

Application No. AWDM/1316/19	
Site:	<b>Land to the South and East and West of The Coach and Horses, Arundel Road, Worthing</b>
Proposal:	<p>Reserved Matters application following outline planning permission AWDM/1882/16 for 120 new dwellings on the southern and eastern part of the site (including the provision of 36 on-site affordable dwellings) including the provision of associated parking, landscaping and Locally Equipped Area of Play</p> <p>The application includes details for discharge of the principal conditions relating to Reserved Matters i.e. 1, 3, 5 &amp; 6 as well as content to discharge and partially discharge the conditions listed below:</p> <p>Discharge conditions: 7 (materials); 22 (ecological details); 26 (surfacing of public rights of way); 32 (highway surface water prevention); 36 (boundary treatments)</p> <p>Partial discharge conditions: 8 &amp; 9 (drainage); 12 (land reclamation); 13 (hard &amp; soft landscape); 14 (tree protection); 16 (landscape boundaries); 20 (Construction Management Matters); 23 (Archaeology); 30 (car parking details); 31 (cycle parking); 33 (refuse storage provision); 34 (Noise Protection) and 37 &amp; 38 (Electric Vehicle Charging).</p>

*The Chairman advised a change in the order the applications would be considered, i.e. item 6.1, 6.2, 6.4, 6.5, 6.6, 6.3 and finally 6.7.*

The Head of Planning and Development advised the Committee that the first two applications on the agenda related to the West Durrington urban extension referred to as Phase II. Following the granting of outline planning permission in 2019 for 240 dwellings the two applications to be considered were for Reserved Matters for the two consortium partners, Persimmon Homes and Taylor Wimpey.

Before he outlined the first application for Persimmon Homes, the Officer spoke about the site as a whole and the key issues for consideration. He produced aerial photographs of the site and pointed out key elements to the Committee Members. The Officer advised that Phase I was close to completion and included 700 dwellings, a school, community facilities and important infrastructure, including cycle paths and linkages to existing roads.

The Head of Planning and Development advised the Committee that Officers, in negotiating with the consortium on Phase II, had looked closely at how Phase I had been built out, particularly looking at elements that had been successful and others less successful in terms of design and use of materials.

The Committee were shown a number of plans and photographs to assist in their consideration of the applications, and the Officer referred to the Community Infrastructure Levy (CIL) advising Officers had been working with WSCC and Highways England to potentially gain improvements along the A27 in terms of improvements to the crossing points.

The Officer outlined the application for Persimmon Homes, the southern section of the site, which would provide 120 homes, and Members were advised of key issues with the site.

Members were shown images from the original Design and Access Statement and advised Officers had sought to make a number of improvements to the design of individual dwellings. A revised layout was shown by the Officer which incorporated the bund which Officers believed would be important to protect garden areas of those dwellings on that part of the site.

The Officer concluded his presentation by referring Members to the addendum which included The Worthing Society's comments; the development's relationship with The Hollies mentioned within the report and minor changes to the original Legal Agreement.

Some Committee Members raised a number of queries for clarification with the Officer, which were answered to the Members' satisfaction. In summary, these included:-

- the management & maintenance of leisure/open space;
- type of surfacing for footpaths, particularly towards A27; and
- level of renewable energy.

There were further representations from one registered speaker in objection, who had elected to join the meeting; another objector who elected to have their representation read out at the meeting; and one registered speaker in support who joined the meeting.

Councillor McCabe began the debate and spoke in favour of the development however, he referred to the Construction and Environmental Management Plan mentioned within the report and requested Officers ensure they refer to the most up-to-date legislation.

Following further discussion, Members unanimously supported the scheme. The Committee were pleased with the detail within the report; that Officers had borne in mind

elements of Phase I that had not been successful and recognised an important site for the town.

