

**Minutes of a meeting of the
Adur Planning Committee
13 March 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

ADC-PC/061/16-17

Substitute Members

Councillor Brian Boggis substituted for Councillor George Barton.

ADC-PC/062/16-17

Declarations of Interest

There were no declarations of interest.

ADC-PC/063/16-17

Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 6 February 2017 be confirmed as a correct record and that they be signed by the Chairman.

ADC-PC/064/16-17

Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

ADC-PC/065/16-17

Planning Applications

The planning applications were considered, see attached appendix.

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

The Chairman informed the Committee that two public questions had been received from Ms Barbara O'Kelly of Shoreham-by-Sea as follows:-

I am speaking to express many local residents concerns about the levels of air pollution and traffic congestion which will increase with the extensive future developments.

At the government examination of the Adur Local Plan issues about air pollution and traffic were only briefly raised I am here to express many local residents concerns about the levels of air pollution and traffic congestion, which with virtually no discussion and yet this is the major concern of local residents. Did the Council not have a duty to its residents to raise this issue? Local Authorities are legally responsible for managing air pollution in their district.

As we all know the A259 and the A283 have increasingly long queues and stop/start flow traffic. The A27 traffic congestion has increased and currently has no pollution monitoring where two major developments are planned. New Monks Farm alone could end up with another one million vehicle movements a year adding to pollution and congestion. Shoreham High Street has been an Air Quality Management Area for over 10 years. The Council's Air Quality Action Plan of 2007 has been ineffective in reducing pollution levels and traffic congestion. NO2 levels remain high and particulates have not been measured.

Given recent publicity about the 40,000 premature deaths from air pollution related diseases and especially particulates, finding a solution to these problems is absolutely vital.

But is there a solution? I have read the targets in the Local Plan:

**A decrease in HGVs and LGVs*

**Improve the flow and decrease start/stop driving*

**Work with developers to improve infrastructure and traffic flow.*

These are all words but give no concrete, practical solutions.

Is it appropriate that the developers are responsible for the air quality and traffic projections? Will the results be truly independent and honest?

So I ask;

Do you believe that there will be air quality and congestion impacts from the new developments that will be detrimental to the environment and peoples' health?

What viable solutions do you have to comply with the Council's legal responsibility for the traffic and air quality problems in and around the district and particularly for Shoreham?

The people of Adur deserve solutions.

A response, produced by the Principal Planning Officer (Policy) and the Environmental Protection Specialist, was read out by the Chairman as follows:-

1) The emerging Adur Local Plan addresses air quality through Policy 35: Pollution and Contamination, which states that development should not result in pollution which prejudices the health and safety of the local community and environment. It also requires mitigation measures to be implemented where development may increase levels of pollution.

Air quality assessments will be required in conjunction with relevant development proposals to demonstrate that there are no potential adverse impacts to health, or to show how any such impacts can be mitigated.

The Local Plan therefore sets a framework for new development to reduce associated emissions, but the type and degree of mitigation required will depend on the type and amount of development. This would be assessed by Planning officers, Environmental Health Officers and other relevant organisations at the detailed design stage or through the Environmental Impact Assessment process.

2) Traffic matters are the responsibility of Highways England (A27) and West Sussex County Council, and Adur District Council works with these bodies to address transport matters.

The emerging Adur Local Plan (and accompanying Infrastructure Delivery Plan October 2016) includes mitigation measures at key junctions to address the impacts of development on the transport network. Strategic allocations and other development will also be required to make localised improvements to mitigate their impact.

In addition, the Local Plan seeks the provision of cycle routes, walking routes and public transport measures, to provide alternative options to the private car

The Adur Air Quality Action Plan (2007) was an attempt to reduce levels of pollution in the two air quality management areas (AQMA's) in Adur. Since it was written there have been a number of changes in traffic that have presented significant challenges. Levels of traffic have grown to their highest ever and the proportion of diesel vehicles has increased (both are reflected nationally). In addition predicted levels of harmful emissions were underestimated by vehicle manufacturers and governments resulting in emissions being much higher in the real world. This meant impacts were underpredicted in air quality modelling.

It should also be noted that many points within the action plan have either been delayed or did not result in the expected benefits.

We are therefore in the process of rewriting the action plan to update the action points. The Council will have to consider actions that have hitherto only been considered applicable to larger conurbations. This includes clean air zones and delivery restrictions. We will continue to work with West Sussex CC and Highways England in an attempt to deliver improvements, but we undoubtedly face significant challenges if we want to be successful in improving air quality...

