

**Minutes of a meeting of the
Adur Planning Committee
22 January 2018
at 7.00**

Councillor Carol Albury (Chairman)
Councillor Stephen Chipp (Vice-Chairman)

**Councillor Les Alden	Councillor George Barton
Councillor Brian Coomber	Councillor Emily Hilditch
Councillor Robin Monk	Councillor Geoff Patmore

** Absent

Officers: Head of Planning and Development, Project Manager, Lawyer and Democratic Services Officer

ADC-PC/047/17-18 Substitute Members

Councillor Lee Cowen substituted for Councillor Les Alden.

ADC-PC/048/17-18 Declarations of Interest

There were no declarations of interest.

ADC-PC/049/17-18 Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 18 December 2017 be confirmed as a correct record and that they be signed by the Chairman.

ADC-PC/050/17-18 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

ADC-PC/051/17-18 Planning Applications

The planning applications were considered, see attached appendix.

ADC-PC/052/17-18

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.

There were no public questions.

The Chairman closed the meeting at 8.45 pm it having commenced at 7.00 pm.

Chairman

Application Number: AWDM/1497/17	
Site:	Free Wharf, Brighton Road
Proposal:	Redevelopment of the site to provide ten buildings, containing 540 new homes (of which two will be studios, 179 x one bed, 323 x two bed and 36 x three bed), 2,707sqm of commercial floorspace at ground floor level within use classes, A1 (retail), A3 (cafes and restaurants), B1 (business) and D1 (non-residential institutions). The development also includes 512 parking spaces, of which 438 will be for residents and 74 will be for the commercial space/visitors, reconstruction of the river wall, construction of mooring pontoons and observation platform at the end of Humphrey's gap, provision of a riverside pedestrian/ cycle route, areas of semi-private and publicly accessible open space, internal access roads, 596 cycle parking spaces and associated ancillary areas.

The Project Manager introduced the report by outlining the main issues within the report, and to show Members how the recommendation for approval had been reached.

The Officer advised the application was for 540 homes, of which 160 were affordable (30%) and 114 for market rent (20%). There would be 2,707sqm of commercial space, of which 533 sqm would be retail, 105 sqm for retail and cafes, 641 sqm for restaurants and 1,340sqm of B1 office space.

The proposed scheme included 438 parking spaces, 540 cycle parking spaces and just over 19,600 sqm of open space, of which 14,723 sqm would be publicly accessible. Flood defences, a river walkway, mooring jetties and pontoons on the river would also be included as part of the proposal.

The Officer advised that since the report was published, 19 further letters of objection had been received which had raised concerns about height, highways, traffic, air quality and the provision of a slipway.

Final consultation responses had been received from the Environment Agency who raised no objection subject to a S106 Agreement. However, the Sport England consultation response was incomplete within the report, and the Officer advised the complete response included some requests for S106 contributions which were listed elsewhere in the report.

The Officer stated the development had long been identified through Planning Policy for Shoreham Harbour Regeneration plans; it was supported in the Adur Local Plan under Policy 8 and Character Area 7, which identified the whole of the Western Harbour Arm for 1,100 homes.

Members were advised affordable housing was covered in detail on pages 36 and 37 of the report, and the Officer outlined for the Committee the proposed tenure mix. The applicant had provided a viability assessment to demonstrate how that mix had come about.

The Officer referred to the design, form and appearance of the scheme, and the Committee were shown CGIs to assist in their consideration of the application. The scheme consisted of 6 riverside buildings (A to F) and 3 roadside buildings (G to H), which were arranged in blocks ranging from 4 to 9 storeys in height. Following extensive consultation with the applicant, the Officers felt the design and appearance of the proposed scheme was acceptable.

The application had been assessed by Highways England and West Sussex County Council (WSCC), as the local highways authority, and the Officer referred Members to pages 47 and 48 regarding the impact/mitigation of the scheme on the highway network. As a result of the issues identified, highway improvements had been negotiated and would be secured through a S106 agreement.