A vote was taken by roll call. The proposal put forward was to approve the application and the vote was as follows:

For: Councillors Atkins, Baker, Deen, High, McCabe, Silman, Westover and Wills

Against: 0

Abstentions: 0

## **Decision**

A. That Reserved Matters Approval be **GRANTED**, subject to the following conditions:-

- i) consideration of any responses received to consultations and publicity for recently amended plans within 14 day response period;
- ii) the completion of a Deed of Variation (in relation to possible changes to the open space adjacent to one of the neighbouring properties and securing an additional maintenance contribution) and the receipt of information as set out at 10.2 below, or any further amendments required and the imposition of conditions at 10.3 below; and

B. That matters relating to the proposed discharge of conditions summarised at the table at 10.4 below be determined by the Head of Planning under delegated authority.

### **1.2. Amended Plans and Information:-**

1. Red-line site plan to include both sides of the main avenue
2. Amended Plans to include planted noise bund.
3. Amended Plans and details to ensure screen planting, maintenance and enclosure alongside the Hollies
4. Boundary and fencing details, including the public footpath, Smugglers Cottage, Stanhope Cottage and eastern boundary
5. Site levels – amended plan
6. Amended plans for the Alnmouth house-type substitute
7. Detailed plans of open spaces to clearly define edges, including public footpath.
8. Accessible/adaptable and wheelchair-user homes
9. Amended plan to show turning area design, surfacing and planting and gate or barrier for public footpath
10. Any further amendments and information required arising from consideration of recently submitted amended plans and information.

### **1.3. Subject to Conditions:-**

1. List of Approved Plans

2. Provision and retention of secured sheds
3. Adherence to levels (when agreed)
4. Drainage – post construction verification
5. Contaminated land – precaution for in the event of any unforeseen contamination, also control of imported soils
6. Permitted Development Restrictions - upper windows, roof conversions, roof enlargements.
7. Permitted Development Restrictions - means of enclosure
8. Retention of garages and car ports, no conversion

#### 1.4. **Determination of outline conditions of AWDM/1882/16**

Note: Whilst approval or partial approval is envisaged in the Notes and Actions column below, determination under delegated authority would also allow for any condition to be refused in the event that submissions are not considered acceptable.

	<b>Purpose</b>	<b>Recommendation</b>	<b>Notes/Actions</b>
	<b>Materials</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Samples needed including bricks, tiles &amp; boarding.</p> <p>Detail of flint laying/jointing also needed.</p> <p>Driveways to certain plots and paths along main avenue and through village square to be amended away from black tarmac. Also add contrasted intervening material to domestic driveways and for some roadside parking bays (also subject of condition 13).</p>

	<b>Drainage Design /Manage</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>consultation with Highways England following applicant's confirmation that SW drainage does not connect into or discharge onto the A27 and suitable future management and maintenance manual details, to the satisfaction of the Council's Engineer.</p>
	<b>Drainage SUDS</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Confirmation from Council's Engineer as to extent of detailing approved and which remains to be evidence of a land drainage consent application, also information to demonstrate that the system does not connect into or discharge onto the A27 to the satisfaction of the Council's Engineer.</p> <p>Domestic water harvesting details.</p>
	<b>Land Remediation</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Information acceptable. Additional standard condition to be added.</p>

	<b>Landscape Hard/Soft</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>amendments including varied materials as for condition 7 above, and</p> <p>Response of Parks, Trees &amp; Landscape officers concerning:</p> <ul style="list-style-type: none"> <li>- layout, planting, materials, boundaries/enclosures, signage, bins adequacy of play area and other spaces and future maintenance,</li> <li>- Adequacy of tree works proposals and clarity of hedgerow works/augmentation.</li> <li>-Timetable for works related to development phases, when known.</li> <li>- Suitability of planting in housing areas</li> <li>- protection of planting (e.g rails) in housing areas</li> </ul>
	<b>Trees</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Response of Trees &amp; Landscape officers concerning: tree planting and detail of tree works, including more specific proposals for works if required.</p> <p>Confirmation of relationship between trees and water mains.</p> <p>Provision for replacement of tree 131 for screening purposes if removal is accepted by the Tree Officer.</p>

	<b>Boundary L/scape</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Clarification of submitted plans and amended plans to include additional planting to eastern boundary and parking area near plots 86 - 88 and acceptable layout and maintenance arrangements alongside the Hollies, subject to consultation with Parks, Trees and Landscape officers.</p> <p>If necessary a variation to the legal agreement of the outline permission.</p>
	<b>Construction Management</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Receipt of an acceptable CEMP.</p> <p>Consideration of response from Environmental Health and Highway officers, and any neighbour response.</p>
	<b>Ecology</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Clarification of role of Ecological Clerk of Works and explicit list of actions.</p> <p>Hibernacula proposals and on-going management.</p> <p>Consideration of ecologist's response to submitted documents.</p>

