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Application Number: NOTICE/0012/20	
Site:	St Andrews Gardens, Church Road, Worthing
Proposal:	Application for Prior Approval for construction of one additional storey of 9no. new dwellings immediately above the existing detached block of flats.

Before commencement of the meeting, the Chairman advised that Councillor Martin McCabe had predetermined the first application to be considered, St Andrews Gardens, and had registered to speak in objection as a Tarring Ward Councillor. He advised the Councillor would not take part in determination of the application and be excused to the waiting room in order that there could be no suggestion of his presence influencing the Committee.

At the start of the agenda item Councillor Martin McCabe was moved into the waiting room by the Democratic Services Officer (DSO).

The Head of Planning and Development ran through plans of the proposal and advised that a previous application had been refused at the end of last year and subsequently dismissed at Appeal in April 2020. At Appeal, the Inspector had concluded that adding an additional floor onto the building would be unacceptable. The Officer's recommendation for the current proposal was to refuse on the grounds set out on page 16 of the report.

The Officer advised Members there had been a significant, recent change in planning legislation with the Government's introduction of new Permitted Development rights which meant that the Council would not be able to object to the principle of two additional floors to existing blocks of flats and residential dwellings if certain criteria are met. He added that the change in the legislation meant that Officers were extremely limited on grounds to refuse upward extensions as the principle now could not be resisted.

The Committee was advised that the applicant's agents felt that they had improved the design by following the design of the existing 1960s building; and therefore under the Prior Approval procedure, planning permission should be granted. However, the Head of Planning and Development added that the proposal had provoked a lot of concern and opposition from residents within the flats and in the wider area.

The Officer concluded his presentation by showing Members a number of photographs to assist in their consideration of the application.

There was a further representation from Ward Councillor Martin McCabe in objection.

Following debate, the Committee Members unanimously agreed the Officer's recommendation to refuse the application on the grounds set out in the report.

Following the vote, Councillor Martin McCabe was moved from the Zoom waiting room back into the main Zoom meeting.

Decision

That the application for Prior Approval be **REFUSED**, for the following reasons:-

The proposed development would, by reason of its unacceptable scale, massing, form and design, represent an overdevelopment of the site, relating poorly to the scale and appearance of the recipient building, and would therefore appear as an unsympathetic and incongruous addition to the building. As such, it is concluded that the proposed development would be contrary to policy 16 of the Worthing Core Strategy and the relevant paragraphs of the NPPF.

2

Application Number: AWDM/1079/20	
Site:	Salvington Hill Stores, Salvington Hill, Worthing, West Sussex
Proposal:	Partial Change of Use from A1 (retail) to A4 micro-pub; internal reconfiguration to include accessible WC, cold room, counter space and barbershop.

The Head of Planning and Development introduced the report and Members were shown an aerial photograph of the site, which was situated on the corner of Salvington Hill and Furze Road, together with a number of further plans and photographs.

The Officer advised the recommendation was for approval of the application.

Two Members raised queries with the Officer, which were answered in turn by the Officer.

There was a further representation from an objector who had elected not to join the meeting. Her representation was read out by the Head of Planning and Development.

There were further representations from Ward Councillor Richard Nowak, and two members of the public, who spoke in support of the application, and had elected to join the meeting.

Members felt the services offered by the proposal were vital to many members of the community and that the Council should support such small businesses. One Member raised concerns on behalf of residents who had objected to the proposal which included parking and sustainability. However, following further debate, the Members voted unanimously 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. Car Parking
4. Opening Hours
5. Micropub and retail use (not permitted as general A4 – drinking establishment)
6. Background music only
7. Open drinks only within designated areas within opening hours
8. Signage to leave quietly

9. Doors/windows shut from 9pm
10. No gaming machines or television broadcast
11. Bottles to be disposed of during daytime hours only
12. No primary cooking on site

3

Application Number: AWDM/1087/20	
Site:	88 Salvington Hill, Worthing, West Sussex
Proposal:	Proposed two-storey 2no. bedroom chalet dwelling with attached garage to rear garden of 88 Salvington Hill with access onto Firsdawn Road, including associated landscaping, bin store and 2no. parking spaces (Re-submission of AWDM/0256/20).

The Committee Members had received, prior to the meeting, via email, the West Sussex County Council consultation paper on the proposal.

The Head of Planning and Development introduced the report, and reminded Members that the scheme was refused in June 2020 and was now the subject of an appeal.

The Members were shown a number of photographs to assist in their consideration of the application and the Officer outlined the grounds for refusal at the earlier meeting in June.

The applicant had agreed to accept a more detailed landscaping condition that would manage the mixed planting; the replacement hedge along the frontage; and tree and hedge planting between the proposed plot and number 88 Salvington Hill.