The Officer referred to flood risk and drainage, advising the drainage strategy and flood risk assessment had been considered by the Environment Agency, the Council's Engineers and WSCC as Lead Flood Risk Authority. No objections had been received from those consultees and Officers had no reason to object to the scheme on those grounds.

In terms of ecology and air quality, the application had been considered by the Environment Agency, and the Council's Environmental Health Officer. The Officer summarised the findings for the Committee and also referred to the development's impact on amenity, overshadowing, daylight and sunlight.

The Officer stated a key issue had been the development's viability, which had been the subject of significant scrutiny. The applicant had submitted a viability assessment, and the Council had commissioned an independent review to look at proposals which identified a level of profit of approximately 12% which was considered a low profit margin. In light of this, Officers believed the level of affordable housing and mix was considered appropriate. However, he stated that should viability improve, the Council had requested a viability review mechanism be built in after a certain period of the development. The Council could then return to the developers and seek an increase in the affordable housing contribution and S106 monies.

Members were advised the Southern Housing Group had agreed to contribute S106 monies towards highways, air quality, health and education mitigation.

In conclusion, the Officer said there had been no significant issues identified by the statutory consultees; the application site was in a sustainable location and the design and the S106 monies were appropriate hence the recommendation for approval.

The Members were then invited to raise any questions with the Officers specifically on the presentation.

These queries were answered in turn and included:-

- clarification of the relevant planning history;
- the viability of the proposal/tenure mix;
- use of local labour force/apprenticeships;
- the Housing Infrastructure Funding;
- the impact on air quality; and
- the impact of road traffic in the town.

A Member referred to page 23 of the report which stated a further meeting had been held with the Environment Agency and that Officers would update the Committee at the meeting.

The Project Manager acknowledged the Council had received the Environment Agency's further advice which should have been included within his presentation. He therefore read out the relevant section within their response to the Council:-

"Biodiversity

The clarification on biodiversity impacts provided by the applicant indicates that approximately 40m² of mudflat will be directly lost as a result of the development, and 470m² will be overshadowed (albeit mitigated by the design of the structures).

We are pleased to see that the development includes the creation of habitat via the terraces underneath the walkway. However, we reiterate our previous concerns that this will not provide like for like habitat.

The Adur Estuary, together with Rye Harbour, represent the only significant areas of intertidal habitat between Pagham Harbour to the west and Sandwich Bay to the east, making the estuary a very important site in terms of its local ecological value.

The intertidal foreshore provides a sensitive, unique and ecologically rich habitat that supports an abundance of invertebrates and associated wading and wintering wildfowl. Mudflats are a priority habitat in the Government's UK Biodiversity Action Plan (BAP), and highlighted as under threat in the Sussex local BAP. One of the main objectives is to maintain at least its present extent and regional distribution.

Policy 8 'Shoreham Harbour Regeneration Area' of the Adur Local Plan (adopted December 2017) states that 'all development will be required to protect and enhance the area's important environmental assets and wildlife habitats'. It goes

on to state that redevelopment of sites in the Western Harbour Arm will need to enhance the area's natural biodiversity.

Paragraph 118 of the National Planning Policy Framework (NPPF) states that if significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

This is also supported by Policy 32 'Biodiversity' of the Adur Local Plan, and Policy SH7 'Natural Environment, etc' of the Proposed Submission Shoreham Harbour Joint Area Action Plan (JAAP).

Whilst there is benefit in providing tidal terraces as additional intertidal habitat, we are not satisfied that it completely mitigates for the loss created by the development, nor provides like for like compensation in terms of habitat quality and accessibility to fauna.

The net loss and degradation of intertidal habitat would therefore result in significant adverse impacts on one of the area's most important environmental assets. The development would therefore result in an unacceptable impact on biodiversity and make the proposals contrary to the development plan and the NPPF.

Planning obligation

In light of the difficulties found by the developer in providing direct like for like compensation, a planning obligation to fund improvement to the Adur estuary environment could be agreeable and ensure the development is in accordance with the above referenced development plan policies to protect and improve the natural environment, and mitigation hierarchy at paragraph 118 the NPPF.