	<b>Archaeology</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>agreement of the County Archaeologist following recent additional information.</p>
	<b>Public Footpath surfacing</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>acceptable detailed plan to with means of surfacing to maintain informal character where possible, in consultation with County Rights of Way/Highway Officer.</p>
	<b>Car Parking</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Comments of Highway Authority.</p>
	<b>Cycle Parking</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Comments of Highway Authority and agreement to provide secure cycle locking and secure sheds.</p>
	<b>Highway (Drainage)</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>consultation with the County Highway Authority in liaison with Council's Engineer.</p>



	<b>Recycling &amp; Waste</b>	Delegated decision	Approval or Partial Approval subject to:  agreement of Council's Waste and Recycling Manager
	<b>Noise Protection</b>	Delegated decision	Approval or Partial Approval subject to:  acceptable amended plan to show planted noise bund, including provision for accommodation of possible footbridge and means to safeguard homes from noise.  Consultation with an Environmental Health officer.
	<b>Boundary Treatments</b>	Delegated decision	Approval or Partial Approval subject to:  Details of boundaries to open spaces and noise bund, public footpath, Smugglers cottage and including estate rail to gateway area and open space near plots 81/82.  Detailing for walls  Review of linking boundary detailing for curtilage of flatted blocks with nearby Taylor Wimpey plots and alongside hedgerow
	<b>EV charging</b>	Delegated decision	Approval or Partial Approval subject to:  acceptable details of charging points and rates

Application No. AWDM/1714/19	
Site:	<b>Land to the South and East and West of the Coach and Horses, Arundel Road, Worthing</b>
Proposal:	<p>Reserved matters application following outline planning permission AWDM/1882/16 for 120 dwellings on the north western part of the site (including the provision of 36no. on-site affordable dwellings) along with associated highway and drainage infrastructure, landscaping, ecological mitigation works, public open space, and noise bund / attenuation to the A27.</p> <p>The application includes details for discharge of the principal conditions relating to Reserved Matters i.e. 1, 3, 5 &amp; 6 as well as content to discharge and partially discharge the conditions listed below:</p> <p>Discharge conditions: 7 (materials); 22 (ecological details); 26 (surfacing of public rights of way); 32 (highway surface water prevention); 36 (boundary treatments)</p> <p>Partial discharge conditions: 8 &amp; 9 (drainage); 12 (land reclamation); 13 (hard &amp; soft landscaping); 14 (tree protection); 16 (landscape boundaries); 17 (noise bund detail); 20 (Construction Management Matters); 23 (Archaeology); 29 (street lighting); 30 (car parking details); 31 (cycle parking); 33 (refuse storage provision); 34 (Noise Protection) and 37 &amp; 38 (Electric Vehicle Charging).</p>

*The meeting was adjourned at 8.00pm, and reconvened at 8.10pm.*

The Head of Planning and Development outlined the second of the Reserved Matters applications from Taylor Wimpey for 120 dwellings on the north western part of the site.

The Officer advised one of the key issues with the application was the detail with some aspects of the layout, in particular the larger apartment blocks, and Members were shown various illustrations to assist in their consideration. The National Park had raised some concerns about the element of three storey however, it was felt by Officers that the difference in ridge was not significant and followed the principles of the original design code.

The Officer referred to other parts of the scheme, including the sensitive edge to the settlement and he advised agreement had now been reached to reduce the hard paved areas and to introduce a more informal pattern of properties at the edge of the settlement.

Members were advised a number of representations had been received from the Forest Barn Mews properties concerned about the number of connections to the public footpath leading to the A27 and the Officer confirmed the revised scheme now reduced the connections to two.

Some Members raised queries with the Officer on his presentation which included drainage arrangements for the scheme, points within the addendum, clarification of conditions and comments from the Parks and Open Spaces team.