Developments will have to have regard to the Action Plan when devising mitigation. We also require emission mitigation calculations in line with the Sussex Air Quality & Emissions Mitigation Guidance. This calculation provides the developer with a monetary value which should be used towards air quality mitigation.

The Council is also working to encourage the use of electric vehicles by seeking funding to install charging points across Adur & Worthing.

Clarification:

The issue of air pollution was discussed at the recent Examination hearings into the Adur Local Plan.

It should be noted that the agenda for discussion is set by the Inspector, not the Council. The Council's approach is set out in the Local Plan itself, as well as the Council's response to Inspector's Questions Issue 13: Pollution, Water Quality, Flood Risk and Drainage (Core Document ALP017), which is available on the Council's website. <https://www.adur-worthing.gov.uk/media/media.143003.en.pdf>

The Chairman closed the meeting at 8.30 pm it having commenced at 7.00 pm.

Chairman

Application Number: AWDM/1635/16	
Site:	Clubhouse Rear of 21 Kings Walk, Shoreham-by-Sea
Proposal:	Variation of conditions imposed on previous planning approval AWDM/0161/12: No. 2 (operating hours) to allow operating hours from 9am to 6pm Mon, Weds, Fri, Sat and 9am to 9pm Tues and Thurs, No. 3 (public opening) to allow opening to the public by prior appointment only to hold day and evening classes for a maximum of 5 pupils and three artists in the building at any one time, No. 7 (outside storage) to allow storage of gas bottles in secure cage. Retention of roof chimney to serve wood burning stove.

The Planning Services Manager advised the Committee there were no further additions to the report however, hard copy papers had been circulated to the Members in respect of wood burning materials and time log from the applicant regarding occupation of the building.

The Officer gave a brief outline of the application by showing an aerial view of the site and various photographs, both external and within the building. The recommendation was for approval.

There was a further representation from:-

Ward Councillor: Cllr Joss Loader
Applicant: Ms Anna Davies

Members discussed the application and raised a number of queries with the Officer, which were answered in turn.

Some Members of the Committee raised concerns as to the increase in operating hours, which they felt would have a detrimental effect on neighbouring properties, noise levels from the machinery used and smoke from the wood burner.

Since 2012 there had only been one complaint to the Environmental Health Officer although a number of written representations had been received since the planning application.

After some consideration, the majority of Members agreed permission be granted, but with the permitted hours of use only until 18:00 hrs each day, and with the addition of a condition requiring the replacement of the wood burning stove with a renewable energy pellet stove within 3 months of the date of the permission.

Decision

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

1. Approved Plans
2. Standard time limit
3. No working, trade or business whatsoever shall take place on the land edged in red on the plans hereby approved except between the hours of 9.00am and 6.00pm, Monday to Saturday, and not on Sundays or Public/Bank Holidays.
4. The artist studio shall not be open to the public except for commission viewing by prior appointment only and day classes from 9am to 6pm, Monday to Saturday only, with a maximum of 8 individuals (5 pupils and 3 artists) present at any time.
5. No machinery other than 1 no. glass grinder, 1 no. potters wheel, 1 no. kiln, 1 no. compressor, 1 no. drill, and 1 no. sandblaster. Any additional machinery shall be approved in writing by the local planning authority. No machinery shall be operated unless all the windows and doors of the hut are closed.
6. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no art shall be sold and no sales counter shall operate from the building.
7. The parking spaces provided on the land in accordance with the plans approved under planning permission AWDM/0161/12 shall not be used for any purpose other than parking of staff vehicles incidental to use of the artist studio.
8. No storage (except for gas bottles) shall occur outside of the hut building on any part of the land edged in red.
9. No external working shall take place anywhere on the land edged in red to which this permission relates and all working shall be confined to within the hut building.
10. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), the hut building shall not be extended or altered externally or any incidental building erected within the land edged in red and no external plant or machinery shall be installed, erected or replaced on the hut building and/or land edged in red.
11. No external lighting or floodlighting shall be installed from the date of this permission except in accordance with details to be submitted to and approved in writing by the local planning authority.
12. Replacement of the wood burning stove with a renewable energy pellet stove within 3 months of the date of the permission.

INFORMATIVE

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.