If secured via a section 106 agreement, it would need to be clear that the improvement directly relates to the improvement of intertidal habitat in the Adur. We are exploring options with partners for the identification of enhancement opportunities, and such funds could contribute to their implementation.

Such a contribution would be consistent with the PPG as it would serve as mitigation for the otherwise unacceptable impact on intertidal habitat. It would therefore make the development acceptable in planning terms, and satisfy the first test of regulation 122 of the Community Infrastructure Levy Regulations 2010 (the 'CIL regs').

The detail of a section 106 agreement would need to include a reasonable and adequate sum, and wording that secures improvement to the Adur estuary's intertidal habitat, to ensure it complies with the second and third tests of regulation 122 of the CIL regs.

We would welcome discussion on the detail of any agreement".

There were further representations from:-

Objector: Mr Brendan Whelan (Shoreham Slipways Group)

Mr Bill Freeman (*AREA - Adur Residents Environmental Action & Adur Floodwatch Group*)
Mr Gerry Thompson (*Shoreham Society*)

Adjacent Ward Councillor: Cllr Joss Loader
Executive Member for Regeneration: Cllr Brian Boggis

Supporters: Mr Jeremy Barkway (*Southern Housing Group*)
Mr Jon Murch (*Agent*)

Following the representations, the Committee debated the application at length and whilst some Members believed the proposed development would have an adverse effect on local air quality and infrastructure, the majority accepted the Officer's recommendation to grant permission. Their reasons included that they were happy with the design of the scheme; no objections had been received from the statutory consultees and the applicants had carried out extensive public consultations.

Decision

That planning permission be **GRANTED** conditionally, subject to a S106 agreement being agreed by 25th of March 2018, to include a requirement to encourage use of local labour force and use of apprenticeships where possible and during the delegation period, further discussions to be held with the applicant to agree the precise wording of the conditions set out in the agenda.

In the event that the S106 legal agreement has not been completed within this timescale or an extension of time has not been agreed by both sides then,

The Head of Planning and Development shall have delegated authority to **REFUSE** planning permission on the basis that it has not been possible to secure an agreement, within an appropriate timescale, the necessary planning obligations to ensure acceptable development and mitigate some of the harmful effects of the proposal.

Subject to the following conditions:-

01. The development hereby approved shall be carried out in accordance with the following approved plans and reports:

- 2052-00-BR-0102-P01 Amendments to Planning Submission
- 2052-00-DR-0003-P02 Site Wide Block Plan
- 2052-00-DR-0004-P02 Indicative Plan of Potential Development of Kwik Fit and Ham Business Centre Sites
- 2052-00-DR-0110-P02 Site Wide Ground Floor General Arrangement Plan
- 2052-00-DR-0111-P02 Site Wide Level 01 General Arrangement Plan
- 2052-00-DR-0112-P02 Site Wide Level 02 General Arrangement Plan
- 2052-00-DR-0113-P02 Site Wide Level 03 General Arrangement Plan
- 2052-00-DR-0114-P02 Site Wide Level 04 General Arrangement Plan
- 2052-00-DR-0115-P02 Site Wide Level 05 General Arrangement Plan
- 2052-00-DR-0116-P02 Site Wide Level 06 General Arrangement Plan