One Member referred to page 89, paragraph 5.6 Conditions 37 & 38 of the report which referred to Electric Vehicle Charging. The Member had identified a typographical error whereby 7W should in fact read 7kW and also requested higher kilowatt charging points in communal areas. The Officer agreed to discuss the possibility with the consortium during the delegation period.

There were further representations from one registered speaker in objection, who had elected to join the meeting; another objector who elected to have their representation read out at the meeting; and one registered speaker in support who joined the meeting.

A Member raised points with the supporter for clarification, and as there was no debate, a proposer and seconder was put forward to vote.

The vote was taken by roll call. The proposal put forward was to approve the application and the vote was as follows:

For: Councillors Atkins, Baker, Deen, High, McCabe, Silman, Westover and Wills

Against: 0

Abstentions: 0

## **Decision**

A. That Reserved Matters Approval be **GRANTED**, subject to the completion of a Deed of Variation securing additional maintenance contributions/commuted sum and,:

- i) consideration of any responses received to consultations and publicity for recently amended plans within 14 day response period,
- ii) the receipt and consideration of further amended plans and information as set out at 10.2 below, or any further amendments required and the imposition of conditions at 10.3 below;

B. That matters relating to the proposed discharge of conditions summarized at the table at 10.4 below be determined by the Head of Planning during the delegation period.

### **Amended Plans and Information:-**

1. Levels – comparative existing and proposed.
2. Accessible/adaptable and wheelchair-user homes
3. Mix of affordable tenures and their distribution
4. Clarification of gates to gardens for bins and cycles
5. Verification that red line site plan encompasses both sides of main avenue or amended plan to do so
6. Any further amendments and information required arising from consideration of recently submitted amended plans and information.

### **Subject to Conditions including:-**

1. List of Approved Plans
2. Provision and retention of secured sheds
3. Adherence to levels (when agreed)
4. Drainage – post construction verification
5. Permitted Development Restrictions - upper windows, roof conversions, roof enlargements.
6. Permitted Development Restrictions - means of enclosure
7. Retention of garages and carports, no conversion

### **Determination of outline conditions AWDM/1714/19**

<b>Note: Whilst approval or partial approval is envisaged in the Notes and Actions column below, determination under delegated authority would also allow for any condition to be refused in the event that submissions are not considered acceptable.</b>			
	<b>Purpose</b>	<b>Recommendation</b>	<b>Notes/Actions</b>
	<b>Materials</b>	Delegated decision	Approval or Partial Approval subject to:  Samples needed including bricks, tiles & boarding.  Review recently revised material's drawing (s)  Detail of flint laying/jointing also needed.  Driveways to certain plots and paths along main avenue and through

			village square to be amended away from black tarmac. Also add contrasted intervening material to domestic driveways and for some roadside parking bays (also subject of condition 13)
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	<b>Drainage Design /Manage</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>consultation with Highways England following applicant's confirmation that SW drainage does not connect into or discharge onto the A27 and</p> <p>suitable future management and maintenance manual details, to the satisfaction of the Council's Engineer.</p>
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	<b>Drainage SUDS</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Confirmation from Council's Engineer as to extent of detailing approved and which remains to be</p> <p>evidence of a land drainage consent application, also information to demonstrate that the system does not connect into or discharge onto the A27 to the satisfaction of the Council's Engineer.</p> <p>Domestic water harvesting details</p>
	<b>Land Remediation</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Review of further information and agreement of the Council's Environmental Health officer.</p>

	<b>Landscape Hard/Soft</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>amendments including varied materials as for condition 7 above, and</p>
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			<p>Response of Parks, Trees &amp; Landscape officers concerning:</p> <ul style="list-style-type: none"> <li>- layout, planting, materials, boundaries/enclosures, signage, bins of main open space, and other spaces and future maintenance, and safety of ponds/swale.</li> <li>- Adequacy of tree works proposals and clarity of hedgerow works/augmentation.</li> </ul> <p>Timetable for works related to development phases, when known.</p> <ul style="list-style-type: none"> <li>- Suitability of planting in housing areas</li> <li>- protection of planting (e.g rails) in housing areas</li> </ul>
	<b>Trees</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Response of Trees &amp; Landscape officers concerning: tree planting and detail of tree works, including more specific proposals for works if required.</p> <p>Confirmation of relationship between trees and water mains</p>
	<b>Boundary L/scape</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Response of Parks, Trees &amp; Landscape officers concerning suitability of proposed planting and ongoing maintenance arrangements.</p>
	<b>Noise bund</b>		<p>Approval or Partial Approval subject to:</p> <p>Review of further information and agreement of the Council's Environmental Health officer. And consideration of impact of any noise mitigation, including bund or any fencing</p>
	<b>Construction Management</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p>

