

**Minutes of a meeting of the
Planning Committee
10 December 2014
at 6.30 pm**

Councillor Joan Bradley (Chairman)
Councillor Vicky Vaughan (Vice-Chairman)

Councillor Michael Cloake
**Councillor James Doyle
Councillor Kevin Jenkins

Councillor Edward Crouch
Councillor Diane Guest
Councillor Hazel Thorpe

** Absent

Officers: Head of Planning and Regeneration, Planning Services Manager,
Solicitor and Democratic Services Manager

At the commencement of the meeting, the Head of Planning and Regeneration took the opportunity to speak to the members of the public interested in the proposed development at the Aquarena site. They were advised the planning application had been received and that a formal consultation of approximately 16 weeks would now take place. The planning application would not be heard by the Planning Committee until late Feb/March 2015.

The Chairman advised a change in the order the planning applications would be heard, and they ran as follows – Item 2, 3, 4 and 1.

WBC-PC/033/14-15 Declarations of Interest / Substitute Members

Application Number AWDM/0815/14 (Queens Lodge Guest House) –

Councillor Edward Crouch declared a personal interest as he was acquainted with one of the registered speakers, however did not consider bias because of this; and Councillor Michael Cloake declared he was a as County Councillor for Worthing Pier.

WBC-PC/034/14-15 Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 12 November 2014 be confirmed as a correct record and that they be signed by the Chairman.

WBC-PC/035/14-15 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

WBC-PC/036/14-15 Planning Applications

The planning applications were considered, see attached appendix.

WBC-PC/037/14-15

Public Question Time

There were no questions raised under Public Question Time.

The meeting ended at 10.30 pm

Application Number: AWDM/0569/14,
AWDM/0603/14 & AWDM/0661/14

Site: **Land east of Titnore Lane, West Durrington, Worthing, West Sussex**

Proposal: Approval of reserved matters pursuant to planning permission WB/11/0275/OUT relating to appearance, landscaping, layout and scale of 256 dwellings in Areas 1a, 1b, 2b and 1c

The meeting was adjourned for 5 minutes at 7.50pm before this application was discussed.

The Head of Planning and Regeneration began his presentation by showing an aerial photograph of the southern section of the site. He advised Members they were being asked to determine three of the four reserved matters applications submitted together pursuant to the outline approval in 2012. The reserved matters application for the strategic infrastructure application had been considered at the October meeting where it was resolved to approve subject to the receipt of satisfactory amended plans. These applications represented the first phases of the overall development of 700 dwellings and community facilities with the remainder of the reserved matters expected next year.

The Head of Planning and Regeneration informed the Members the Consortium comprised three developers, Bovis Homes, Persimmon Homes South Coast and Taylor Wimpey Southern Limited and accordingly the site had been subdivided into their three ownerships. Each developer had submitted a reserved matter application as described in the proposals section of the report.

Before continuing with his presentation, the Head of Planning and Regeneration introduced Mr Townsend from West Sussex County Council (WSSCC) who had been invited to the meeting to answer queries on highway issues from the Committee. In particular, Mr Townsend was asked to comment on the Committee's concern in connection with the infrastructure application that parking restrictions should be incorporated at an early stage in the development to ensure easy access for buses travelling through the main spine road.

The Officer went on to advise there had been 12 further letters of representation in connection with each of the applications:-

- Strong concern that a new community at West Durrington, some of whom will be elderly people, will place additional pressures on existing medical services, including local GP surgeries and Hospital services, which are already struggling to meet demand from the existing population; there should be up-to-date and accurate information on the availability of full and proper medical facilities before a decision is made to allow this development;
- Concern that conversion of some of the existing footpaths to combined footpath/cycleways will lead to inappropriate use by noisy, off-road motorbikes seeking access to the Downs;

- The local infrastructure cannot cope with the additional traffic that will be generated;
- Concern that there is insufficient school provision locally to accommodate a new community;
- Concern as whether issues of flooding have been satisfactorily addressed and the ability of South Water to provide adequate water supply/sewerage.

The Head of Planning and Regeneration then spoke on the individual plans, advising Members that all developers had worked closely with Officers and had made a number of improvements to the design and layout of each parcel.

The discussion then moved on to the Committee's queries in relation to the application which included whether the main spine road through the development would be free of parking to enable unrestricted access to the development. The Officer advised that the development made provision for parking in specific locations such as garage courts but anticipated there would be some parking on the main spine road.