2052-00-DR-0117-P02 Site Wide Level 07 General Arrangement Plan
2052-00-DR-0118-P02 Site Wide Level 08 General Arrangement Plan
2052-00-DR-0119-P02 Site Wide Roof General Arrangement Plan
2052-00-DR-0600-P02 Site Wide Elevations Riverfront and Roadside
2052-00-DR-0601-P02 Site Wide Elevations Mid Site
2052-00-DR-0602-P02 Site Wide Elevations Building A
2052-00-DR-0603-P02 Site Wide Elevations Building B & H
2052-00-DR-0604-P02 Site Wide Elevations Building D & H
2052-00-DR-0605-P02 Site Wide Elevations Buildings E & G1
2052-00-DR-0606-P02 Site Wide Elevations Buildings F & G
2052-00-DR-1614-P02 Building G Part North Elevation Bay Study 15
2052-00-DR-1615-P02 Building H Part North Elevation Bay Study 16
2052-41-DR-0110-P02 Building G & G1 Ground Floor GA Plan
2052-41-DR-0111-P02 Building G & G1 Level 01 Floor GA Plan
2052-41-DR-0118-P02 Building G & G1 Roof GA Plan
2052-41-DR-0600-P02 Building G & G1 North & South GA Elevations
2052-41-DR-0601-P02 Building G & G1 East & West GA Elevations
2052-42-DR-0110-P02 Building H Ground Floor GA Plan
2052-42-DR-0111-P02 Building H Level 01 Floor GA Plan
2052-42-DR-0117-P02 Building H Roof GA Plan
2052-42-DR-0600-P02 Building H GA Elevations
2639-RE-05 Landscape Strategy Addendum
2639-SK-10K Combined Landscape Masterplan with changes noted

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with the Adur District Plan 2017.

02. The development hereby permitted shall begin before the expiration of five years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

03. No part of the development shall be first occupied until such time as the vehicular accesses, including the provision of advanced stop lines at the A259 Eastern Avenue traffic signals, has been constructed in accordance with the details indicatively shown on drawing number 5910-GA-002 revision I.

Reason: In the interests of road safety

04. No part of the development shall be first occupied until the car parking spaces serving that respective part of the development has been constructed in accordance with the approved plans. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use.

05. No part of the development shall be first occupied until details of accommodation arrangements for the parking of all trade and service vehicles relating to both residents, commercial businesses and property

maintenance activities within the site have been submitted to and approved in writing by the Local Planning Authority. The details thereby approved shall be adhered to in perpetuity.

Reason: In the interests of road safety

06. No part of the development shall be first occupied until a cycle route to Shoreham town centre as indicatively shown on drawing number 5910-GA-005B revision C has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety.

07. No part of the development shall be first occupied until cycle parking serving that respective part of the development have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

08. 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.

09. Demolition and construction works shall not take place outside 08.00 hours to 18.00 hours Mondays to Fridays and 09.00 hours to 14.030 hours on Saturday. There will be no construction on Sundays or Bank Holidays.

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.

Reason: To safeguard the residential amenity of the area in accordance with Policy 19 of the Adur Local Plan

10. No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport.

11. No part of the development shall be first occupied until such time as until a Servicing Management Plan for has been submitted and approved in writing by the Local Planning Authority. This shall set out the arrangements for the loading and unloading of deliveries associated with the residential and commercial uses. Once occupied servicing shall be carried out only in accordance with the approved plan.

Reason: To safeguard the operation of the public highway.

12. Prior to the basement car parking being brought into use, a plan shall be submitted to and approved by the Local Planning Authority detailing measures to incorporate facilities for charging plug-in and other ultra-low emission vehicles that will be provided in the public and private parking areas. The approved plans shall be implemented thereafter.

Reason: In accordance with Paragraph 34 of the National Planning Policy Framework.

13. No work except demolition shall take place until the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:
 - a. particulars and samples of the materials to be used on all external faces of the building;
 - b. details of all elevations to show typical details of all external components including details of drainage;
 - c. details of the balconies and wind mitigation measures including details of drainage;
 - d. details of ground floor elevations including entrances;
 - e. details of escape doors, gates, doors bin storage entrance and bicycle storage entrance;
 - f. details of soffits, hand rails and balustrades;
 - g. details of ground level surfaces including materials to be used;

- h. details of external lighting attached to the building including anti-collision lights, lighting to the soffits and lighting to pedestrian routes;
- i. details of plant and ductwork to serve the commercial uses;
- j. details of ventilation and air-conditioning for the commercial uses;

Reason: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the policy 19 of the Adur Local Plan 2017.

14. External lighting in association with this development shall comply with Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations for Zone E2.

Reason: To safeguard the residential amenities of the local area in accordance with Policy 19 of the Adur Local Plan.