			<p>Amended version of CEMP with clarifications and to address issues in this report e.g. para 5.12 – 5.13.</p> <p>Consideration of response from Environmental Health and Highway officers, and any neighbour response</p>
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	<b>Ecology</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Clarification of role of Ecological Clerk of Works and explicit list of actions.</p> <p>Hibernacula proposals and on-going management.</p> <p>Consideration of ecologist's response to submitted documents</p>
	<b>Archaeology</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>agreement of the County Archaeologist following recent additional information</p>

	<b>Public Footpath surfacing</b>	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Comments of Parks &amp; Landscape officers as for condition 13 above, also Council's Engineer, including drainage affecting footpath (s)</p>
	<b>Street lighting</b>		<p>Approval or Partial Approval subject to:</p> <p>Further information/scheme regarding height, type, luminance, lighting hours, avoidance of light pollution and further consultation with National Park on this information</p>
	<b>Car Parking</b>	Delegated decision	Pro

	<b>Cycle Parking</b>	Delegated decision	Approval or Partial Approval subject to:  Comments of Highway Authority and  Agreement to provide secure cycle locking and secure sheds
	<b>Highway (Drainage)</b>	Delegated decision	Approval or Partial Approval subject to:  consultation with County Highway Authority in liaison with Council's Engineer.

	<b>Recycling &amp; Waste</b>	Delegated decision	Approval or Partial Approval subject to:  agreement of Council's Waste and Recycling Manager
	<b>Noise Protection</b>	Delegated decision	Approval or Partial Approval subject to: As condition 17, adequacy of mitigation
	<b>Boundary Treatments</b>	Delegated decision	
	<b>EV charging</b>	Delegated decision	Approval or Partial Approval subject to:  Further information regarding connection points and passive cabling Comments of Environmental Health officer



Application No. AWDM/1914/19	
Site:	<b>35-39 South Street, Worthing</b>
Proposal:	Revisions to planning permission AWDM/1529/18 comprising internal alterations to Block 6 to increase the number of flats on upper floors from 9 units (as permitted) to 13 units.

The Head of Planning and Development outlined the application for Members.

The Officer's recommendation was for approval.

A vote was taken by roll call. The proposal put forward was to approve the application and the vote was as follows:

For: Councillors Atkins, Baker, Deen, High, McCabe, Silman, Westover and Wills

Against: 0

Abstentions: 0

### Decision

That the decision be delegated to the Head of Planning and Development to **APPROVE**, subject to a s106 Planning Obligation relating to the payment of an affordable housing contribution (the exact terms of the agreement will be dependent on the comments of the Council's Viability Consultants) 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. Notwithstanding the information contained in the current application, no other development shall be carried out unless and until a schedule and samples of materials and finishes to be used for the external walls (including windows, doors, rainwater goods, safety rails and balustrades etc.) and roof of the proposed building have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule and samples.

Reason: In the interests of visual amenity, the character of the conservation area and setting of listed buildings and to comply with policy 16 of the Worthing Core Strategy.

4. Details of: joinery/frames some with 1:20 cross-sections, rainwater goods, fascias & roof intersections and window recesses. Notwithstanding the information contained in the current application, no other development shall be carried out unless and until 1:20 scale plans including annotated cross sections of have been submitted to and approved in writing by the Local Planning Authority for each of the following:
- i) window joinery and frames,
  - ii) window recesses, cills and surrounds at all floors of the east and north elevations,
  - iii) Intersections of roof and walls for each elevation of the penthouses and for the first and second floors of the east elevation,
  - iv) rainwater goods,
  - v) safety rails and balustrades, and the development shall be completed in full accordance with the details thereby approved.

