

**Minutes of a meeting of the
Adur Planning Committee
6 February 2017
at 7.00**

Councillor Peter Metcalfe (Chairman)
**Councillor Carol Albury (Vice-Chairman)

Councillor Les Alden	Councillor George Barton
Councillor Ken Bishop	Councillor Stephen Chipp
Councillor Brian Coomber	Councillor Geoff Patmore

** Absent

Officers: Planning Services Manager, Solicitor and Democratic Services Officer

The Chairman agreed a change in the order the applications were to be considered, taking 5.3 first, followed by item 5.2, 5.1 and 5.4.

ADC-PC/055/16-17 Substitute Members

Councillor Brian Boggis substituted for Councillor Carol Albury.

ADC-PC/056/16-17 Declarations of Interest

There were no declarations of interest.

ADC-PC/057/16-17 Minutes

Councillor Les Alden raised a query regarding the decision made for planning application AWDM/1706/16 - The Bell, 164 South Street, Lancing at the Committee meeting held on 9 January 2017. The decision had stated:-

*That the decision be delegated to Officers to secure a contribution of £150,000 from the applicant, to be spent on infrastructure schemes (including affordable housing) within Adur, and subject to the completion of a legal agreement, with a view to planning permission being **GRANTED**, subject to the following conditions:-*

Cllr Les Alden requested in place of 'within Adur' the decision be amended to read 'within the local area of the development' and that *(including affordable housing)* be deleted.

The Committee agreed the amendment to the minutes of 9 January 2017.

RESOLVED, that the minutes of the Planning Committee meeting held on 9 January 2017 be confirmed as a correct record and that they be signed by the Chairman.

ADC-PC/058/16-17 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

ADC-PC/059/16-17 Planning Applications

The planning applications were considered, see attached appendix.

ADC-PC/060/16-17 Public Question Time

The Chairman invited members of the public to ask questions or make statements about any matter for which the Council had a responsibility or which affected the District.

The registered speaker, Mr Andrew Nicholson, who spoke in objection on AWDM/1264/16, The Old Lifeboat House, requested the reasons for refusal be clarified.

The Planning Services Manager advised there were three refusal reasons, which were set out within the report.

The Chairman closed the meeting at 7.55 pm it having commenced at 7.00 pm.

Chairman

Application Number: AWDM/1625/16	
Site:	Development Site at 63 to 67 Brighton Road, Shoreham by Sea, West Sussex
Proposal:	Demolition of existing building and mixed use redevelopment of 63-67 Brighton Road to construct 5 storey building to provide 37sqm of A3 (restaurant/cafe)/A4 (drinking establishment) and B1 use on ground floor and 14 dwellings comprising 3 studio flats, 7 x 1 bed flats and 4 x 2 bed flats on first to fourth floors, plus 7 car parking spaces and cycle parking.

The application related to a site at the junction of Brighton Road, Eastern Avenue and Humphrey's Gap.

One further consultee response had been received, since despatch of the papers, from the Environment Agency. The Agency had removed their objection following receipt of the Flood Risk Assessment, and subject to the inclusion of an additional flood risk mitigation condition.

The Officer briefly outlined the application by showing Members an aerial view of the site, floor plans, elevations, street view and photographs.

The Officer's recommendation was for approval, to include the additional condition required by the Environment Agency.

There were no further representations at the meeting.

Members considered the proposal, and despite some Members' concerns regarding the availability of parking, agreed smaller properties were needed, the site was in a sustainable location, being close to the town centre, and therefore supported the Officer's recommendation to approve.

Decision

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

1. Approved Plans
2. Standard 3 year time limit
3. Full contaminated land investigation required
4. Foul and surface water disposal details to be agreed. Surface water drainage shall incorporate sustainable drainage methods, including rainwater attenuation, and the approved development shall be implemented in accordance with the approved detailed design prior to the use of the building commencing.
5. Details of external materials and details of windows and doors to be agreed
6. Car and cycle parking spaces to be provided

7. The gate to the parking area shall be positioned at least 2.5m back from the edge of the highway in order that a vehicle may wait clear of the highway whilst the gate is being operated.
8. Construction management plan to be agreed
9. Air quality impact assessment and emissions mitigation assessment to be carried out prior to commencement
10. Details of means of protecting the habitable rooms and amenity areas from excess noise to be submitted and agreed prior to commencement
11. At least 10% of the energy supply of the development shall be secured from renewable or low-carbon energy sources. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The approved details shall be implemented in accordance with the approved timetable prior to the commencement of the development and retained as operational thereafter or the use of the building, unless otherwise agreed in writing by the Local Planning Authority.
12. Space heating and hot water in the development must be delivered through a central, communal wet system, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. This should operate at an appropriate temperature for connection to a future heat network. Plant rooms should be situated to consider future pipe routes and sufficient space must be allowed for building/network interface equipment (such as heat exchangers). A pipe run must be provided between the plant room and the highway.
13. No development shall take place until a detailed design of green landscaping and planting has been submitted to and approved in writing by the Local Planning Authority. The approved development shall be implemented in accordance with the approved detailed design prior to the use of the building commencing. Appropriate native species, including vegetated shingle planting should be included.
14. Flood risk mitigation.