15. The commitments in the approved Energy Strategy and Sustainability Statement Revision 1 dated 29th March 2017 shall be installed prior to the first occupation of the development and shall be implemented in accordance with the approved strategy and retained as operational thereafter.

Reason: To ensure that the development incorporates renewable energy and contributes to meeting targets to reduce carbon dioxide emissions as set out in the approved Energy and Renewables Statement.

16. Prior to any of part of the development coming into use the communal waste and recycling areas as shown on the approved plans will be available for use by residents and arrangements made for waste collection and clearance.

Reason: In the interests of Highway safety and neighbour amenity.

17. Prior to the commencement of any development above ground level, details of the landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a) Details of materials
- b) Street furniture and lighting
- c) Planters, tree pits and planting
- d) A timetable for the implementation of the hard and soft landscaping,
- e) A maintenance plan to ensure establishment of the soft landscaping.

Development shall thereafter be carried out, and the planting maintained, in accordance with the approved details and timetable.

Reason: To protect and enhance the character of the site and the area and to ensure that its appearance is satisfactory.

18. No work except demolition shall take place 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, the recommendations of the NPPF and the SUDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Policy 36 of the Adur Local Plan 2017.

19. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:

- Finished floor levels are set no lower than 5.5m above Ordnance Datum (AOD) for commercial development and 6.0m AOD for residential.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/ phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the LPA.

Reason: The site is located partially within Flood Zones 3 and 2, according to our Flood Map. These indicate a high (0.5% AEP1) and medium (0.1% AEP) probability of tidal flooding, respectively. The 0.5% AEP (1 in 200 year) tidal flood level, including an allowance for climate change, is shown as 5.25m AOD. Furthermore, due to the close proximity of the site to the foreshore the site in a severe storm scenario will be vulnerable to overtopping, white water flooding and windblown debris. The above condition is therefore required in order to reduce the risk of flooding to the proposed development and future occupants.

20. No works except demolition shall take place 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. The development will then be carried out to comply with the agreed scheme.

Reason: To ensure that the proposed development is satisfactorily drained.

21. No work except demolition shall take place until an investigation and risk assessment has been undertaken to establish if the site is contaminated and to determine the potential for pollution in accordance with the requirements of DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Where remediation is necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and to the natural and

historical environment must be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority the remediation scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 34 of the Adur Local Plan. These details are required prior to commencement in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

22. No work except demolition shall take place until details of any foundation design using penetrative methods shall be provided to the LPA to show that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution in accordance with the NPPF. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

23. Notwithstanding the provision of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) planning permission shall be obtained before any change of use of the following components of the scheme:

Building D - Restaurant ([A3](#)) 281 m² GIA

Building E - Restaurant ([A3](#)) 365 m² GIA

Building F - Restaurant ([A3](#)) 105 m² GIA; Yacht Facility (D1) 88 m² GIA

Building G&G1 - Office (B1) 1,326 m² GIA

Building H - Retail (A1/A2/A3/A4) 541 m² GIA

to any use other than Use Classes as detailed in the Town & Country Planning (Use Classes) Order 2010 (or any Order revoking or re-enacting that Order with or without modification).

Reason: In order that the Local Planning Authority can retain control over further uses which it considers could be harmful to the vitality and viability of the designated centres in accordance with adopted Adur Local Plan 2017.

24. The commercial units shall only be open for trade between the hours of 07.00 and 23.00 Monday to Saturday and 09:00 to 18:00 on Sunday. Any unit greater than 280 sq.m will comply with the Sunday Trading Act 1994 (or subsequent replacement) on Sundays.

Reason: To comply with Adur Local Plan Policy 16, and in accordance with the NPPF.

25. The proposed commercial units sharing a party element with residential premises shall be designed and constructed to provide resistance to the transmission of sound. The sound insulation shall be sufficient to ensure that NR25 is not exceeded in the proposed residential premises due to noise from the neighbouring commercial premises and shall be permanently maintained thereafter.