In response to concerns regarding parking in the area, particularly close to the bend, the applicant had agreed to create an additional parking space, and in turn widen the access. The Officer advised Highways had raised no objection.

The Officer advised there had been no objection in principle to the proposed dwelling, the main issues related to trees, biodiversity and environmental impact and felt the applicants had addressed those issues.

The Officer's recommendation was to approve the application.

Some Members raised queries with the Officer, which were answered in turn.

There were further representations from two objectors, which were read out by the Planning Services Manager.

One Member did not feel the applicants had addressed the loss of biodiversity and he felt that had been a significant factor in the earlier application. Others were acutely aware of

the housing need and that the proposal would provide a small 2 bedroom dwelling in the Borough.

After further discussion, the majority of Members were prepared to agree to the Officer's recommendation to approve the application on the proviso that Officers ensure a more detailed landscaping scheme was secured in an effort to compensate for the loss of conifers and planting, particularly on the eastern boundary.

A vote was taken by roll call to approve the application, with a more detailed landscaping scheme, and the vote was as follows:-

For: Cllrs Deen, Harman, High, McCabe, Silman, and Wills

Against: Cllr Atkins

Abstentions: None

Decision

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

1. Approved Plans.
2. Standard 3 year time limit.
3. Agree external materials, finishes and architectural details.
4. Agree and implement the details of hard and soft landscaping, trees to be retained, include heavy standard replacement trees and measures for protection of retained trees and shrubs.
5. PD withdrawn for extensions and incidental buildings.
6. PD withdrawn no additional windows.
7. Implement the details of boundary treatment.
8. Agree the Details of ground level removal and slab levels.
9. Implement refuse and waste facilities in accordance with approved plans.
10. Provide the vehicular access in accordance with the approved site plan.
11. Provide parking including EV point prior to occupation.
12. Provide cycle parking in accordance with the approved plan prior to occupation.
13. Agree and implement a surface water drainage scheme.
14. Hours of work.
15. Construction management plan to include, frequency and type of construction vehicles, routing of vehicles, parking, loading and unloading, security hoarding, wheel washing, no burning, public engagement and dust control.

Informative

1. Pro-active amendment
2. New address
3. Vehicle crossover
4. Southern water
5. Infiltration rates

4

Application Number: AWDM/1137/20	
Site:	Development Site at 13 and 14 Fairfields, Worthing
Proposal:	Conversion of 2no. dwellings (numbers 13, 4 x bedroom and number 14, 2 x bedroom) to form one 6 bedroom dwelling.

The Planning Services Manager began his presentation which included plans and photographs to assist in their consideration of the application.

The Officer confirmed that when the larger accommodation, provided by the amalgamation of the two dwellings, was no longer required, it would be possible to convert back to the two separate dwellings.

The Officer's recommendation was to approve the application.

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

The Committee Members voted unanimously in favour of approving the planning application.

Decision

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

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Matching materials
4. Removal of PD rights for extensions and outbuildings

The meeting was adjourned at 20.29, and reconvened at 20.40.

5

Application Number: AWDM/1018/20	
Site:	Development Site at 31 to 35 Montague Street, Worthing
Proposal:	External alterations to the existing building together with change of use of 2nd and 3rd floor from retail (Use Class A1), roof extension at 3rd floor and four storey rear extension to provide 14 residential units (Use Class C3) comprising 1 x studio, 5 x 1 beds, 7 x 2 beds and 1 x 3 bed with associated external amenity areas and cycle and refuse stores (31-35 Montague Street).

The Planning Services Manager advised there was nothing further to add to the report and therefore commenced his presentation by showing Members plans and photographs.

Before concluding his presentation, Members were shown the Design and Access Statement to assist in their consideration of the application.

Members raised queries on the presentation for clarification which the Officer answered in turn.

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

The Committee Members felt the proposal was a welcome opportunity for unused retail space at upper levels to provide residential accommodation and felt that in turn would bring more life and activity in the town centre.

Members unanimously voted to approve the planning application, and at a Member's request, for condition 11 to be extended to include the consideration of sustainability measures.

Decision

That planning permission be **GRANTED**, subject to the completion of a legal agreement securing a 20% financial contribution to affordable housing; a financial contribution to open space requirements; completion of a public art installation on the western elevation wall; with condition 11 to include consideration of sustainability measures and the following conditions:-

1. Approved Plans
2. Full Permission

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 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. 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.
4. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:-