Reason: In the interests of visual amenity, the character of the Conservation Area and setting of listed buildings and to comply with policy 16 of the Worthing Core Strategy.

5. Details of external air moving/extraction equipment  
No external fixed plant shall be installed until details have first been submitted to and approved in writing by the Local Planning Authority. The design shall have regard to the principles of BS4142:2014 and aim to achieve a difference between the rating level and background noise level of at least -5dB. Within 1 month of implementation a test to demonstrate compliance with the approved attenuation scheme shall be undertaken and the results submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the residential amenities of neighbours and to comply with saved policy H18 of the Worthing Local Plan.

6. Provision and maintenance of bicycle storage space.  
The cycle storage area shall be provided and fitted out and made secure in accordance with the approved plans, prior to the occupation of any of the flats hereby approved. It shall thereafter be permanently retained and maintained only for use by the residents of the approved flats for the storage of cycles.

Reason: To ensure the provision of adequate cycle storage facilities as part of sustainable transport measures, in accordance with policy 19 of the Worthing Core Strategy 2011 and saved policy TR9.

7. Provision and maintenance of bin and waste storage area  
The bin storage areas for the flats hereby approved shall be provided and fitted out and made secure in accordance with the approved Drawings, prior to the occupation of any of the flats hereby approved. It shall thereafter be permanently retained and maintained only for use for the storage of bins. The existing commercial service area contained within the boundary wall at the east elevation shall also be permanently retained and maintained only for commercial servicing, such as loading and storage of bins in accordance with the approved Drawing No. 120 Rev P5.

Reason: To ensure the provision of adequate waste storage facilities, in accordance with policy 12 of the Worthing Core Strategy 2011.

8. Details of flood resilient design.

No development shall be carried out unless and until details of the construction of the ground floor accesses and hallways to the flats hereby approved have been submitted to and approved in writing by the Local Planning Authority to show measures of flood resistance, to minimise the risk of floodwater ingress, and flood resilience, to minimise the risk of damage in the event of flood. The development shall be completed and permanently maintained in accordance with the details thereby approved, unless the Local Planning Authority gives further written approval for any variation.

Reason: To minimise risk from flooding in accordance with policy 15 of the Worthing Core Strategy 2011.

9. Details of foul and surface water connection

Prior to the first occupation of any of the flats hereby approved, details of arrangements for the disposal of surface and foul water shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Southern Water. No flat shall be occupied unless and until all works for the disposal of foul and surface water serving that dwelling have been fully implemented.

Reason: To ensure the provision of adequate drainage in accordance with policies 12 and 15 of the Worthing Core Strategy 2011.

10. Details of means to assess and manage historic ground contamination in the event of ground works. In the event that development necessitates the undertaking of groundworks, such as the construction of new or deeper foundations or the construction of any soakaway, and unless the Local Planning Authority first agrees in writing otherwise, details of a scheme to deal with the risks associated with any historic contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority to include:

- i) a site investigation scheme,
- ii) the site investigation results and any further appraisal and remediation strategy,
- iii) a verification plan with timetable

The scheme thereby approved shall be implemented concurrent with the undertaking of groundworks and a verification report shall be submitted to and approved in writing by the Local Planning Authority in accordance with the timetable thereby approved.

Reason: To minimise and manage any risks associated with any historic land contamination in the event of groundworks, in accordance with saved policy RES9 of the Worthing local Plan 2003.

11. Construction work shall not commence until a scheme for protecting the first / second floor flats from noise from the commercial unit below 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 achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB) for all floors.

Reason: To minimise risks from noise to the residents of the flats hereby approved in accordance with policy 16 of the Worthing Core Strategy 2011 and saved policy H18 of the Worthing Local Plan 2003.

12. Prior to the implementation of any A3 use hereby approved, a scheme for the mitigation of odour risks shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of any air moving and filtering plant, equipment and ducts (including the acoustic specification and provisions to minimise risk of noise and vibration), their location and external appearance, and arrangements for their on-going maintenance. Details of any mitigation measures for external space shall also be included in the scheme. The development shall only be carried out in accordance with the scheme thereby approved and no dwelling shall be occupied until the scheme has been fully implemented and it shall be permanently adhered to, unless the Local Planning Authority gives prior written approval for any variation.