Mr Townsend from WSCC then answered highway queries raised by the Committee which included the suggestion of the provision of a Traffic Regulation Order (TRO). Some Members felt strongly that double yellow lines should be included along the main spine road, however, the Highways Officer advised the proposed road width at 5.5 metres would be wide enough and he thought that parking restrictions were not necessary at this stage. He advised there needed to be good reasons for a TRO and highways would not impose such restrictions at the outset of a development.

The Head of Planning and Regeneration then brought the focus back to the individual parcels of land. The Officer highlighted areas where design concerns remained about each of the parcels of land. He advised Members of these concerns, which included:-

- the layout, composition and detailed design of some dwellings;
- plots 47-52 within the Green Edge where the Highway Authority require a 4.8 metre road width;
- the development not wholly meeting the adopted space standards and not providing a better sustainable design solution than Code Level 3; and
- the need to secure a better fit with the Design Code.

Following the presentation, the Solicitor advised Members as follows:-

"The legal references on page 21 are incorrect because you are not considering an application for planning permission; you are considering reserved matters as set out in the Town and Country Planning Development Management Procedure England Order 2010, in this case limited to: appearance, landscaping, layout and scale.

The Conservation of Habitats and Species Regulations 2010 protects Bats, Great Crested Newt and Dormouse, providing that the Planning Committee must have regard to the Habitats Directive in considering the application before them.

The report to Planning Committee in October 2011, and the briefing report to Committee last month, set out the comments received from Natural England indicating where there may be an activity prohibited by the Habitats Directive and advising on licence requirements. Natural England confirmed that the proposals

would not result in effects on protected species that would have significant implications for their local populations.

Case law has considered that where Natural England has been consulted and have no objection, as was the case here for the outline permission, then the Planning Authority can grant consent without making its own detailed assessment.

Similarly, for the reserved matters applications, this Committee can rely on Natural England's previous comments, given this report confirms on page 26, that the current ecological position remains unchanged".

Cllr Kevin Jenkins left the meeting at 9.50pm before the resolution of this application.

There followed further discussion with Members regarding the application, with decisions made as follows.

Decision

AWDM/0569/14

That the Reserved Matters application be **APPROVED** subject to conditions ensuring a revised design for Plots 9-12 to incorporate an eaves line above first floor window heads to accord with the R1 Main Street character area, and for plot 20 to agree a projecting bay window or other design feature to enhance this elevation; and subject to the following conditions and any other appropriate conditions subsequently recommended by consultees in any outstanding consultation responses that are considered necessary, in addition to those imposed at the outline stage.

Conditions

1. Standard time limit
2. Approved Plans
3. Details of footways, roads, kerbing including surfacing details and bollards to be agreed
4. Details of boundary treatments enclosing/adjoining green spaces to be agreed
5. Minimum garage door widths of 2.2 metres to be achieved throughout
6. All side and front meter box details exposed to public pedestrian and vehicle routes to be agreed
7. Remove 'permitted development' rights for extensions and alterations including render colour, cladding colour, front doors, frontage hardstandings, satellite dishes and frontage enclosures (GDPO Part 1, Classes A, B, F and H and Part 2, Classes A, B and C)
8. Agree and implement refuse collection points for Plots 15-20 and 90/91.
9. Free water butt to be offered to each new occupier

AWDM/0603/14

That this Reserved Matters application be **APPROVED** subject to the following conditions, an additional condition providing a revised design for Plots 67, 68 and 51 (providing gable projections to increase articulation) and any other appropriate conditions subsequently recommended by consultees in any outstanding consultation responses that are considered necessary in addition to those imposed at the outline stage.

Conditions

1. Details of footways, roads, kerbing including surfacing details and bollards to be agreed
2. Details of entrance walls and markers for roads entering the R4 pedestrian and cycle link central square to be agreed
3. Minimum garage door widths of 2.2 metres to be achieved throughout
4. All side and front meter box details exposed to public pedestrian and vehicle routes to be agreed
5. Garden boundary of plot 35 to be moved into the plot to allow the public side of the garden wall to be screened with soft planting
6. Sight line splays at junctions to be submitted and agreed
7. Remove 'permitted development' rights for extensions and alterations including render colour, cladding colour, front doors, frontage hardstandings, satellite dishes and frontage enclosures (GDPO Part 1, Classes A, B, F and H and Part 2, Classes A, B and C)
8. Free water butt to be offered to each new occupier

AWDM/0661/14

That the Reserved Matters application be **APPROVED** subject additional conditions requiring a revised layout and dwelling types on plots 47-52 to fully interact with the E2 Green Edge character area and an increase in road width to 4.8 metres; revised design plots 3-4 and 70-71 to omit the stagger within the rear elevation; and subject to the following conditions and any other appropriate conditions subsequently recommended by consultees in any outstanding consultation responses that are considered necessary in addition to those imposed at outline stage.