Application Number: AWDM/1711/16	
Site:	Land West Of 183 Old Fort Road, Shoreham by Sea, West Sussex
Proposal:	Demolition of existing double garage and erection of two-storey three-bedroom detached house with solar array on roof.

The application was deferred from the Adur Planning Committee meeting held on 9 January 2017 for a Members' site visit to take place to assess the impact on the neighbouring garden. Since that meeting, the applicant had also commissioned a Daylight/Sunlight and Overshadowing Report, and the findings were detailed within the Committee report.

The Planning Services Manager advised the Committee one extra representation had been received from the Shoreham Beach Residents' Association since the papers were published. The Association considered the development did not meet the amenity and rear garden space standards needed for approval.

The Officer briefly outlined the application for Members by showing an aerial view of the site, site plan, proposed elevations and street scene, together with photographic images.

Officers recommended permission be granted.

There was a further representation from Mr Paul Davis in support.

Following the representation, Members raised a number of queries with the Officer which were answered in turn.

After brief consideration, the majority of Members still considered the proposal vast within a small plot and felt would have a negative impact on the neighbouring property.

Decision

That the application be **REFUSED** for the following reasons:-

1. *The proposed dwelling, by reason of its size, design and siting within the plot, would represent an over development of the plot and would be a cramped, prominent and intrusive form of development, harmful to the character and appearance of the existing street scene. It would therefore be contrary to saved policies AG1 and AH2 of the Adur District Local Plan, Supplementary Planning Guidance' comprising Development Control Standard No.2 'Space Around New Dwellings and Flats' and the policies of the National Planning Policy Framework.*

2. *Having regard to the limited area of the site and its relationship to the existing residential property to the west (No.181), the proposal, by reason of its size and height, would give rise to an unneighbourly form of development which would be detrimental to the residential amenities and environment of the locality, resulting in loss of light and an overbearing effect on the existing dwelling contrary to the saved policies of the Adur District Plan (AG1, AH2) and the policies of the National Planning Policy Framework.*

Application Number: AWDM/1264/16	
Site:	The Old Lifeboat House, Shopsdam Road, Lancing, West Sussex
Proposal:	Construction of 1 x 3 bed dwelling (west of 10 Shopsdam Road).

The application was for a detached 3 bed dwellinghouse to the rear and south of The Old Lifeboat House, in Lancing.

The Planning Services Manager advised one further letter in objection had been received, since publication of the papers, in respect of the potential for increased flood risk, and access to the front and rear being unsuitable due to its close proximity to the footpath and sea wall.

Members were shown an aerial view of the site, site and location plan, elevations and photographic evidence. The Officer also included an illustration of the proposed dwelling, being contemporary in design.

Officers felt the proposed dwelling would have an adverse impact upon neighbouring properties and were concerned the potential risk of flooding had not been satisfactorily resolved as yet.

The Officer's recommendation was for refusal, for the reasons set out in the report.

There was a further representation from Mr Andrew Nicholson in objection.

Decision

That planning permission be **REFUSED** for the following reasons:-

- 1) The constraints of this site are such that in terms of its irregular size, shape and relationship to neighbouring dwellings the proposed dwellinghouse building by reason of its scale, orientation, and siting on the site, would represent an unduly assertively anomalous and obtrusively awkward form which would be out of scale to adjacent buildings and at odds with the prevalent street pattern, its character, and sense of place as well. It would fail to improve the quality of the area. The development is therefore contrary to paragraphs 56 and 64 of the National Planning Policy Framework and Saved Adur Local Plan Policy AH2 with allied Supplementary Planning Guidance Development Control Standard No. 2
- 2) The proposal has failed to pass the Exception Test set out in the National Planning Policy Framework as it has not been adequately informed by a site-specific Flood Risk Assessment that the development

would be appropriately flood resilient and resistant and that any residual risk can be safely managed, including by emergency planning, and it gives priority to the use of sustainable drainage systems. Accordingly, it would be contrary to Saved Adur Local Plan AP4 and paragraphs 100 to 103 of the National Planning Policy Framework in that the proposal has failed to pass the Exception Test as it is not adequately informed by a site-specific flood risk assessment demonstrating that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, reducing flood risk overall.

- 3) The new dwellinghouse building would, by reason of its size, orientation of its fenestration, and proximity to the rear gardens of neighbouring properties to the east, adversely overbear and overshadow and result in intrusive loss of privacy and overlooking resulting in harm to the living conditions of neighbouring residential occupiers. As such the proposal is in conflict with saved policies of the Adur District Local Plan (AH2) with allied Supplementary Planning Guidance Development Control Standard No. 2 and the Core Planning Principle of the National Planning Policy Framework related to safeguarding residential amenities.

Application Number: AWDM/1632/16	
Site:	303 Upper Shoreham Road, Shoreham by Sea, West Sussex
Proposal:	First-floor front extension over existing garage to north elevation and single-storey side extension to west elevation.

The application site was a substantial two-storey dwelling on the south side of Upper Shoreham Road. The Planning Services Manager advised Members the report had come to Committee as the applicant was an Adur Councillor.

Members were shown an aerial view of the site, existing and proposed elevations, together with photographs, with the Officer stating a letter of support had been received from the neighbour.

The recommendation was for approval.

Decision

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

01. Standard 3 year time limit
02. External materials to match existing
03. No additional windows or openings to be formed in west or east side walls of the extensions.
04. Approved plans