Application Number: AWDM/1915/16	
Site:	Queens Parade, North Road, Lancing
Proposal:	Addition of second floor and part third floor over existing first-floor flats to provide 9 no. new residential units comprising 2 x studio flats, 3 x 2-bedroom flats, 3 x 2-bedroom flats and 1 x 3-bedroom maisonette (with terraced balcony), plus associated lift and rear (west) stairs access, communal terrace, bin and bike storage.

The Planning Services Manager advised the Committee there were two additional representations received since publication of the report. Comments included -

- bike storage by a Fire Exit;
- overshadowing to bungalows opposite the site;
- lack of parking provision;
- existing tenancies have not been clarified;
- maintenance issues for existing properties repeated on new extension; and
- noise from construction impacting on existing shops.

Members were shown an aerial view of the site, together with various photographs and advised there would be the addition of a new lift providing access from the rear yard to the first-floor deck.

The Officer referred Members to page 26 of the report regarding the appeal against refusal of the previous scheme which was dismissed. He stated the Inspector had not objected in principle to an additional floor, given the number of three-storey buildings in the immediate vicinity, but felt the proposal should not overwhelm the street-scene but enhance the site and surroundings.

Officers considered the revised scheme acceptable and recommended approval.

Members discussed the application and raised some queries with the Officer, which were answered in turn.

The Committee agreed the latest proposals had addressed concerns identified by the Inspector, and would greatly enhance the area however, they felt refurbishment of the existing shop canopy should be included within the conditions.

Decision

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

1. Standard 3 year time limit

2. Approved plans
3. Agree schedule and samples of external materials and finishes (including all external cladding and facings, stair access 'pods', balconies and roof terrace)
4. Agree windows details
5. Implement architectural details, re-cladding of existing first-floor as shown on plans prior to first occupation and refurbishment of the shop canopy
6. Agree and implement improvements to external areas to provide secure, safeguarded and weather-protected pedestrian route prior to first occupation
7. Agree precise design of lift
8. Agree and implement cycle storage for existing and proposed flats prior to first occupation
9. Agree and implement refuse storage/re-cycling provision prior to first occupation
10. Hours of construction
11. Agree and implement construction method statement
12. Agree and implement foul and surface water drainage in consultation with Southern Water

Application Number: AWDM/1956/16 & AWDM/1958/16	
Site:	Southwick Community Centre, Southwick Street
Proposal:	<p>Planning Permission: Proposed entrance canopy and alterations to existing gates, removal of existing tree and replacement with new tree.</p> <p>Listed Building Consent: Proposed entrance canopy and alterations to existing gates.</p>

The Planning Services Manager advised Members that a letter from the applicant's agent had been received, since the report was published, regarding materials being used for the scheme - this was read out in full to Members.

Members were shown an aerial view, site location plan, existing and proposed elevations and photographs, and the Officer highlighted the entrance canopy, gates and materials which he stated would match the existing building.

The Officer advised the Arboricultural Officer and Estates had conflicting views regarding the Lime tree; with the Arboricultural Officer recommending the felling of the tree be refused and Estates recommending removal of the tree in order to avoid further damage to the drains.

Officers felt design issues had been resolved and recommended approval.

There was one further representation in support from the Chairman of the Southwick Community Association, Mr Bob Ryder.

Member agreed the Officer's recommendation however, stressed the need for the replacement tree to be of appropriate maturity.

Decision

That both planning permission and listed building consent be **APPROVED**, subject to the following conditions:-

AWDM/1956/16

1. Standard time limit
2. Approved Plans
3. Approval of Materials
4. Replacement tree to be planted in accordance with details to be agreed

AWDM/1958/16

1. Listed Building Consent time limit
2. Approved Plans

3. Protection measures to avoid damage
4. Make good any damage

Application Number: AWDM/0130/17	
Site:	32 Chartwell Road, Lancing Business Park, Lancing
Proposal:	Variation of approved AWDM/1782/15 Condition 6 (approved plans) to modify curved roof to hybrid straight and curved roof; projecting office element to be absorbed into the main warehouse be configured as 3 storeys within the warehouse.

Members were shown an aerial view of the site, together with photographs and advised the variation had come to Committee as a major application.

The application sought a minor design amendment to a previous permission and the Officer's recommendation was for approval.

Decision

That permission be **GRANTED**, subject to the following condition:

1. Amendment of approved plans list (other conditions remain applicable to the development)