plans
2. Construction Management Plan to be agreed
3. Hours of construction
4. Cycle parking details to be agreed
5. Bin storage details to be agreed
6. Sustainability measures to be agreed
7. Development to be carried out in accordance with FRA to include the recommendations of section 8.0 and including the following mitigation measures - Finished ground floor levels shall be set no lower than 5.80 metres above Ordnance Datum (AOD). The measures detailed above shall be fully implemented and retained and maintained throughout the lifetime of the development.
8. Matching materials
9. Use as a 14 bedroom HMO limited to a maximum of 14 occupants
10. Management Plan shall be fully implemented

11. Use of second floor accommodation to be occupied by site manager to provide staff presence 24/7
12. Use of garden office for on-site manager, in connection with the management of the HMO only.

<b>Application Number:</b>	<b>AWDM/1669/23</b>	<b>Recommendation - Delegate to Head of Planning and Development to APPROVE subject to receipt of amended plans</b>
<b>Site:</b>	<b>Durston House, 21 Chesterfield Road, Worthing</b>	
<b>Proposal:</b>	<b>Construction of an additional floor on the existing building 'Durston House' comprising 4 residential apartments (2 x 1 bedroom and 2 x 2 bedroom).</b>	
<b>Applicant:</b>	Exite Development LTD	Ward: Castle
<b>Agent:</b>	Howard Fairbairn MHK	
<b>Case Officer:</b>	Marie O'Keeffe	

*Councillor Sam Theodoridi absented himself from this application.*

The Head of Planning and Development explained that this premises could not add an extra floor under permitted development, because it was previously an office block, so the application was required. He corrected an error within the report which had stated that there was no CIL to be applied for Castle Ward. This aspect was out of date and the Officer confirmed that the CIL charge was £39,000.

The Officer clarified that there were no grounds to refuse the application because of lack of parking because the premises were adjacent to the railway station and close to shops. He confirmed for Members that this application was the same as the lapsed permission but with the addition of soft landscaping.

There was one representation in objection to the application which, in the objectors absence, was read out by the Officer. The representation focused on lack of amenities and parking within this area. There was one representation by the Ward Councillor who also spoke in objection to the application on behalf of the residents.

During debate there was discussion regarding whether the addition of further floors could be a future possibility. The Officer confirmed that the addition of further floors would be under the control of the Council and he considered that it would be very difficult structurally to add additional floors to this block. Members were concerned that the construction hours were not stated within the conditions and the Officer confirmed that this could be added to the conditions.

There was a proposal to approve the application with the additional condition along with an additional conditional requiring the submission of sustainability measures. This was seconded and voted on with an outcome of 6 votes in favour and 1 abstention.

**Decision - APPROVE.** Revised recommendation to delegate to the Head of Planning & Development to grant planning permission subject to the satisfactory comments of Environmental Health, and subject to the conditions set out in the Agenda with an

additional Condition relating to the hours of working (as set out in the CMP) and a Condition requiring the submission and implementation of sustainability measures.

### **Conditions**

1. Approved Plans
2. 3 years
3. Materials as specified
4. In accordance with Construction management Plan
5. Construction work shall not commence until a scheme for protecting the proposed flats from noise from the railway and station has been submitted to and approved by the Local Planning Authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall have regard to the principles contained within the World Health Organisation community noise guidelines and achieve the indoor ambient noise levels for dwellings specified in BS8233:2014. Following approval and completion of the scheme, a test shall be carried out and the result submitted to the Local Planning Authority to demonstrate compliance with the scheme.
6. Details of Noise insulation between flats
7. Details of soft landscaping
8. Car/cycle/bin storage retained at all times

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