Monday - Friday 08:00 - 18:00 Hours

Saturday 09:00 - 13:00 Hours

Sundays and Bank Holidays no work permitted

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

5. Construction work shall not commence until a scheme for protecting the proposed noise sensitive development 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 have regard to the principles contained within the World Health Organisation community noise guidelines to minimise noise in residential dwellings. Following approval and 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.
6. Prior to the occupation of the development hereby permitted, an emissions mitigation assessment which shall identify the level of mitigation required to help reduce/offset the potential effect on health and the local environment, shall be submitted to and approved by the Local Planning Authority. The assessment should be in accordance with the Air Quality & Emissions Mitigation Guidance for Sussex (2020)
7. The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) (dated June 2020) and the following mitigation measures it details:
 - No habitable accommodation shall be placed on the ground floor.
 - The mitigation measures set out in table 5.4 of the FRA shall be implemented.
 - The development shall incorporate the flood resilient design measures as

set out in Sections 5.7 and 5.8 of the FRA.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

8. No development shall be occupied until details of secure covered cycle parking have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall be retained for such use at all times thereafter.
Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car
9. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide the following details as a minimum:
 - the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,
 - the erection and maintenance of security hoarding,
 - the provision of wheel washing facilities and other works required to mitigate the
 - impact of construction upon the public highway (including the provision of
 - temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during construction works.
 Reason: In the interests of highway safety and the amenities of the area.
10. 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
11. Materials and consideration of sustainability measures to be submitted and approved by the Local Planning Authority
12. No additional windows southern elevation
13. Obscured glazing to a height of 1.7 metres in respect of windows on 4 storey extension to southern building.

6

Application Number: AWD/1162/20	
Site:	58-62 Portland Road, Worthing, West Sussex
Proposal:	Variation of condition 4 of approved AWD/1527/19 to vary opening hours from 8am to 11:30pm Wednesdays to Saturdays and 8am to 10pm on Sundays.

The Head of Planning and Development outlined the application for Members and advised the key consideration for Members was the potential impact on residential properties. Members were shown a number of photographs to indicate the close relationship.

The Officer felt it was a challenging time for all small businesses and the applicant had felt extending the hours was essential for the business to thrive. However, he stated Environmental Health were concerned about noise and disturbance to the adjoining properties and could not support the application.

The Officer's recommendation was to refuse for the reasons outlined in the report.

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

During the debate it was apparent Members were prepared to go against the Officer's recommendation and grant the application however, some Members felt there should also be a slight amendment to the hours of use applied for.

A vote was taken by roll call, and there were two votes on the item.

The proposal to amend the hours to 09.00 to 23.00hrs Wednesdays to Saturdays and 09.30 to 22.00hrs on Sundays was considered first and the vote was as follows:

For: Councillors Atkins, Deen, Harman and Silman

Against: Councillors High, McCabe and Wills

Abstentions: None

There followed a proposal to approve the application with the agreed amended hours and the vote was as follows:

For: Councillors Atkins, Deen, Harman, High, McCabe, Silman and Wills

Against: None

Abstentions: None

Decision

The Officer's recommendation was overturned by Committee Members and permission was **GRANTED**, subject to the hours of use being amended to 09.00 to 23.00hrs Wednesdays to Saturdays and 09.30 to 22.00hrs on Sundays.

7

Application Number: AWDM/0964/20	
Site:	Teville Gate House, 25 Railway Approach, Worthing
Proposal:	Application for variation of condition 1 (approved plans) to allow minor design changes and 12 (access) of previously approved AWDM/0393/19 to amend the site boundary and remove requirement for a footpath.

The Planning Services Manager outlined the application for Members and they were shown a number of plans and photographs.

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

Members voted unanimously to approve the application.

Decision

That planning permission be **GRANTED**, subject to the following conditions and the completion of a deed of variation updating the s106 legal agreement to reflect the current permission:-

- 01 Revised approved plans list as detailed in the applicant's supporting statement
- 02 No part of the development, hereby permitted, shall be occupied until the vehicular access to the site has been constructed in accordance with detailed plans to be submitted and approved by the LPA after consultation with the CHA.

Reason: To ensure fit-for-purpose access constructed to appropriate design and safety standards.'

Any other conditions of the original permission not already discharged.

8

Application Number: AWDM/1007/20	
Site:	Town Hall, Chapel Road, Worthing
Proposal:	Installation of 3no. horizontal galvanised security mesh panels to rear.

The Head of Planning and Development outlined the Listed Building application for Members and they were shown plans and photographs.

There were no further representations.

Members voted unanimously to approve the application.

Decision

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

1. Drawing Numbers
2. Standard 3 year time limit
3. At all times during the progress of the work hereby approved, adequate measures shall be taken to protect the remaining part of the Listed Building from collapse or structural damage. Upon completion of the work for which Listed Building Consent is hereby granted, any damage caused to the fabric of the building shall be made good to the written satisfaction of the Local Planning Authority.

Reason - To safeguard the listed building from damage in accordance with The National Planning Policy Framework and Historic Environment Planning Practice Guide (DCLG 2010) and The Planning and Listed Building and Conservation Areas Act 1990, including S. 16, 66 and 72.