Conditions

1. Standard time limit
2. Approved Plans
3. Details of footways, roads, kerbing including surfacing details and bollards to be agreed
4. Details of boundary treatments enclosing/adjoining green spaces to be agreed
5. Minimum garage door widths of 2.2 metres to be achieved throughout
6. All side and front meter box details exposed to public pedestrian and vehicle routes to be agreed
7. Remove 'permitted development' rights for extensions and alterations including render colour, cladding colour, front doors, frontage hardstandings,

satellite dishes and frontage enclosures (GDPO Part 1, Classes A, B, F and H and Part 2, Classes A, B and C)

8. Agree and implement refuse collection points
9. Free water butt to be offered to each new occupier

N.B. Cllr Michael Cloake voted against each of the three applications. Cllr Crouch voted against application AWDM/0569/14.

Application Number: AWDM/0815/14

Site: **Queens Lodge Guest House, 2 Queens Road, Worthing, West Sussex BN11 3LX**

Proposal: Change of use from (use class C1) guest house to house of multiple occupation (10 rooms)

The Planning Services Manager advised there had been further representations with a supplementary letter stating the applicant had no experience with Houses in Multiple Occupation (HMOs) and did not live locally. There was also a third letter of support received stating accepting this proposal was better than another empty property.

The Planning Services Manager gave a brief outline of this application to the Members advising the property sat on the western fringe of the town centre and close to the seafront in a mixed residential area. The property was mostly vacant currently with just one occupying part of the property.

There were further representations received from:

Ward Councillor: Councillor Paul High

Objector: Sally Haggis

Supporter: Carly Houston
Courtney Marshall
Dominic Hyde

The Members discussed the proposal, with some concerned at having another multi occupancy property in an area where it was perceived to be deprived. There was also limited parking and they felt there was a saturation with this type of property.

However, the Officer felt the impact of the loss of the premises on the town's visitor economy would be marginal with the property failing to attract any offers in the two and half years it had been marketed. It was agreed this would be a large HMO but the character of the proposed HMO was not considered to be significantly different to the historical use of the property and could be more neighbourly than a guest house.

After due consideration, the Members decided to overturn the Officer's recommendation for approval and defer for the Officers to further research and provide evidence on the need for HMOs.

The application was **DEFERRED** to seek additional evidence regarding the number of HMOs in Heene ward; to seek the views of Sussex Police, including statistics for any crime related to HMO's in the area, and re-consult Community Safety on the basis of any additional information submitted.

Application Number: AWDM/1289/14

Site: **The Priory Rest Home, South Street, Worthing**

Proposal: Demolition of existing 41-bedroom care home and erection of new 60-bedroom care home.

The Planning Services Manager presented this application informing Members of an added condition requiring the submission of details relating to the provision of boundary fencing prior to the commencement of the development.

He advised Members that the building was now closed and inadequate for modern day standards. The proposed building would be provided in a T-shape, mainly to preserve a lime tree in the north eastern corner of the site and would be primarily 3 storeys with a 2 storey element on the south side.

As could be seen by the photographic evidence, the Officer advised the current proposal was for a more modern design with flat roofs and projecting bays, allowing a more creative use of internal floor space. Not all Members were happy with the design and architecture but the Officer felt the scheme was exceptional and reduced the impact upon neighbouring properties.

One of the Members that knew the site well was impressed by the design of the proposed building, and felt the flat roofs gave an ample opportunity for energy saving and proposed an extra energy efficiency condition in this regard.

Decision

That the applicant be **GRANTED** permission, subject to the following conditions and 2 additional conditions requiring the submission and approval of fencing prior to the commencement of the development and details of measures to enhance the sustainability of the building.

01. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 02 Prior to the commencement of development, a scheme shall be provided for attenuating all external fixed plant which shall have regard to the principles of BS4142 and achieve a difference between the rating level and background noise level of at least -5dB. A test to demonstrate compliance with the scheme shall be undertaken within 1 month of the scheme being approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of neighbouring properties in accordance with policy 16 of the Worthing Core Strategy

- 03 No development of any kind shall take place unless and until a scheme for the suppression of dust during demolition/site clearance and construction has been submitted to and agreed in writing by the Local Planning Authority. The scheme as agreed shall be implemented throughout the entire course of demolition/site clearance and construction.

Reason: To safeguard the amenities of the occupiers of neighbouring properties having regard to saved policy RES7 of the Worthing Local Plan.

- 04 No work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or on Public Holidays. Monday to Saturday such work shall only be undertaken between the hours of 7.30 am and 6.30pm, except as agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of neighbouring properties having regard to saved policy RES7 of the Worthing Local Plan.

- 05 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.

Reason: To provide car-parking space for the use

- 06 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 details as appropriate but not necessarily be restricted to the following matters,

- 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.

- 07 Upon the first occupation/commencement of use, the Applicant shall implement the measures incorporated within the approved travel plan. The Applicant shall thereafter monitor, report and subsequently revise the travel plan as specified within the approved document.

Reason: To encourage and promote sustainable transport.

- 08 The development hereby approved shall not be occupied unless and until samples and schedule of the external walls and roof of the buildings in the development hereby permitted have been submitted to and approved by the Local Planning Authority and the buildings shall not be built other than in accordance with any such approval.

Reason: In the interests of visual amenity and to comply with policy 16 of the Worthing Core Strategy.

- 09 No development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft and hard landscaping, which shall include indications of all existing trees and hedgerows on the land and details of those to be retained, together with measures for their protection in the course of development. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The approved details of hard landscaping shall be completed prior to occupation of the building(s).

Reason: In the interests of visual amenity and the environment and to comply with policy 16 of the Worthing Core Strategy

- 10 Development implemented in accordance with the approved plans

INFORMATIVES

Section 59 of the 1980 Highways Act - Extra-ordinary Traffic

The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process.

N.B. Cllr Edward Crouch voted against this application.

Application Number: AWDM/0969/14	
Site:	33 Seldens Way, Worthing, West Sussex BN13 2DL
Proposal:	Erection of two-storey two-bedroom house in garden to west with associated external works including pedestrian access to Stone Lane

Before the commencement of this application, the Planning Services Manager advised the Committee the report had omitted to include reference to Section 70 of the Town and Country Planning Act 1990 and Section 38 Planning and Compulsory Purchase Act 2004.

The Planning Services Manager gave a brief outline of this application for the Members, reminding them that this application was considered by the Planning Committee on 15 October 2014 when the matter was deferred.

The reason for the deferment was to investigate the provision of on-site parking to serve the new dwelling by sharing an existing driveway and clarification on sustainability of the proposed dwelling and materials.

The Officer felt this subsequent report addressed the issue with parking and the submission of an additional sustainability statement covered the sustainability matters.

Following the Committee's discussion, the majority of Members agreed the Officer's recommendation but requested an amendment to condition 12 to include the removal of permitted development rights relating to the provision of any driveways and hard standings.

Decision

The Committee **APPROVED** the application subject to the following conditions:-

1. 3 year time limit
2. Approved plans
3. Agree samples of materials including walls and roof
4. Agree finished floor level in relation to surrounding ground levels
5. Agree materials, design and appearance of doors and windows (including roof light windows)
6. Provide access and agree surfacing.
7. Agree and provide cycle storage
8. Agree and provide fencing
9. Agree surface water drainage
10. Hours of implementation of planning permission
11. Agree and implement Construction Method Statement
12. Remove 'pd' entitlements for extensions
13. Obscure glazed and restricted opening – easterly first floor window
14. Obscure glazed and fixed shut – southerly hallway window

15. No windows at first-floor or additional roof windows - easterly or southerly elevations
16. Retention of flint boundary wall, fence and hedge – northerly and westerly boundaries
17. No dwelling shall be occupied unless and until a final Code Certificate from an accredited assessor has been submitted to the Local Planning Authority to certify that the development hereby permitted has been designed and built to achieve at least Level 3 of the Government's Sustainable Homes Code.
18. The removal of permitted development rights relating to the provision of any driveways and hard standings.

Informative

1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. New address
3. Should the applicant apply for consent to discharge both Foul and Surface Water to the public sewers a copy of the Southern Water Services approvals should be submitted to the Council.

N.B. Cllr Michael Cloake voted against this application.