Reason: To minimise risks from odour to the residents of the flats in Block 6 hereby approved in accordance with policy 16 of the Worthing Core Strategy 2011 and saved policy H18 of the Worthing Local Plan 2003.

13. Unless otherwise agreed in writing by the Local Planning Authority, prior to occupation of the first apartment the subject of this approval, details of arrangements for the provision of access to a car-club or other means of sustainable transport, shall be submitted to and approved in writing by the Local Planning Authority. Details shall cover the period and terms of the provision and shall thereafter be implemented and adhered to for that period.

Reason: To ensure the provision of sustainable transport measures, in accordance with policy 19 of the Worthing Core Strategy 2011 and saved policy TR9.

14. Details of Evacuation Plan  
Prior to the occupation of the residential flats, hereby approved, details of an evacuation plan in the event of a potential flood event shall be submitted to and approved, in writing, with the LPA.

Reason: To ensure appropriate flood defence measures are secured in accordance with policy 15 of the Worthing Core Strategy and policies of the NPPF.

Application No. AWDM/0450/20	
Site:	<b>17 Furze Road, Worthing</b>
Proposal:	Proposed two-storey rear extension with first floor balcony and side opaque glass screen, altered roof, partial first floor side/rear extension over existing garage/utility to east side elevation with first floor balcony, the construction of a basement and raised terrace.

The Planning Services Manager outlined the application for Members with a number of plans and photographs to assist in their consideration of the matter.

Members raised queries on the presentation for clarification with the Officer which were answered in turn to their satisfaction.

During this period, the Chairman referred to a motion to Council on 23 February 2016 which he had received from Councillor Elizabeth Sparkes. The Officer shared his screen to show the wording of the motion for Members' attention. In summary, the Committee was advised that at that time Officers had contacted Historic England for specialist advice and had been referred to the Society for the Protection of Ancient Buildings (SPAB). The Officer confirmed it was a technical area and therefore looked to the Local Plan to provide some indication that issues which could affect the Mill's operation might be grounds for refusal if it proved there was a clear impact upon its future operation.

There were further representations from an objector and supporter who had both elected to join the meeting.

The Committee Members believed the Windmill was an important asset for the town and appreciated the various activities held there. However, some were mindful that SPAB had raised no objection to the application, having withdrawn their wind-based objections, and the existing ridge height had not been exceeded by the proposed alterations.

A vote was taken by roll call. The first proposal to refuse the application failed.

There was a proposal put forward was to approve the application and the vote was as follows:

For: Councillors Atkins, High, Westover and Wills

Against: Councillors Baker, Deen, McCabe and Silman

Abstentions: 0

The Chairman used his casting vote to approve the application.

## Decision

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

1. Approved Plans
2. Standard 3 year time limit
3. External materials as specified on plans
4. No additional openings to be formed in west side wall of extension
5. Tree protection plan to be submitted

Application No. AWDM/0445/20	
Site:	<b>85-87 Montague Street, Worthing</b>
Proposal:	Application under Regulation 3 for temporary change of use of retail (Use Class A1) to a flexible use of retail (Use Class A1), or cafe/restaurant (Use Class A3), or assembly and leisure (Use Class D2), or office (Use Class B1(a)) for a temporary period of 3 years.

The Head of Planning and Development outlined the application for Members with plans and photographs to assist in their consideration. The applicant believed that a flexible use would allow for wider marketing of the property and increase the chances of the premises being occupied.

In conclusion, the Officer advised Members of an error within the recommendation of the report i.e. within condition 2, B3 should relate to D2.

The Officer's recommendation was for approval.

There was a further representation from a supporter who had elected to join the meeting.

A vote was taken by roll call. The proposal put forward was to approve the application and the vote was as follows:

For: Councillors Atkins, Baker, Deen, High, McCabe, Silman, Westover and Wills

Against: 0

Abstentions: 0

## Decision

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

1. Time Limit
2. The ground floor of the premises hereby approved shall only be used for Use Classes A1 and A3 and any D2 or B1 use would only be permitted as part of a mixed use with an A1 or A3 use being undertaken from the front (Montague Street) section of the unit. The use hereby approved allows A1, A3, B1 or D2 uses on upper floors of the building.
3. Prior to any A3 use of the premises suitable means of extraction and ventilation shall be provided in accordance with details first submitted to and approved in writing with the LPA.
4. Details of bin and recycling storage to be submitted.