A test shall be carried out after completion but prior to occupation to show the criterion above have been met and the results shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of occupiers of the building in accordance with the following policy of the Local Plan Policy 16.

26. Deliveries to the commercial units shall only be made between the hours of 07.00 and 20.00 Monday to Saturday and 09.00 to 18.00 on Sundays.

Reason: To safeguard the residential amenity of the area in accordance with the Adur Local Plan.

27. No work except demolition shall take place until the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:

- Details which identify the supply of all space heating and hot water in the buildings by a centralised, communal wet system
- Details which identify and safeguard plant room space for the future installation of heat interface equipment, and/or other plant, required for future connection to a future heat network
- Details of a safeguarded pipe run into, through, and out of the site to connect the plant rooms with the proposed heat network
- A strategy to facilitate the connection of the network to the development; and
- A strategy to facilitate access to the site and plant rooms for the heat network developer to carry out works required to connect the site to the Shoreham Heat Network, lay underground infrastructure within the roads, footpaths, open space and public areas of the development, and carry out repair and maintenance work to any heat network infrastructure

Reason: To enable the delivery and operation of the planned Shoreham Heat Network having regard to Policies 8 and 19 of the Adur Local Plan and Policy SH1 of the Proposed Submission Shoreham Harbour Joint Area Action Plan.

28. The development will be required to meet the optional water efficiency requirement of 110 litres per person per day as set out in Part G2 of the Building Regulations. No development shall commence until details of the developers approach to meeting this requirement have been submitted to and approved in writing by the Local Planning Authority.

Reason: To comply with Policy 18 of the Adur Local Plan and Policy SH1 of the Proposed Submission Shoreham Harbour Joint Area Action Plan.

29. An archaeological investigation of the site shall be carried out at the expense of the developer in accordance with a specification (written scheme of investigation) to be submitted to and agreed by the Local Planning Authority in writing before the commencement of building works.

Reason: To ensure appropriate investigation and recording of archaeological heritage assets on the site prior to commencement of new building works. Policy: NPPF 135, 141; Adur Local Plan 2017 Policy 16.

Informatives

- Section 278 Agreement of the 1980 Highways Act - Works within the Highway The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
- The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.
- A Flood Risk Management Plan from the Environment Agency
- Consent from the Marine Management Organisation is required.

Application Number: AWDM/1754/17	
Site:	Unit 7, Chartwell Business Centre, 42 Chartwell Road
Proposal:	Continuation of change of use from Use Class B1/B8 (Business/Storage or Distribution) to gym Use Class D2 (Assembly and Leisure).

The Head of Planning and Development introduced the report which was a continuation of change of use at Unit 7 on the Chartwell Business Centre. Members were shown an aerial photograph of the site, location plan and floor plan to assist in consideration of the application.

The Officer advised temporary planning permission had been granted 3 years ago. Members had overturned the Officer's recommendation and had felt a temporary permission should be granted for the gym. Since that time the applicant's gym had become established and successful.

The Committee were referred to the Planning Policy Officer's comments that whilst the proposal was contrary to the Adur Local Plan, the gym provided employment space and supported the local economy.

The Officer's recommendation was for approval.

The Committee voted unanimously in favour of the application.

Decision

That continuation of change of use be **APPROVED**, subject to the following conditions:-

1. Approved Plans.
2. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), the premises shall be used only as a gymnasium within Use Class D2 as defined in the Town and Country Planning (Use Classes) Order 1987 or in any equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification. On cessation of the use hereby permitted, the premises shall be restored to their former use (Class B1/B2/B8).

Application Number: AWDM/1861/17	
Site:	Leisure Centre, Lancing Manor, Manor Road
Proposal:	Replacement curtain wall glazing from white aluminium to black aluminium and new entrance doors to east and west elevations.

Before the Officer's presentation, the Chairman declared a non-pecuniary interest as a Trustee of the Leisure Centre.

The Head of Planning and Development advised the application was on the agenda as the site was Council owned. He briefly outlined the application for Members' consideration.

Members agreed 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

Informative

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.