Application No. AWDM/0762/19	
Site:	<b>19 Manor Road, Worthing</b>
Proposal:	Demolition of existing building and replacement with 10no. one and two bedroom apartments set over four floors, with balconies to West, East and South elevations, accessed from Manor Road with parking for 6no. cars.

The Head of Planning and Development introduced the report and advised Members that since the last committee meeting in August 2019 the applicant had expressed concerns about the viability of the project and advised they were unable to pay the full affordable housing contribution.

The Officer reminded Members of the original proposal with plans and photographs and advised the report sets out the applicant's case regarding the question of viability.

The Officer's recommendation was that in view of the information provided by the consultants Members agree an amended affordable housing contribution of £45,375.

There were no further representations made.

A vote was taken by roll call. The proposal put forward was to approve the application and the vote was as follows:

For: Councillors Atkins, Baker, Deen, High, McCabe, Silman, Westover and Wills

Against: 0

Abstentions: 0

## Decision

To delegate the decision to the Head of Planning and Development to **APPROVE**, subject to the completion of a S 106 agreement to secure £45,375 affordable housing contribution and the following conditions:-

1. Time to implement
2. Approved plans and documents
3. Agree and implement surface water drainage details.
4. Development in accordance with the drainage report
5. Construction method statement including hours of construction, dust suppression and emissions
6. Agree external materials, finishes and architectural details
7. Provide parking and access



8. Provide cycle storage
9. Details and implement hard and soft landscaping
10. Agree, implement biodiversity plan
11. Obscure glaze north facing windows no opening above 1.7m above finished floor levels
12. Agree, implement a sound insulation scheme between floors
13. Noise emitted from the lift cabinet does not exceed 62dB LAeq at 1m
14. Agree, implement and retain balcony details
15. Agree implement boundary treatment

Application No. AWDM/0445/20	
Site:	<b>Brooklands Pleasure Park, Brighton Road, Worthing</b>
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.

*Four hours after the commencement of the meeting the Chairman adjourned the meeting to consider whether Members wished to continue. The Members agreed to continue, and the Chairman stated a further vote on whether or not to continue the meeting would take place on an hourly basis thereafter.*

*The meeting was adjourned at 10.31pm and reconvened at 10.40pm.*

The Planning Services Manager outlined the application and Members were shown a bird's eye view of the site, various plans and photographs to assist. Within his presentation, the Officer referred specifically to the removal of specific trees and their replacement, for which a budget of £213,000 had been earmarked.

The Officer's recommendation was for approval.

There were no further representations made however, Gary Prescod, Project Manager, Environmental Services, and Councillor Edward Crouch, Executive Member for Digital & Environmental Services had joined the meeting to clarify any queries from the Committee Members.

Members were happy to agree to the Officer's recommendation to approve the application.

A vote was taken by roll call. The proposal put forward was to approve the application and the vote was as follows:

For: Councillors Atkins, Baker, Deen, High, McCabe, Silman, Westover and Wills

Against: 0

Abstentions: 0

## **Decision**

To GRANT permission

## **Subject to Conditions:-**

- 01 Approved Plans
- 02 Full Permission
- 03 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.
- 04 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.
- 05 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.
- 06 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.
- 07 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.
- 08 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.

- 09 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.
- 10 Details of a scheme to provide of 12 active and 46 passive EV parking spaces to be agreed with the Local Planning Authority
- 11 Approval of Materials
- 12 Full landscaping details to be submitted and approved by the Local Planning Authority including detailed proposals for 4 new trees between the new building and the road, taking into account the new cycleway

## **Informatives**

- 01 Further detail regarding our requirements are available on the following webpage: <https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms>. A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for discharge of conditions applications
- 02 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 [southernwater.co.uk/infrastructure-charges](https://southernwater.co.uk/infrastructure-charges)